DEPARTMENT OF THE NAVY
OFFICE OF THE ASSISTANT SECRETARY
(INSTALLATIONS AND ENVIRONMENT)
1000 NAVY PENTAGON
WASHINGTON DC 20350-1000

DEC 23 2009

MEMORANDUM TO MS. LAURA DUCHNAK, DIRECTOR,
BASE REALIGNMENT AND CLOSURE (BRAC) PROGRAM

SUBJECT: Hunters Point Restoration Advisory Board (RAB)

I received your December 22, 2009 memorandum (Attachment 1) submitted pursuant to the Code of Federal Regulations (CFR) at Title 32, Section 202.10(b) along with the supporting materials, wherein you recommend the dissolution of the Hunters Point Shipyard (HPS) Restoration Advisory Board (RAB). In accordance with Title 32, I considered your recommendation and the content of the administrative record in reaching my decision. I also reviewed the process you undertook to make the public aware of your intentions, as well as attempts made by your staff to resolve issues affecting the RAB's effectiveness. Based on review of that information, I have determined the HPS RAB is unable to fulfill its intended purpose of advising Navy's Environmental Restoration program managers and decision makers, and I therefore approve your request to dissolve the HPS RAB.

The Department of the Navy (DON) establishes RABs to provide stakeholder involvement in the environmental restoration process at Department of Defense (DoD) installations. The RAB is an opportunity for parties who may be affected by environmental restoration activities to review program progress, and participate in a dialogue where they provide comment and advice to environmental restoration program managers and decision makers. I have reviewed documents within the administrative record. I paid particular attention to the minutes of various RAB meetings (Attch. 2, 13, 14 and 20). The meeting minutes revealed a RAB that at times was productive but more often was unproductive. While members of the RAB listened and provided insightful comments at one point, the next moment conversations devolved into acrimony and accusation on issues which had little or nothing to do with HPS environmental restoration. The meeting of January 2009 is a prime example of this inconsistency (Attch. 20). The RAB Community Co-Chair notes in Attachment 22 that the RAB is an advisory board for environmental clean-up decisions; however, in that same note, he demands initiation of a grand jury investigation on economic matters and immediate removal from the RAB of a San Francisco City regulator. Email by current and former members of the RAB was also telling of the wide dichotomy of views within the RAB regarding its continued value (Attach. 30, 34, 35, 37, 39, 40, 41 and 61). Reasonable steps were taken to resolve issues affecting the RAB's effectiveness, as seen by regular use of a meeting facilitator and numerous attempts by Navy personnel to work with RAB members on issues that are outside the RAB's purview (Attch. 62). Nevertheless, it appears clear to me that irresolvable internal issues prevent the HPS RAB from fulfilling its

intended purpose of advising the environmental restoration program managers and decision makers.

Since February 2009, you have taken numerous steps to seek out and implement enhanced community involvement in other forums and through internet technologies. While several actions have shown promise, others may not have been completely successful (Attch.6). I encourage you to continue to provide information to the public, seek their input on the environmental restoration program implementation, and continue to explore other opportunities for meaningful dialogue with the local community. I am directing you to monitor and reassess community interest in the RAB process at least every 24 months. If your reassessment finds sufficient and sustained community interest for reestablishing the HPS RAB, you should reestablish a RAB. However, if the same conditions occurring at the time of this RAB's dissolution still exist, you should notify this office through your chain of command and request an exception to reestablishment.

Richard G. Mach, Jr., P.E.
Acting Deputy Assistant Secretary of the Navy
(Environment)