

**SCOPING REPORT
FOR
DRAFT ENVIRONMENTAL IMPACT REPORT**

**PACIFIC GAS & ELECTRIC COMPANY
TOPOCK COMPRESSOR STATION
ENVIRONMENTAL INVESTIGATION AND CLEANUP PROJECT
SAN BERNARDINO COUNTY, CALIFORNIA**

Prepared for:

California Environmental Protection Agency
Department of Toxic Substances Control
5796 Corporate Avenue
Cypress, California 90630

Prepared by:

EDAW, Inc.
1420 Kettner Boulevard, Suite 500
San Diego, California 92101
Phone: (619) 233-1454
Fax: (619) 233-0952

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1.0 INTRODUCTION

The California Department of Toxic Substances Control (DTSC) is the Lead Agency for the environmental investigation and cleanup of contamination at the Pacific Gas & Electric Company (PG&E) Topock Compressor Station (Station) located approximately 12 miles southeast of the community of Needles in San Bernardino County, California. In accordance with the California Environmental Quality Act (CEQA), an Environmental Impact Report (EIR) is being prepared for the cleanup project. CEQA specifies that a public agency must prepare an EIR for any project that it proposes to carry out or approve that may have a significant direct or indirect impact on the environment (Public Resources Code Section 21100[a]). DTSC determined that this project may have a significant impact on the environment and therefore decided to prepare an EIR. The preparation of the EIR is being completed by an independent consultant, EDAW, Inc. (EDAW).

The purpose of the EIR for the Station is to select a “final remedy” for the cleanup of soil and groundwater contamination at and near the Station. A “final remedy” is a final cleanup action proposed for dealing with contaminants at a site. Under California law, owners or operators of facilities that treat, store, or dispose of hazardous waste must undertake corrective actions to clean up releases and spills of hazardous wastes or constituents resulting from their operation. The following paragraphs provide information regarding the activities associated with the EIR that have been conducted to date.

1.1 PURPOSE OF SCOPING PROCESS

The scoping process can be divided into three stages: (1) issuance of the NOP, (2) comment period, and (3) scoping meetings. Depending on the nature of the EIR, the scoping meeting can be either an optional or required activity. If the Office of Planning and Research or a project applicant requests one or more scoping meetings, then such meetings must be convened by the lead agency as soon as possible but no later than 30 days after the meetings were requested. For projects of statewide, regional, or areawide significance, CEQA specifies that the lead agency “shall conduct at least one scoping meeting” in which participants can assist the lead agency in determining the scope and content of the environmental information that the responsible or trustee agency may require (Public Resources Code Section 15082[c]).

The distribution of the NOP and Fact Sheet initiated the scoping process for the proposed EIR. In accordance with CEQA, the purpose of the scoping process is to engage Responsible Agencies, Trustee Agencies, federal agencies, and interested organizations and individuals in identifying concerns to be addressed in the draft EIR. The principal goal of the scoping process is to inform agencies and the public about issues related to the proposed project and to solicit recommendations and develop information regarding the scope, focus, and content of the proposed EIR.

1.2 SCOPING ACTIVITIES

The initial step in the EIR process for the proposed project was to publish a Notice of Preparation (NOP). An NOP is a procedural document used to initiate interagency and public

dialogue to determine the scope of an EIR. On May 2, 2008, DTSC filed the NOP with the California Office of Planning and Research, which initiated the formal comment period for the NOP.

In addition to the NOP, DTSC prepared a Fact Sheet that provided information regarding the purpose and timeline associated with the EIR process, the background of the project, the cleanup activities conducted to date, the availability of the NOP, the dates, times and locations of the upcoming scoping meetings, and the process for obtaining additional information regarding the project. Information regarding the locations of repositories containing project reports, fact sheets, and other project documents was provided in the Fact Sheet. The Fact Sheet also included a comment and mailing list form that readers could use to provide comments, request additional information, or request to be added or deleted from the mailing list. A copy of the Fact Sheet, dated May 2008, is provided in Appendix A.

For the purposes of informing interested individuals located in the vicinity of the project area, a Public Notice regarding the issuance of the NOP was published in the following newspapers on the dates indicated:

- Parker *Pioneer* – April 30th, 2008
- Needles *Desert Star* – April 30th, 2008
- Mohave *Daily News* – May 2nd, 2008
- Lake Havasu City *Today's Herald* – May 2nd, 2008

The NOP and Fact Sheet were posted on the internet at http://www.dtsc.ca.gov/SiteCleanup/Projects/PGE_Topock.cfm, and at the project repositories listed below.

Needles Public Library
1111 Bailey Avenue
Needles, CA 92363

Chemehuevi Indian Reservation
2000 Chemehuevi Trail
Havasus Lake, CA 92363

Golden Shores/Topock Library Station
13136 Golden Shores Parkway
Topock, AZ 86436
Lake Havasu City Library
1770 McCulloch Blvd.
Lake Havasu City, AZ 86403

Colorado River Indian Tribes Public Library
2nd Avenue and Mojave Road
Parker, AZ 85344

Parker Public Library
1001 Navajo Avenue
Parker, AZ 85344

California Department of Toxic Substances Control
5796 Corporate Avenue
Cypress, CA 90630

The NOP and Fact Sheet also were forwarded either by electronic mail, or by ground or air mail, to several parties who were identified as Responsible Agencies, Trustee Agencies, federal agencies and interested organizations and individuals. A copy of the complete mailing list of the individuals who received copies of the NOP and Fact Sheet is provided in Appendix B.

In the NOP and Fact Sheet, Responsible Agencies, Trustee Agencies, federal agencies and interested organizations and individuals were encouraged to submit comments regarding the scope and content of the environmental information to be contained in the draft EIR for DTSC's consideration. The comment period for the NOP was extended an additional 30 days beyond the 30-day comment period required by CEQA for a total of 60 days. The NOP and Fact Sheet indicated that comments on proposed project must be received no later than 5:00 p.m. on July 1, 2008. Copies of the NOP and Public Notice are provided in Appendix C.

During the 60-day comment period, scoping meetings were held at several venues. Section 3.0 provides an overview of the scoping meetings that were held and the comments provided during the scoping meetings.

2.0 RESPONSES TO NOP

In the NOP and Fact Sheet, Responsible Agencies, Trustee Agencies, federal agencies, and interested organizations and individuals were encouraged to submit comments regarding the scope and content of the environmental information to be contained in the draft EIR to the DTSC at any time during the 60-day formal scoping period. Any comments received during this period were recorded on an Excel spreadsheet by a designated DTSC staff person. Information provided on the spreadsheet includes the following:

- type of communication (e.g., NOP comment form, letter, telephone call)
- name of DTSC recipient
- name of comment author
- date comment received
- action requested/required
- date action completed

A total of 48 comments were received by DTSC during the scoping period. The comments were received through the mail, email, or via telephone. In general, the comments received during the formal comment period can be grouped in to nine categories:

- concerns regarding contamination of soil and groundwater in the project area and the types, duration, and effectiveness of cleanup methods being considered
- the potential impact to the environment of the investigation and cleanup process, particularly the impact to Native American cultural and archeological resources
- the potential impact to human health from exposure to contaminants of concern in the project area, as a result of exposure either to contaminated surface water (i.e., the Colorado River) and/or contaminated ground water (via drinking water wells)
- the necessary coordination of state and federal actions (i.e., CEQA and NEPA) with regard to the selection of a final remedy
 - the geographic area that should be included as part of the project area during the EIR analysis
 - the range of environmental issues that should be addressed in the EIR
- requests for clarification regarding how the CEQA process applies to nearby land located in Arizona that may be impacted by contamination from the Station
- requests to be removed from the mailing list
- requests to be added to the mailing list

Copies of the comments received during the 60-day scoping period are provided in Appendix D. A table providing a summary of all of the comments received is provided as Appendix E.

3.0 SCOPING MEETINGS

Following issuance of the NOP and Fact Sheet, DTSC hosted several scoping meetings to give the Responsible Agencies, Trustee Agencies, federal agencies and interested organizations and individuals an opportunity to appear and comment on the scope and content of the draft EIR. The locations of the scoping meetings were selected based on DTSC's knowledge regarding the communities that were nearest to the individuals and agencies that had received the NOPs. The locations, dates and times of the scoping meetings are presented in Table 1.

Table 1. Scoping Meeting Locations, Dates and Times

Meeting	City	Address	Date	Time
1	Palm Desert, CA	City of Palm Desert City Council Chamber Palm Desert, CA 92260	Tuesday, May 27	1:30-4:30 p.m.
2	Yuma, AZ	Gila Ridge High School Auditorium 7150 E. 24th Street Yuma, AZ 85365	Wednesday, May 28	1:30-4:30 p.m.
3	Needles, CA	Needles Elks Lodge 1000 Lillyhill Dr. Needles, CA 92363	Thursday, May 29	5:30-8:30 p.m.
4	Lake Havasu City, AZ	City Council Chamber 2360 McCulloch Blvd. North Lake Havasu City, AZ 86403	Monday, June 2	2:00-5:00 p.m.
5	Big River, CA	Big River Development Enterprises 150313 Rio Vista Drive Big River, CA 92242	Thursday, June 5	5:00-7:00 p.m.

The scoping meetings consisted of introductions, a project overview, a CEQA process overview, and an opportunity for meeting participants to comment verbally or in writing on the scope and content of the EIR. Participants who wished to speak were given unlimited time in which to do so. Written comments also were accepted at the meetings. The following paragraphs provide information regarding the format of the scoping meetings, attendance at the scoping meetings, and materials that were made available to meeting attendees.

3.1 SCOPING MEETING FORMAT

Since DTSC is the point of contact with the public on the proposed EIR project, a decision was made that DTSC staff should lead each of the scoping meetings. The meetings consisted of the following activities:

- Registration
- Presentation on meeting purpose and project overview (by DTSC)
- Presentation on overview of CEQA process pertinent to Topock EIR and major issues identified so far that will be addressed in EIR (by EDAW)

- Reiteration of purpose of meeting and kind of input being solicited, and invitation for invites public comment (by DTSC)
- Public input
- Summary of the scoping meeting, including how the input will be used in the EIR process
- Communication of thanks for attendance and adjournment (by DTSC)

A projector and screen were used to display the PowerPoint presentations given by DTSC and EDAW during the scoping meetings. A copy of the PowerPoint presentations is provided in Appendix F.

3.2 SCOPING MEETING ATTENDANCE

A registration table, located at the entrance to the meeting venue, was provided at each scoping meeting. The registration table was staffed by EDAW personnel. The registration table included a sign-in sheet and several informational materials (referenced in Section 2.3). Attendees were encouraged to provide names, addresses and affiliation on the sign-up sheet, but were informed that it was not essential to do so. Attendance was light at the 1st, 2nd and 4th meetings. A larger number of attendees were present at the 3rd and 5th meetings. Several attendees at the 3rd and 5th meetings chose not to fill out the sign-in sheet. Copies of the sign-in sheets are provided in Appendix G.

3.3 SCOPING MEETING INFORMATIONAL MATERIALS

The following materials were available to attendees at the scoping meetings:

- Meeting Agenda
- May 2008 Fact Sheet
- Previous Fact Sheets
 - October 2006 Fact Sheet – *PG&E Topock Project Update*
 - July 2005 Fact Sheet – *PG&E Topock Project Begins Interim Measure No. 3 Treatment Operations*
 - August 2004 Fact Sheet – *PG&E's Topock Compressor Station in Needles Directed to Expand Cleanup Operations*
 - May 2004 Fact Sheet – *Interim Measures at the PG&E Topock Compressor Station*
- Comment Form
- PowerPoint Presentations
- Topock Remediation Schedule

- Existing Technical Reports
 - *RCRA Facility Investigation/Remedial Investigation Soil Investigation Work Plan, Volume 1* (October 2007)
 - *Groundwater and Surface Water Monitoring Report, Topock Compressor Station, Needs, California* (Second Quarter 2007)

Copies of the materials available at the scoping meetings, with the exception of the existing technical reports, are provided in Appendix H. The referenced technical reports are available on line at www.dtsc-topock.com.

3.4 SCOPING MEETING COMMENTS

During the scoping meetings, attendees were encouraged by DTSC to provide comments verbally or on comment forms. All verbal comments made during the formal scoping portion of the meetings were recorded using a digital recorder. The digital recording tapes were forwarded to Statewide Transcription Services, in Rocklin, California. Copies of the transcripts are provided in Appendix I.

In addition to the digital recordings, a trained graphic recorder was present to record the verbal comments made on large blank sheets of paper in front of the audience. The method of recording consisted of a combination of words and graphic symbols. The graphic recording process was explained to attendees at the beginning of each meeting. The audience was encouraged to review the comments reported on the graphic paper and to correct any inaccuracies. Due to the large size of the graphic recording paper, copies of the comments recorded graphically are not provided as an appendix to this report. Those interested in reviewing the graphic recordings may contact Ms. Nancy Graham at EDAW to request this information. Ms. Graham can be reached via telephone at the San Diego, California EDAW office (619-233-1454) or via e-mail at nancy.graham@edaw.com. In general, comments recorded on the graphic paper were similar in content to comments recorded on the digital recording.

Scoping meeting attendees also were provided an opportunity to complete a comment card, available at the reception table, instead of or in addition to providing comments verbally. The primary purpose of providing this method of communication was to offer individuals who are not comfortable speaking in public the opportunity to comment using an alternative method. During the scoping meetings, comment forms were not submitted by attendees.

In general, the comments received during the scoping meetings can be grouped in to three categories:

- comments pertaining to concerns regarding contamination of soil and groundwater in the project area and the types, duration and effectiveness of cleanup methods being considered
- comments pertaining to the potential impact to the environment of the investigation and cleanup process, particularly the impact to Native American cultural resources

- comments pertaining to the potential impact to human health from exposure to contaminants of concern in the project area, as a result of exposure either to contaminated surface water (i.e., the Colorado River) and/or contaminated ground water (via drinking water wells)

4.0 INCORPORATION OF SCOPING INFORMATION INTO EIR

In accordance with CEQA, during preparation of the draft EIR, all comments received by DTSC in response to the NOP and the scoping meetings will be addressed in the section of the EIR to which the comment pertains. The responses to the comments will be summarized in a matrix with a reference to the appropriate section of the EIR where comments have been addressed. If a comment is raised that does not affect the EIR impact analysis, it will be noted. The draft EIR will contain a summary of the scoping process, based on the information provided in the scoping report.

APPENDIX A
MAY 2008 FACT SHEET



Department of
Toxic Substances
Control

*The Mission of
the Department
of Toxic
Substances
Control is to
provide the
highest level of
safety, and to
protect public
health and the
environment
from toxic harm.*



State of California



California
Environmental
Protection Agency

FACT SHEET – May 2008

PG&E Topock Compressor Station Project Availability of a Notice of Preparation

The *Notice of Preparation* (NOP) is currently available for review and comment. The purpose of the NOP is to solicit guidance from agencies and stakeholders for the scope and content of the environmental information to be included in the *Environmental Impact Report* (EIR). The Department of Toxic Substances Control (DTSC) is the *lead regulatory agency* for the cleanup of the PG&E Topock Compressor Station (referred to as the “Station”). Under the *California Environmental Quality Act* (CEQA), DTSC must evaluate the environmental impacts of a project as part of the approval process. In order to select the most appropriate final cleanup remedy, DTSC will prepare an EIR to document the potential environmental impacts of the action. (*Words in bold and italics appear in the Glossary of Terms.*)



Project Location

Public Scoping Meetings

Public Comment Period for the NOP runs from May 2 to July 1, 2008.

For information on accessibility and to request reasonable accommodations, please contact Susan Callery at (818) 717-6567 at least one week before the meeting.

- City of Palm Desert, City Council Chamber, Palm Desert, CA 92260
Tuesday, May 27, 1:30-4:30
- Gila Ridge High School Auditorium, 7150 E. 24th Street, Yuma, AZ 85365
Wednesday, May 28, 1:30-4:30 p.m.
- Needles Elks Lodge, 1000 Lillyhill Dr., Needles, CA 92363
Thursday, May 29, 5:30-8:30 p.m.
- City Council Chamber, 2360 McCulloch Blvd. North, Lake Havasu City, AZ
Monday, June 2, 2:00-5:00 p.m.
- Big River Development Enterprises, 150313 Rio Vista Dr., Big River, CA 92242
Thursday, June 5, 5:00-7:00p.m.

Project Background

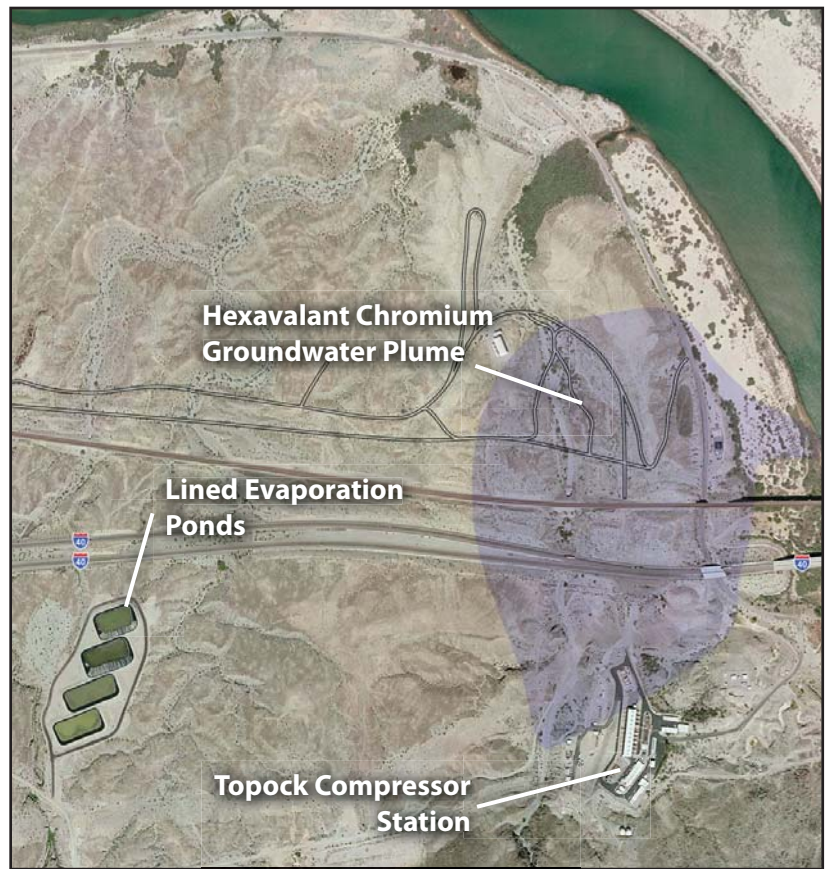
The Station is one-half mile west of the Colorado River and south of Interstate 40 (I-40). The Station is surrounded by federal lands including the Havasu National Wildlife Refuge managed by the United States Fish and Wildlife Service (USFWS) and lands managed by the Bureau of Land Management (BLM). The area has cultural and spiritual significance to Native American people and it is part of their traditional lands.

Pacific Gas & Electric Company (PG&E) owns the Station which began operating in 1951. The Station compresses natural gas for transportation through pipelines to PG&E's service territory in central and northern California. From 1951 to 1985, PG&E added chromium to the water in the cooling towers at their facility to prevent corrosion of the cooling tower equipment. During the 1950s and 1960s, untreated wastewater from the cooling towers containing **hexavalent chromium** was released into a streambed adjacent to the site. This streambed is known as the Bat Cave Wash. In 1973, PG&E began treating the wastewater and storing the treated wastewater in evaporation ponds. In 1985, PG&E stopped using chromium and switched to a more environmentally safe additive to control corrosion at the Station. Investigation of the Station began in the 1980s to assess whether the property had been environmentally affected by the waste disposal activities. These investigation activities revealed contamination in soil and **groundwater**.

Cleanup Program

The first phase in the cleanup process was to assess the extent of the contamination. A formal investigation of soil and groundwater at the Station began in 1987. The investigation activities included the evaluation of soil and groundwater at the Station, and determined the movement of contaminants in groundwater and the threat to the Colorado River. These activities have included:

- collecting samples from groundwater monitoring wells at and around the Station
- collecting samples of sediment from the bottom of the Colorado River
- collecting water samples from the Colorado River



Topock Compressor Station and Plume

The investigations show that the affected groundwater, referred to as the “**plume**,” extends northeast from the Station toward the Colorado River, but did not detect any contaminants within the river water. Sampling activities continue on a regular basis and **pilot studies** are being performed to determine the most effective cleanup alternatives for the groundwater beneath the Station.

Under the jurisdiction of DTSC, PG&E also installed and operates a groundwater extraction and treatment system to control the directional flow of groundwater away from the river and to protect the water in the Colorado River.

The California Environmental Quality Act

CEQA is a state law that requires the lead agency of a project to consider and disclose the environmental effects of its proposed actions before approving them. DTSC has been designated the lead agency for the environmental investigation and cleanup project at the Station. DTSC will prepare an EIR to assess the potential environmental effects of the cleanup alternatives prior to the selection of the final remedy. The final remedy may consist of one or more

technologies to clean up the soil and groundwater contamination.

DTSC and PG&E entered into a Memorandum of Understanding (MOU) for the preparation of the EIR by an independent consultant, EDAW, Inc. (EDAW); however, DTSC retains full control of the content and conclusions in the EIR.

The first step in the EIR process is to prepare an NOP. The subsequent steps required to complete the EIR include the following:

- Hold scoping meetings to obtain input from other agencies with jurisdiction in the project area or over project activities and community members on the scope and content to be evaluated in the EIR
- Prepare a Draft EIR that assesses the potential environmental impacts from the proposed remedies. The Draft EIR will describe existing conditions in the project area, analyze the project's potential effects, and identify measures to avoid, reduce, or mitigate adverse impacts from the cleanup program.
- Distribute the Draft EIR for a 60-day public review period and obtain comments from agencies and the public on the content of the Draft EIR.
- Prepare written responses to comments received during the public comment period.
- Prepare and publish the Final EIR
- Certify the EIR and file the *Notice of Determination* (NOD).

Upcoming Scoping Meetings

A *scoping* meeting is a formal recorded hearing where agencies and community members can present their input on the scope of the EIR for this project. Scoping meetings will be held at times and locations listed on the front page.

Written comments can also be sent to Ms. Jeanne Matsumoto of DTSC for consideration in the EIR scoping process. All comments must be received by DTSC no later than July 1, 2008. Scoping meeting locations and dates also are provided in the NOP.

Additional Information Sources

DTSC will continue to keep you informed during the EIR process. A notice will be sent to everyone who has

requested notification when the Draft EIR becomes available for review and comment. DTSC anticipates a draft EIR will be available for review during the second quarter of 2010. For general project information, the Topock website is an easy way to access information about the PG&E Topock Compressor Station environmental investigation and cleanup project. You can find the website at: www.dtsc-topock.com. Project information can also be found at DTSC's main website: www.dtsc.ca.gov. These websites contain all of the Public Notices and Fact Sheets that have been prepared on the environmental activities at the Station since 1998 and provide a useful overview of the project.

Who to Contact for Information

For more information on this project, please contact the following DTSC representatives:

Mr. Aaron Yue
DTSC Project Manager
5796 Corporate Avenue
Cypress, CA 90630
(714) 484-5439
ayue@dtsc.ca.gov

Ms. Jeanne Matsumoto
DTSC Public Participation Specialist
5796 Corporate Avenue
Cypress, CA 90630
(714) 484-5338
Toll Free: (866) 495-5651
JMatsumo@dtsc.ca.gov

For media inquiries, please call:

Ms. Jeanne Garcia
DTSC Public Information Officer
(818) 717-6573
Email: JGarcia1@dtsc.ca.gov

TDD: Call 1-888-877-5378, and ask to contact Jeanne Matsumoto at 714-484-5338



**Department of
Toxic Substances
Control**

The Topock Environmental Investigation and Cleanup EIR: A Step by Step Process

SPRING/SUMMER 2008	WINTER 2009/ SPRING 2010	SPRING 2010	SPRING/SUMMER 2010	SUMMER 2010
Notice of Preparation Distribution and Scoping Meetings	Draft EIR Prepared	Public Review of Draft EIR and Receipt of Comments	Preparation of Responses to Comments and Final EIR	Final EIR Certified and Notice of Determination Filed
■	■	■	■	
◆	◆	◆		
✱	✱		✱	✱

Legend	
■	Fact Sheet
◆	Public Meeting
✱	Information Repository

Glossary of Terms

California Environmental Quality Act (CEQA):

Enacted in 1970 to provide long-term environmental protection, this law requires that governmental decision-makers and public agencies study the environmental effects of proposed activities, and that significant adverse effects be avoided or reduced where feasible.

Environmental Impact Report (EIR): A report designed to examine the potential environmental impacts of proposed activities.

Groundwater: Water beneath the earth's surface that flows through soil and rock openings.

Hexavalent Chromium: A form of chromium, a metal naturally found in rocks, soil and the tissue of plants and animals. Also used in industrial products and processes.

Lead Regulatory Agency: The public agency responsible for decision making on a project.

Notice of Determination (NOD): Formal notice filed with the California State Clearinghouse after the Final EIR has been certified and a project approved.

Notice of Preparation (NOP): A notice that is sent by the lead agency to notify agencies and the public that an EIR is being prepared and to request input on the content of the EIR.

Pilot Study: A mini version of a full-scale study used to assess the feasibility of a particular cleanup technology in a specific location.

Plume: A body of contaminated groundwater. The movement of a plume in groundwater can be influenced by such factors as local groundwater flow patterns, the character of the aquifer in which the groundwater is contained, and the density of contaminants.

Scoping: A process to gain input from agencies and the public regarding the content of the EIR.

APPENDIX B

NOP AND FACT SHEET MAILING LIST

COMPREHENSIVE MAILING LIST FOR TOPOCK NOP

NOPs to be mailed = 2297

NOPs for Scoping Meetings = 150

NOPs for Repository Binders or Spiral Bound = 7

TOTAL NOPs to be Printed = 2454

Tribal Representatives (Total NOPs = 311)										240 12 packages x 20 pieces by Overnight or 2-day	
See special mailing instructions										20 1 package x 20 pieces by USPS Return Receipt Requested	
send by mail first class										51 Individuals	
Name	Tribe	Title	Mailing Address	City	State	Zip	Phone	Fax	Email	FedEx/UPS Address	Special Mailing Instructions
Charles Wood	Chemehuevi Indian Tribe	Chairman	P.O. Box 1976	Havasu Lake	CA	92363	760-858-4301	760-858-1805	chair1cit@yahoo.com	1990 Palo Verde Road, Havasu Lake, CA 92363	
Gilbert Parra	Chemehuevi Indian Tribe	Director of Environmental Protection	P.O. Box 1976	Havasu Lake	CA	92363	760-858-1140	760-858-1189		UPS ONLY Chemehuevi (Reservation) EPA 2000 Chemehuevi Trail Blythe, CA 92225 ROUTE THRU BLYTHE	20 UPS 2-day with tracking
Ron Escobar	Chemehuevi Indian Tribe	Tribal Secretary/ Treasurer	P.O. Box 1976	Havasu Lake	CA	92363				1990 Palo Verde Drive, Havasu Lake, CA 92363	20 UPS 2-day with tracking
Cara McDonald	Chemehuevi Indian Tribe	Cultural Director	P.O. Box 1976	Havasu Lake	CA	92363				1991 Palo Verde Drive, Havasu Lake, CA 92363	
Shirley Smith	Chemehuevi Indian Tribe	Vice Chairperson	P.O. Box 1976	Havasu Lake	CA	92363	760-858-1116	760-858-1805	ssmithvc@yahoo.com	1990 Palo Verde Road, Havasu Lake, CA 92363	
Dennis Fagundes	Chemehuevi Indian Tribe	Water Quality Technician	P.O. Box 1976	Havasu Lake	CA	92363	760-858-1105	760-858-1189	citwaterquality@yahoo.com		
Sherry Cordova	Cocopah Indian Tribe	Chairperson	County 15th & Ave G	Somerton	AZ	85350	928-627-2102	928-627-3173	cocotcsec@cocopah.com	County 15th & Ave G, Somerton, AZ 85350	20 UPS 2-day with tracking
Jill McCormack	Cocopah Indian Tribe	Cultural Resource Manager	County 15th & Ave G	Somerton	AZ	85350	928-503-2291	928-627-3173	culturalres@cocopah.com	County 15th & Ave G, Somerton, AZ 85350	
Willadena Thomas	Cocopah Indian Tribe	Environmental Protection Office	County 15th & Ave G	Somerton	AZ	85350	928-627-2025	928-627-3173			
Paul Soto	Cocopah Indian Tribe	Tribal Resource Planner	County 15th & Ave G	Somerton	AZ	85350	928-627-2102/Cell 928-503-2902	928-627-3173	psoto@cocopah.com		
Edmund Domingues	Cocopah Indian Tribe		County 15th & Ave G	Somerton	AZ	85350					
Daniel Eddy, Jr.	Colorado River Indian Tribes	Chairman	Rt. 1 Box 23-B	Parker	AZ	85344	928-669-9211	928-669-5675	symi@rraz.net	Second Avenue and Mojave Road, Parker, AZ 85344	20 UPS 2-day with tracking
Michael Tsosie	Colorado River Indian Tribes	Director, CRIT Museum	Rt. 1 Box 23-B	Parker	AZ	85344	928-669-1272	928-669-8310	mohave12000@yahoo.com		20 UPS 2-day with tracking
Diana F. De Leon	Colorado River Indian Tribes	Director, Environmental Protection Office	Rt. 1 Box 23-B	Parker	AZ	85344	928-662-4336	928-662-4337	ddeleon@starband.net		
Eric Shepard	Colorado River Indian Tribes	Attorney General	Rt. 1 Box 23-B	Parker	AZ	85344	928-669-1271	928-669-5675	eshepard@critdoj.com		
Sylvia Homer	Colorado River Indian Tribes		Rt. 1 Box 23-B	Parker	AZ	85344	928-669-9211				
Eldred Enas	Colorado River Indian Tribes		Rt. 1 Box 23-B	Parker	AZ	85344	928-669-9211				
Gary B. Hansen	Colorado River Indian Tribes	Water Resources Director	Rt. 1 Box 23-B	Parker	AZ	85344	928-669-1315	928-669-8678	crith2o@redrivernet.com		
Herman TJ Latfoor	Colorado River Indian Tribes		Rt. 1 Box 23-B	Parker	AZ	85344					
Timothy Williams	Fort Mojave Indian Tribe	Chairman	500 Merriman Avenue	Needles	CA	92363	760-629-4591	760-629-5767		500 Merriman Avenue, Needles, CA 92363	20 UPS 2-day with tracking
Linda D. Otero	Fort Mojave Indian Tribe	Director	P.O. Box 5990	Mohave Valley	AZ	86440	928-768-4475, Cell 702-526-4679	928-768-7996	LindaOtero@FortMojave.com		20 UPS 2-day with tracking

Luke Johnson	Fort Mojave Indian Tribe	EPA Director, Environmental Office	500 Merriman Avenue	Needles	CA	92363	760-629-3721, Cell 702-630-3078	760-629-5767	lukejohnson@fortmojave.com		
Shan Lewis	Fort Mojave Indian Tribe	Vice-Chairman	500 Merriman Avenue	Needles	CA	92363	760-629-4591, Cell 702-334-2611	760-629-5767	slewis@ftmojave.com		
Felton Bricker, Sr.	Fort Mojave Indian Tribe		10489 McDowell Circle	Mohave Valley	AZ	86446					
Angie Alvarado	Fort Mojave Indian Tribe	Ahamakav Cultural Society	10443 Jenkins Circle	Mohave Valley	AZ	86446					
John Algots	Fort Mojave Indian Tribe		500 Merriman Avenue	Needles	CA	92363					
Christine Medley	Fort Mojave Indian Tribe	Bio-Defense Specialist	500 Merriman Avenue	Needles	CA	92363	760-629-3721 Cell 909-573-4899	760-629-5767	christinemedley@fortmojave.com		
Steven P. McDonald	Luce, Forward, Hamilton & Scripps LLP (for FMIT)		600 West Broadway, Suite 2600, San Diego, CA 92101-3372				619-699-2576	619-645-5315	smcdonald@luce.com		
Courtney Ann Coyle	Held-Palmer House (for FMIT)	Attorney at Law (on behalf of FMIT)	1609 Soledad Avenue	La Jolla	CA	92037-3817	858-454-8687	858-454-8493	CourtCoyle@aol.com		
Leo S. Leonhart	Hargis & Associates	On Behalf of FMIT	1820 E. River Road, Suite 220	Tucson	AZ	85718-5991	520-881-7300 X101 Cell 520-404-6172	520-529-2141	LLeonhart@hargis.com		
Michael J. Sullivan, CIH, Ph.D.	California State University Northridge	Professor, Env. & Occ. Health Dept., College of Health and Human Dev., Toxicologist for FMIT	18111 Nordhoff Street	Northridge	CA	91330-8412	805-728-5317	818-677-7411	michael.sullivan@csun.edu		
Mike Jackson, Sr.	Fort Yuma-Quechan Tribe	President	P.O. Box 1899	Yuma	AZ	85366-1899	760-572-0213	Attn: Melanie 760-572-2102 760-572-0515		350 Picacho Road, Winterhaven, CA 92283	20 UPS ground with tracking
Arlene Kingery	Fort Yuma-Quechan Tribe	Environmental Director, Environmental Protection Office	P.O. Box 1899	Yuma	AZ	85366	760-572-2969/Cell 928-9192199		qitenviron@aol.com		
Eddie L. Williams	Fort Yuma-Quechan Indian Tribe	Water Resource Technician	P.O. Box 1899	Yuma	AZ	85366	760-572-2577	760-572-2102	lincolnbrave@yahoo.com		
William Hirt	Fort Yuma-Quechan Indian Tribe	Water & Sewer Project Coordinator	P.O. Box 1899	Yuma	AZ	85366	760-572-2577	760-572-2102	billhirt@hotmail.com		
Pauline Jose	Fort Yuma-Quechan Indian Tribe	Acting Chair/Museum Director	P.O. Box 1899	Yuma	AZ	85366	760-572-0661				
William Scott	Fort Yuma-Quechan Indian Tribe		P.O. Box 1899	Yuma	AZ	85366					
Lorey Cachora	Fort Yuma-Quechan Indian Tribe		P.O. Box 1899	Yuma	AZ	85366	760-572-0592				
Don E. Watahomigie	Havasupai Indian Tribe	Chairman	P.O. Box 10	Supai	AZ	86435	928-448-2731 ph1 928-448-2961 ph2 928-448-2711 post office	928-448-2551 fax1 928-448-2881 fax2		send mail by U.S. Postal First Class or Overnight incl. boxes; receive mail by mail train (village at bottom of Grand Canyon)	20 USPS return receipt requested
Mathew Totesoy	Havasupai Indian Tribe	Vice-Chairman	P.O. Box 10	Supai	AZ	86435	928-448-2731	928-448-2551			
Rowland Manakaja	Havasupai Indian Tribe	Cultural Director	P.O. Box 10	Supai	AZ	86435	928-448-2731	928-448-2551			
Charles Vaughn	Hualapai Indian Tribe	Chairman	P.O. Box 310	Peach Springs	AZ	86434	928-769-2216 X102	928-769-2343			
Loretta Jackson	Hualapai Indian Tribe	Program Manager, Office of Cultural Resources	P.O. Box 310	Peach Springs	AZ	86434	928-769-2223	928-769-2235	lorjac@frontiernet.net	878 West Highway 66 Peach Springs, AZ 86434	20 UPS ground with tracking
Jack Ehrhardt	Hualapai Indian Tribe		P.O. Box 179	Peach Springs	AZ	86434	928-769-2216	928-769-1063	hualapaiplanning@citilink.net		
Dawn Hubbs	Hualapai Indian Tribe	Archeologist, Dept. of Cultural Resources	P.O. Box 179	Peach Springs	AZ	86434	928-769-2223	928-769-2235	dawn4light@hotmail.com		
Raymond Torres	Torres-Martinez Desert Cahuilla Indian Tribe	Chairman	P.O. Box 1160	Thermal	CA	92274	760-397-0300	760-397-8146		66725 Martinez Road, Thermal, CA 92274	20 UPS ground with tracking
Debi Livesay	Torres-Martinez Desert Cahuilla Indian Tribe	Environmental Planner	P.O. Box 1160	Thermal	CA	92274					
Darrell Mike	Twenty-Nine Palms Indian Tribe	Chairman	46200 Harison Place	Coachella	CA	92236	760-863-2433	760-863-2449		46200 Harrison Place, Coachella, CA 92236	20 UPS ground with tracking
Dr. Marshall Cheung	Twenty-Nine Palms Indian Tribe	Environmental Coordinator	47-250 Dillon Road	Coachella	CA	92236	760-398-6767	760-398-0046	tribal-epa@att.net		

William Anderson	Twenty-Nine Palms Indian Tribe	Environmental Scientist III	47-250 Dillon Road	Coachella	CA	92236	760-398-6767	760-398-0046	tribalepa15@att.net		
Ernest Jones, Sr.	Yavapai-Prescott Tribe	President	530 E. Merritt Street	Prescott	AZ	86301-2038	928-445-8790	928-778-9445	None	530 E. Merritt Street, Prescott, AZ 86301-2038	20 UPS ground with tracking
Scott Kwiatkowski	Yavapai-Prescott Tribe	Tribal Anthropologist	530 E. Merritt Street	Prescott	AZ	86301-2038	928-445-8790	928-778-9445	skwiatkowski@ypit.com		
Isabel Espinosa, LTJG	Parker Indian Health Center, Office of Environmental Health & Engineering	Environmental Health Officer	12033 Agency Road	Parker	AZ	85344	928-669-3179		isabel.Espinosa@ihs.gov		
Vincent Slayton-Garcia	U.S. Public Health Service, Indian Health Service	District Environmental Health Officer	10631 S. 51st Street #2	Phoenix	AZ	85044	480-592-0091	480-592-0096	vincent.garcia@ihs.gov		
Dwight Dutschke	Office of Historic Preservation	Native American Heritage Coordinator	P.O. Box 942896	Sacramento	CA	94296-0001	916-653-9134	916-653-9134	dduts@ohp.parks.ca.gov		
Henry Duro	San Manuel Band of Mission Indians	Chairman	26569 Community Center Drive	Highland	CA	92346					
Ms. Ann Briety	San Manuel Band of Mission Indians	Environmental Department	101 Pure Water lane	Highland	CA	92347					
Mr. Greg de Bie	Colorado River Indian Tribes	Office of the Attorney General	Rt. 1 Box 23-B	Parker	AZ	85344					
Britt W. Wilson	Morongo Band of Mission Indians	Cultural Resources Project Manager	49750 Seminole Drive	Cabazon	CA	92230					
Ms. Goldie Walker	Serrano Nation of Indians		6588 Valaria Drive	Highland	CA	92346					
Mr. David Todd	Chemehuevi Indian Tribe	Director of Environmental Protection	P.O. Box 1976	Havasu Lake	CA	92363					
Ms. Ramona Duran	Colorado River Indian Tribes	Environmental Protection Office	Rt. 1 Box 23-B	Parker	AZ	85344					
Ms. Nora McDowell-Ar	Fort Mojave Indian Tribe		500 Merriman Avenue	Needles	CA	92363					
The Honorable Sherry	Hualapai Tribe	Vice Chairwoman	PO Box 176	Peach Springs	AZ	86434					

DTCS Key Contacts (Total NOPS = 660)

See special mailing instructions
send by mail first class

280 14 packages x 20 pieces by Overnight or 2-day
80 4 package x 20 pieces by USPS Return Receipt Requested
100 Individuals

100 1 package x 100 pieces by Overnight or 2-day
100 2 package x 50 pieces by Overnight or 2-day

NAME	COMPANY / ORGANIZATION	TITLE	ADDRESS	CITY	STATE	ZIP CODE	Phone	LOCAL ADDRESS	LOCAL Phone	Fax	Email	FedEx/UPS Address	Special Mailing Instructions
Sen.Barbara Boxer	U.S. Senate	Senator	1700 Montgomery St #240	San Francisco	CA	94111	415-403-0100	201 North E Street Suite 210 San Bernardino, CA 92401	(909) 888-8525				
Sen.Barbara Boxer	U.S. Senate	Senator	201 North E Street, Suite 210	San Bernardino	CA	92401	(909) 888-8525						
Sen. Diane Feinstein	U.S. Senate	Senator	One Post St #2450	San Francisco	CA	94104	415-393-0707	11111 Santa Monica Blvd. Suite 915 Los Angeles, CA 90025	310 914-7300				
Attn: James Peterson	U.S. Senate	Sen. Diane Feinstein Staff	750 B St., # 1030	San Diego	CA	92101	619-231-9712						
Congr. Jerry Lewis	U.S. House of Representatives	Congressman	1150 Brookside Ave, Ste J-5	Redlands	CA	92373	909-862-6030						
Gov. Arnold Schwarzenegger	State of California	Governor	300 S. Spring St Ste 16701	Los Angeles	CA	90013	213-897-0322						
Sen. Roy Ashburn	State of California	Senator	5001 California Ave, Room 105	Bakersfield	CA	93309	661-323-0443						
Sen. Roy Ashburn	State of California	Senator	State Capitol, Room 3063	Sacramento	CA	95814	916-651-4018						
Assembl. Bill Maze	State of California, Distr 34	Assemblyman	220 E Mountain View St	Barstow	CA	92311	760-308-0309						
Assembl. Bill Maze	State of California	Assemblyman	State Capitol, Room 5160	Sacramento	CA	94249	916-319-2034	5959 S. Mooney Blvd Visalia, CA 93277	(559) 636-3440				
Bill Postmus	San Bernardino County	Assessor	172 W. Third Street	San Bernardino	CA	92415	909-387-8307	P.O. Box 2417 Rancho Cucamonga, CA 91729	(909) 297-3010				
Sup. Brad Mitzelfelt	San Bernardino County	Supervisor, District 1	107 F St	Needles	CA	92363	760-326-4278						
Sup. Brad Mitzelfelt	San Bernardino County	Supervisor, District 1	385 North Arrowhead Ave, Fifth FL	San Bernardino	CA	92415	909-387-4830	P.O. Box 1463 Victorville, CA 92393	(760) 314-9062				
Mayor Jeff Williams	City of Needles	Mayor	817 Third St	Needles	CA	92363	760-326-2113		760-326-2608	760-326-6765			

Vice Mayor Steve Thomas	City of Needles	City Council	817 Third St	Needles	CA	92363	760-326-2113			760-326-6765			
Councilm. Don McCone	City of Needles	City Council	817 Third St	Needles	CA	92363	760-326-2113			760-326-6765			
Councilm. Roy A. Mills	City of Needles	City Council	817 Third St	Needles	CA	92363	760-326-2113			760-326-6765			
Councilm. Richard Pletcher	City of Needles	City Council	817 Third St	Needles	CA	92363	760-326-2113			760-326-6765			
Councilm. Richard D. Rowe	City of Needles	City Council	817 Third St	Needles	CA	92363	760-326-2113			760-326-6765			
Councilm. Robert M. Smith	City of Needles	City Council	817 Third St	Needles	CA	92363	760-326-2113			760-326-6765			
Councilm. Rebecca Valentine	City of Needles	City Council	817 Third St	Needles	CA	92363	760-326-2113			760-326-6765			
Sen. John McCain	Attn: Nick Matiella	Senator	5353 North 16th St. Suite 105	Phoenix	AZ	85016	602-952-2410	4703 S. Lakeshore Dr, Suite 1 Tempe, AZ 85282	480-897-6289	602-952-8702 or 480-897-8389			
Sen. Jon Kyl	U.S. Senate	Senator	2200 E. Camelback Road, Suite 120	Phoenix	AZ	85016	602-840-1891	6840 N. Oracle Rd, Suite 150 Tucson, AZ 85704	520-575-8633	602-957-6838 or 520-797-3232			
Rep. Trent Franks	U.S House of Rep, AZ Distr 2	Representative	7121 West Bell Rd., Ste. 200	Glendale	AZ	85308	623-776-7911			623-776-7832			
Gov. Janet Napolitano	State of Arizona	Governor	1700 W. Washington St	Phoenix	AZ	85007	602-542-4331			602-542-1381			
Sen. Ron Gould	State of Arizona	Senator, District 3	1700 W. Washington St., Room 303	Phoenix	AZ	85007	602-926-4138			602-417-3265			
Rep. Trish Groe	State of Arizona	Representative, District 3	1700 W. Washington St., Room 309	Phoenix	AZ	85007	602-926-5408			602-417-3103			
Rep. Nancy G. McLain	State of Arizona	Representative, District 3	1700 W. Washington St., Room 344	Phoenix	AZ	85007	602-926-5051			602-417-3003			
Jack Hakim	Bullhead City	Mayor	Bullhead City Administration Complex 1255 Marina Blvd.	Bullhead City	AZ	86442	928-763-9400						
Sup. Buster D. Johnson	Mohave County	Supervisor, District 3	2001 College Drive. Suite 90	Lake Havasu City	AZ	86403	928-453-0724			928-453-0717			
Mayor Mark Nexsen	Lake Havasu City	Mayor	2330 McCulloch Blvd, North	Lake Havasu City	AZ	86403	928-453-4152			928-453-6909			
Richard Kaffenberger	Lake Havasu City	City Manager	2330 McCulloch Blvd, North	Lake Havasu City	AZ	86403	928-453-4141			928-680-4892			20 copies overnight or 2-day
Mayor Karen Bonds	Parker	Mayor	1314 11th St.	Parker	AZ	85344	928-669-9265			928-669-5247			
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Bob Lucas	Lucas & Associates	Principal	1121 L Street, Suite 407	Sacramento	CA	95814				(916) 444-7337			
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Julie Johnson	DTSC File Room		9211 Oakdale Avenue	Chatsworth	CA	91311	818-717-6500							
Kathleen Bradley			PO Box 1000	Topock	AZ	86436								
Faith Cawelti			1233 Louie Street	Prescott	AZ	86301-7604	928-527-3153 hm 928-774-7191 work							
Bonnie and Ronald Griffin			PO Box 2515	Flagstaff	AZ	86003								
Dave Newkirk			1655 W Jackson St. Mail Drop 125F	Phoenix	AZ	85007-3279								
Peter and Charlotte Guarisco			PO Box 1171	Topock	AZ	86436								
George R. Bunch			PO Box 1073	Topock	AZ	86436								
K. De Shazer			PO Box 850	Topock	AZ	86436-0850								
J. Meyers			2699 Poseidon Dr.	Lake Havasu	AZ	86403								
Michael Endicott	Tres Amigos Verdes		912 Cole St., Box 163	San Francisco	CA	94117	415-664-3508				415-664-3212			
Chris Smith			2176 Pima Dr. N.	Lake Havasu City	AZ	86403								
Heather Halsey	EDAW - Senior Project Manager		2022 J St	Sacramento	CA	95811								
Douglas Bonamici	Colorado River Indian Tribes - Law Clerk		26600 Mohave Dr	Parker	AZ	85344	928-669-1271				928-669-5675			
Mona Arteaga			1782 Rockview Way	Pomona	CA	91766								home address
Henry Baghdady	Mountain View Rentals		611 W. 6th Street, Suite 2150	Los Angeles	CA	90017								
Jerry Porter	City of Needles	Water Dept Director	817 Third Street	Needles	CA	92363					760-220-2571 (cell) 760-326-2113 ext 339 (office)			
John Tayloe		P.O. Box 17	P.O. Box 17	Needles	CA	92363					760-326-5022 (home)		ndlswater@citlink.net	
Mark Stirling	CA Dept of Food and Agriculture	Plant Quarantine	1220 N Street, Room A-372	Sacramento	CA	95814								
Roger Kline	CA Dept of Food and Agriculture	Plant Quarantine	1220 N Street, Room A-372	Sacramento	CA	95814					916-654-0312			
Craig Kimball	CA Dept of Food and Agriculture	Needles Quarantine Station	I-40 East of Needles	Needles	CA	92363					760-326-4150			

Frank DeLuca	McManus DeLuca, LLC.	Partner	5275 S. Durango Drive	Las Vegas	NV	89113			702-353-9191		vegasproperties@aol.com		
Ian Yanagisawa	El Paso Corporation		P.O. Box 2511	Houston	TX	77252-2511					Ian.Yanagisawa@ElPaso.com		
John Hazen	El Paso Natural Gas	Topock Area Manager	Topock Mohave Facility	Topock	AZ	86436			928-768-6930 (main) 928-768-6924 (desk)		John.Hazen@elpaso.com		
Jack Jakob	Topock Mesa Limited Partnership	Principal	7463 East Timberlane Court	Scottsdale	AZ	85258			602-370-6228 (cell)				home address
Maria & Richard Laangmack			2705 Southwind Place	Lake Havasu City	AZ	86406			928-453-9676 (home)				
Vic Hewlett	Golden Shores Water Company	Managing Director	PO Box 37	Topock	AZ	86436			928-715-8100 (cell) 928-768-3110 (office)		gswc_h2o@citlink.net		20 copies by overnight or 2-day
Victor Mendez	Arizona Department of Transportation	Managing Director	206 South Seventeenth Avenue	Phoenix	AZ	85007-3213							
George Webb	Arizona Department of Transportation	Topock Maintenance Facility Manager	HC12 -- Needles Mountain Road	Topock	AZ	86436							
Martin and Marcia Brown	Brown Investments		P.O. Box 1255	Flagstaff	AZ	86002							
Maureen Gorsen	Director	Dept of Toxic Substances Control	PO Box 806	Sacramento	CA	95812-0806							
	The Black Voice News		P.O. Box 1581	Riverside	CA	95202							
	Inland Valley News		2249 North Garey Avenue	Pomona	CA	91767							
Gerald D. Secundy	CA Council for Environmental and Economic Balance		100 Spear Street, Ste 805	San Francisco	CA	94105							
Jody Sparks	Toxics Assessment Group		PO Box 186	Stewarts Point	CA	95480	707-785-2728			707-785-2478			
Ms. Gwendolyn Eng	ATSDR Region IX	Regional Representative	75 Hawthorne Street, Suite 100	San Francisco	CA	94105							
	Environment California		1107 9th Street, Suite 601	Sacramento	CA	95814	916-448-4516						
Mr. Bradley Angel	Greenaction		1 Hallidie Plaza, Suite 760	San Francisco	CA	94102	415-248-5010			415-248-5011			
Ms. Jane Williams	CA Community Against Toxics		PO Box 845	Rosamond	CA	93560	661-273-3098			661-947-9793			
Mr. Chuck White	Waste Management Inc.		915 L Street, Suite 1430	Sacramento	CA	95814							
Ms. Liz Allen	Sierra Club		394 Blaisdell	Claremont	CA	91711							
Kelly Moran	TDC Environmental		4020 Bayview Ave.	San Mateo	CA	94403	650-627-8690			650-627-8814			
Mr. Francisco DaCosta	Environmental Justice Advocacy	Director	4909 Third Street	San Francisco	CA	94124							
Marilyn C. Underwood, Ph.D.	CA Dept. Health Svcs., Environmental Health Investigations Branch	Acting Chief, Site Assessment Sect.	350 Marina Bay Parkway, Bldg. P, 3rd Floor	Richmond	CA	94804-6403	510-620-3610			510-620-3720			
Mr. Joseph K. Lyou, Ph.D.	CA Environmental Rights Alliance	Executive Director	PO Box 116	El Segundo	CA	90245-0116							
Robina Suwol	Executive Director	California Safe Schools	Box 2756	Toluca Lake	CA	91610							
Additional Contacts per CEQA Requirements (Total NOPs = 31)													
See special mailing instructions (none)			31 Individuals										
send by mail first class													
Office of Planning and Research													
Office of Planning and Research - State Clearinghouse and Planning Unit	P.O. Box 3044	Sacramento, CA 95812-3044											
Trustee Agencies (Mail must be sent Certified or Fedex)													
Canh Nguyen (P)	California Department of Fish and Game	Environmental Scientist	P.O. Box 2160, Blythe, CA 92226	760-921-2974	760-922-5638	cnguyen@dfg.ca.gov							

Paul D. Thayer	State Lands Commission	Executive Officer	100 Howe Ave Suite 100 South	Sacramento, CA 95825-8202	(916) 574-1800	thayerp@slc.ca.gov
Dan Ray	State Department of Parks and Recreation University of California, Office of the President - Natural Reserve System	Resources Management Division	P.O. Box 942896 1111 Franklin Street, 9th Floor	Sacramento, CA 94296-0001 Oakland, CA 94607-5200		CEQA@parks.ca.gov
Other Agencies on CEQA NOC Checklist (Mail must be sent Certified or Fedex)						
	Air Resources Board		PO Box 2815 Sacramento, CA 95812	916-322-2990	916-445-5025	
	Energy Commission		PO Box 944295 Sacramento, CA 94244- 2950	916-654-4162	916-654-3882	
	Resources Agency		1416 Ninth St., Ste. 1311 Sacramento, CA 95814	916-653-5656	916-653-8102	
	Department of Transportation (Caltrans) District 8	Planning Headquarters	464 West 4th Street San Bernardino, CA 92401			
	Department of Water Resources		PO Box 942836 Sacramento, CA 94236	916-653-5791	916-653-5028	
Abbas Amirteymoori, P.E. (P)	Colorado River Board of California	Environmental Program Manager I	770 Fairmont Avenue, Suite 100, Glendale, CA 91203- 1035	818-500-1625 X311	818-543-4685	aamir@crb.ca.gov
Larry Myers	Native American Heritage Commission	Executive Secretary	915 Capitol Mall, Room 364 Sacramento, CA 95814	(916) 653-4082		nahc@pacbell.net
Deon Goheen	Washington County		197 East Tabernacle St. St. George, UT 84770	(435)634-5709		russells@washco.state.ut.us
Gary Smith	Kane County	Administrator	76 North Main St. Kanab UT, 84741	435-644-4966		
Ken Spedding	Yavapai County	Director	501 South Marina Street Prescott, AZ 86303			
David Wert	La Paz County, Arizona	Community Development Services	1112 Joshua, Suite 202, Parker, AZ 85344			
	Clark County		500 S. Grand Central Pkwy. Las Vegas, NV 89155	702-455-4011		
Rachel Patterson, R.S.	Mojave County Department of Public Health	Environmental Health Manager	3675 Highway 66, P.O. Box 7000, Kingman, AZ 86402	928-757-0901	928-757-0902	Rachel.Patterson@co.mohave.az.us
Jerry Smit (P)	Arizona Department of Environmental Quality	Manager, Voluntary Remediation Program	1110 W. Washington St, Phoenix, AZ, 85007	602-771-2220	602-771-4272	smit.jerry@azdeq.gov
Peter E. von Haam	Metropolitan Water District of Southern California	Senior Deputy General Counsel	700 N. Alameda Street, 11th Floor, Los Angeles, CA 90012, PO Box 54153	213-217-6736	213-217-6890	PVonHaam@mwdh2o.com
Milford Wayne Donaldson, FAIA,	Office of Historic Preservation	State Historic Preservation Officer	P.O. Box 942896 Sacramento, CA 94296- 0001	916-653-6624	916-653-9824	
Federal Agencies (Mail must be sent Certified or Fedex)						
Arlene Kabei (S)	USEPA Region 9, Waste Management Division	Associate Director	75 Hawthorne Street, San Francisco, CA 94105	415-972-3312	415-947-3530	kabei.arlene@epa.gov
Steven S. Armann	USEPA, RCRA Corrective Action Office	Manager	75 Hawthorne Street, San Francisco, CA 94105	415-972-3352	415-947-3533	Armann.Steve@epamail.epa.gov
Jeff Smith (P)	U.S. Department of the Interior, Bureau of Reclamation	Regional Hazmat Coordinator	P. O. Box 61470 (Attn: LC 2640) Boulder City, NV 89006-1470	702-293-8060	702-293-8418 Cell: 702-378- 2400	jbsmith1@lc.usbr.gov
Melissa B. Derwart	U.S. Department of the Interior	Attorney-Advisor, Office of the Solicitor	1849 C Street, NW, Washington, D.C., 20240	202-208-3070	202-219-1792	melissa.doi@gmail.com
Peter Martin (P)	U.S. Geological Survey	Program Chief	4165 Spruance Road, Suite 200, San Diego, CA 92101	619-225-6127 Cell: 619-719-3058	619-225-6101	pmartin@usgs.gov
Email Contacts to Get Hard Copies (missing email address) TOTAL NOPs= 5						
Jon Tremayne	Pacific Gas and Electric Co	Public Affairs	Mail Code B29D, PO Box 770000 San Francisco, CA 94120	415-973-8709		
David J. Hayes	Latham & Watkins	Attorney	555 11th St NW, Ste 1000 Washington, D.C. 20004	(202) 637-2200	(202) 637-2201	

Janice M. Schneider	Latham & Watkins	Attorney	555 11th St NW, Ste 1000 Washington, D.C. 20004	(202) 637-2200	(202) 637-2201	
Melissa Lavinson	PG&E Corporation	Director of Federal Govt. & Regulatory Relations	900 7th Street, NW Washington, D.C.20004	202-638-1958		
Jim Mavis	CH2M HILL	Principal Technologist	777 108th Ave NE Bellevue, WA 98004			

Postal Customers (Total NOPs = 1290)

Please Note: Topock and Golden Shores residents have postal boxes with the same addresses. This list is set according to Postmaster instructions so that each of the 45 rural carrier route, and 1,245 local postal box customers get a piece in their box. Labels are needed on each envelope and a #9 envelope with paid return postage must be inserted with NOP and Fact Sheet. Number of customers verified by Postmaster on 4/24/08.

APPENDIX C

NOP AND PUBLIC NOTICE



NOTICE OF PREPARATION FOR A DRAFT ENVIRONMENTAL IMPACT REPORT

Date: May 2, 2008

To: Responsible Agencies, Trustee Agencies, and Interested Organizations and Individuals

Subject: Notice of Preparation

Lead Agency: California Department of Toxic Substances Control

Contact: Mr. Aaron Yue, Project Manager
California Department of Toxic Substances Control
5796 Corporate Avenue
Cypress, CA 90630
Phone: (714) 484-5439
E-mail: ayue@dtsc.ca.gov

Prepared by: EDAW
2022 J Street
Sacramento, CA 95811
Heather Halsey, Project Manager
(916) 414-5800

PROJECT TITLE

PG&E Topock Compressor Station Environmental Investigation and Cleanup Project

PROJECT LOCATION

Needles, California

PURPOSE OF THE NOTICE OF PREPARATION

The California Environmental Quality Act (CEQA) specifies that a public agency must prepare an environmental impact report (EIR) for any project that it proposes to carry out or approve that may have a significant direct or indirect impact on the environment (Public Resources Code Section 21100[a]). The California Department of Toxic Substances Control (DTSC) is the lead agency for the Pacific Gas and Electric Company (PG&E) Topock Compressor Station, Environmental Investigation and Cleanup Project. DTSC has determined that this project may have a significant impact on the environment and has therefore decided to prepare an EIR.

A Notice of Preparation (NOP) is a procedural document used to initiate interagency and public dialogue to determine the scope of an EIR. The purpose of the scoping process is to engage Responsible Agencies¹, Trustee

¹ In accordance with Title 14, Section 15381 of the California Code of Regulations, "Responsible Agency" means a public agency which proposes to carry out or approve a project, for which a Lead Agency is preparing or has prepared an EIR or Negative Declaration. For the purposes of CEQA, the term "Responsible Agency" includes all public agencies other than the Lead Agency which have discretionary approval power over the project.

Agencies², federal agencies, and interested organizations and individuals in order to identify concerns to be addressed in the EIR. The principal goal of this NOP is to inform agencies and the public about issues related to the project and to solicit recommendations and develop information regarding the scope, focus, and content of the proposed EIR. DTSC encourages recipients of this notice to inform others with an interest in or responsibility related to the proposed project that this NOP is available for review.

PROVIDING COMMENTS ON THE NOTICE OF PREPARATION

Responsible Agencies, Trustee Agencies, federal agencies and interested organizations and individuals are encouraged to submit comments regarding the scope and content of the environmental information to be contained in the draft EIR for DTSC's consideration. To provide greater opportunity for input on the scope of the EIR, this NOP is being circulated an additional 30 days beyond the required 30-day comment period for a total of 60 days. Comments should be submitted as soon as possible and must be received no later than July 1, 2008.

Please send written comments to Mr. Aaron Yue, DTSC Project Manager, at the address listed above. When submitting comments, please identify a contact person to answer any questions regarding your comments.

DEADLINE FOR SUBMITTING COMMENTS

Comments on this NOP must be received no later than 5:00 p.m. on July 1, 2008.

Documents related to the proposed project are available for review at the project repositories listed below, on the internet at http://www.dtsc.ca.gov/SiteCleanup/Projects/PGE_Topock.cfm, and at the DTSC address listed above.

Information Repository Locations and Contact Information

Needles Public Library
1111 Bailey Avenue
Needles, CA 92363
Kristin Mouton: 760-326-9255

Colorado River Indian Tribes Public Library
2nd Avenue and Mojave Road
Parker, AZ 85344
Amelia Flores: 928-669-1285

Chemehuevi Indian Reservation
2000 Chemehuevi Trail
Havas Lake, CA 92363
Gilbert Parra: 760-858-1140

Parker Public Library
1001 Navajo Avenue
Parker, AZ 85344
Jana Ponce: 928-669-262

Golden Shores/Topock Library Station
13136 Golden Shores Parkway
Topock, AZ 86436
Avis McKinnon: 928-768-2235

California Department of Toxic Substances Control
5796 Corporate Avenue
Cypress, CA 90630
Julie Johnson: 714-484-5337
9am-Noon, 1pm-4pm, Monday –Friday
Please call for an appointment

Lake Havasu City Library
1770 McCulloch Blvd.
Lake Havasu City, AZ 86403
Audrey Lacomarre: 928-453-0718

² In accordance with Title 14, Section 15386 of the California Code of Regulations, Trustee Agency" means a state agency having jurisdiction by law over natural resources affected by a project which are held in trust for the people of the State of California. Trustee Agencies include: the California Department of Fish and Game, the State Lands Commission, the State Department of Parks and Recreation, and the University of California.

DTSC will be hosting several scoping meetings to give the Responsible Agencies, Trustee Agencies, federal agencies and interested organizations and individuals an opportunity to appear and comment on the scope and content of the draft EIR. These professionally facilitated scoping meetings will consist of introductions, a project overview, a CEQA process overview and an opportunity for meeting participants to comment orally on the scope and content of the EIR. A reasonable amount of time will be allotted to allow all participants who wish to speak to do so. Written comments will also be accepted at the meetings. Scoping meetings have been scheduled at the following locations and times:

Public Scoping Meetings			
City	Address	Date	Time
Palm Desert, CA	City of Palm Desert City Council Chamber Palm Desert, CA 92260	Tuesday, May 27	1:30-4:30 p.m.
Yuma, AZ	Gila Ridge High School Auditorium 7150 E. 24 th Street Yuma, AZ 85365	Wednesday, May 28	1:30-4:30 p.m.
Needles, CA	Needles Elks Lodge 1000 Lillyhill Dr. Needles, CA 92363-3432	Thursday, May 29	5:30-8:30 p.m.
Lake Havasu City, AZ	City Council Chamber 2360 McCulloch Blvd. North Lake Havasu City, AZ 86403	Monday, June 2	2:00-5:00 p.m.
Big River, CA	Big River Development Enterprises 150313 Rio Vista Drive Big River, CA 92242	Thursday, June 5	5:00-7:00 p.m.

CONTACT

If you have any questions or wish to discuss the project, please contact Aaron Yue, DTSC Project Manager, at (714) 484-5439 or email: ayue@dtsc.ca.gov or Jeanne Matsumoto, DTSC Public Participation Specialist, at (714) 484-5338, toll free at (866) 495-5651 or email: jmatsumo@dtsc.ca.gov. For media inquiries, please contact the DTSC Public Information Officer, Jeanne Garcia, at (818) 717-6573 or email: jgarcia1@dtsc.ca.gov.

INFORMATION FOR THE DISABLED AND HEARING IMPAIRED

The meeting rooms for the scoping meetings are accessible to people with disabilities. If translation services are needed or if additional accommodations for the disabled are needed, please notify Susan Callery at (818) 717-6567 scallery@dtsc.ca.gov no later than one week before the meeting. TDD users can obtain additional information by using the California Relay Service at 1-(888)-877-5378 to reach DTSC's Project Manager Aaron Yue at (714) 484-5439.

1 PROJECT DESCRIPTION

1.1 INTRODUCTION AND PROJECT OVERVIEW

DTSC is the Lead Agency for the environmental investigation and cleanup of contamination at the PG&E Topock Compressor Station (Station). The proposed project includes the development of a final remedy under the California Hazardous Waste Control Law for corrective action. A “final remedy” is a final cleanup action proposed for dealing with contaminants at a site. Under California law, owners or operators of facilities that treat, store, or dispose of hazardous waste must undertake corrective actions to clean up releases and spills of hazardous wastes or constituents resulting from their operation. The final remedy will address both soil and groundwater contamination at the Station, which is located in eastern San Bernardino County, California. DTSC will be preparing a Programmatic EIR which would allow DTSC to identify and analyze project-wide alternatives and environmental effects while including detailed analysis of all approved actions. Any subsequent activities would then be examined in light of the Programmatic EIR to determine whether a supplemental environmental document must be prepared.

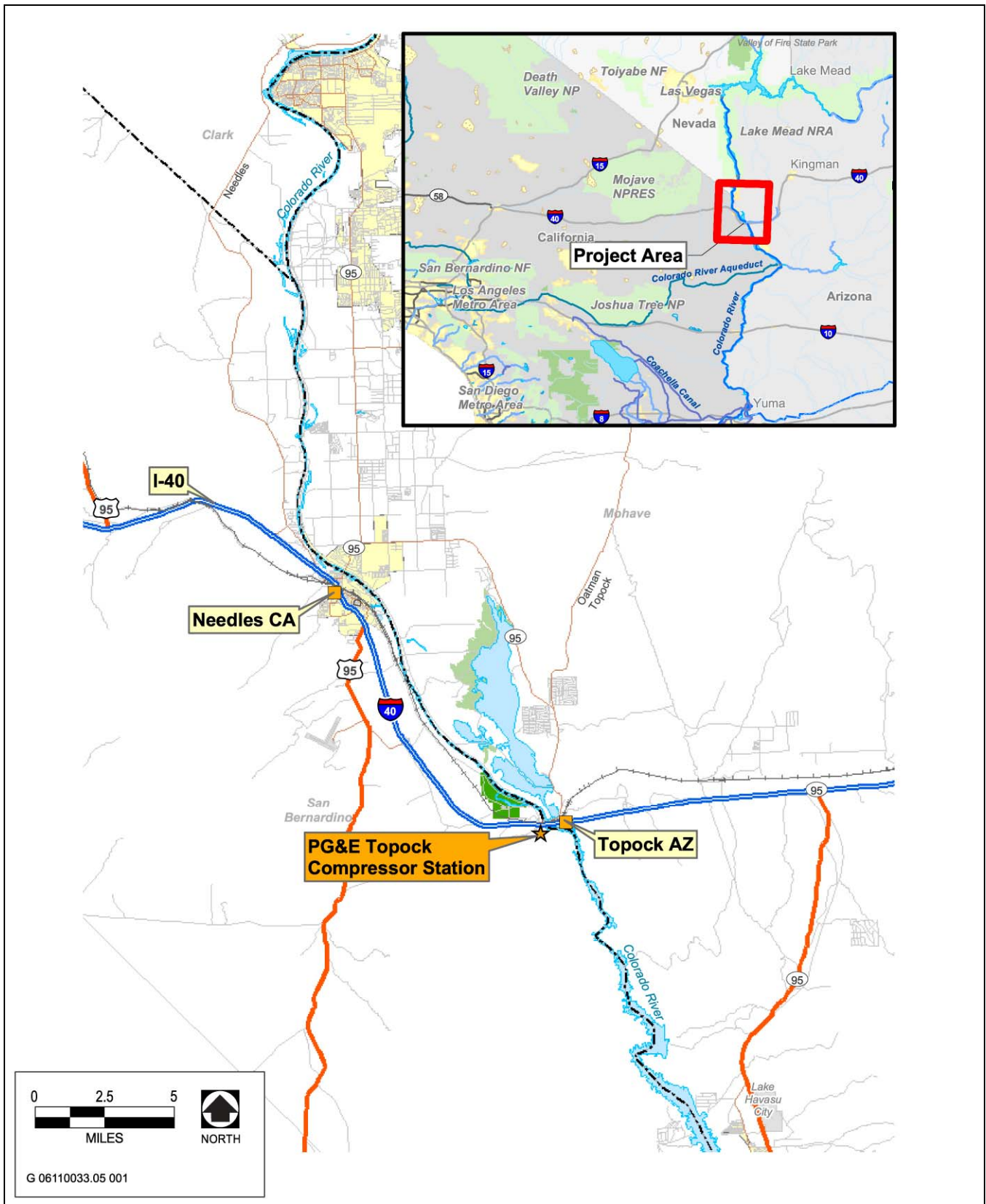
The goal of the final remedy for groundwater and soil is to contain, control, and/or eliminate the mobility, toxicity, and other risks of all Chemicals of Concern (COCs) identified by meeting the Remedial Action Objectives developed for the site. Hexavalent chromium [Cr(VI)] is the principal COC with regard to human health and environmental impacts at this site. The U.S. Department of Health and Human Services has determined that certain chromium compounds [e.g., Cr(VI)] are known to cause cancer in humans. Cr(VI) is generally soluble in water. Based on current investigation and historic wastewater discharges at the Station, other constituents that ultimately may become COCs in groundwater are copper, nickel, lead, zinc, pH, total dissolved solids, and petroleum hydrocarbons. Other COCs in groundwater may be identified as ongoing investigations are completed.

Cr(VI) was used as an additive to the cooling water at the Station from 1951 to 1985 to inhibit corrosion to the equipment and minimize scaling. From 1951 to 1964, a portion of the cooling water was discharged to a dry wash adjacent to the Station. As a result, Cr(VI) has been detected in the groundwater and soil in the vicinity of the Station, although there is currently no evidence that human or ecological receptors are being exposed to Cr(VI) from the contaminated groundwater. Human and ecological receptors could be affected if contaminated groundwater were to reach drinking water wells or the Colorado River. The final remedy will be designed to protect potential receptors against exposures in the future.

In 2002, PG&E submitted a Draft Corrective Measures Study/Feasibility Study Work Plan (CMS/FS Work Plan) to DTSC. After comments were received from various public agencies, a revised CMS/FS Work Plan was issued in June 2007. The 2007 Draft CMS/FS Work Plan has been commented on and a final revision, dated March 2008, is pending agency approval.

1.2 PROJECT LOCATION

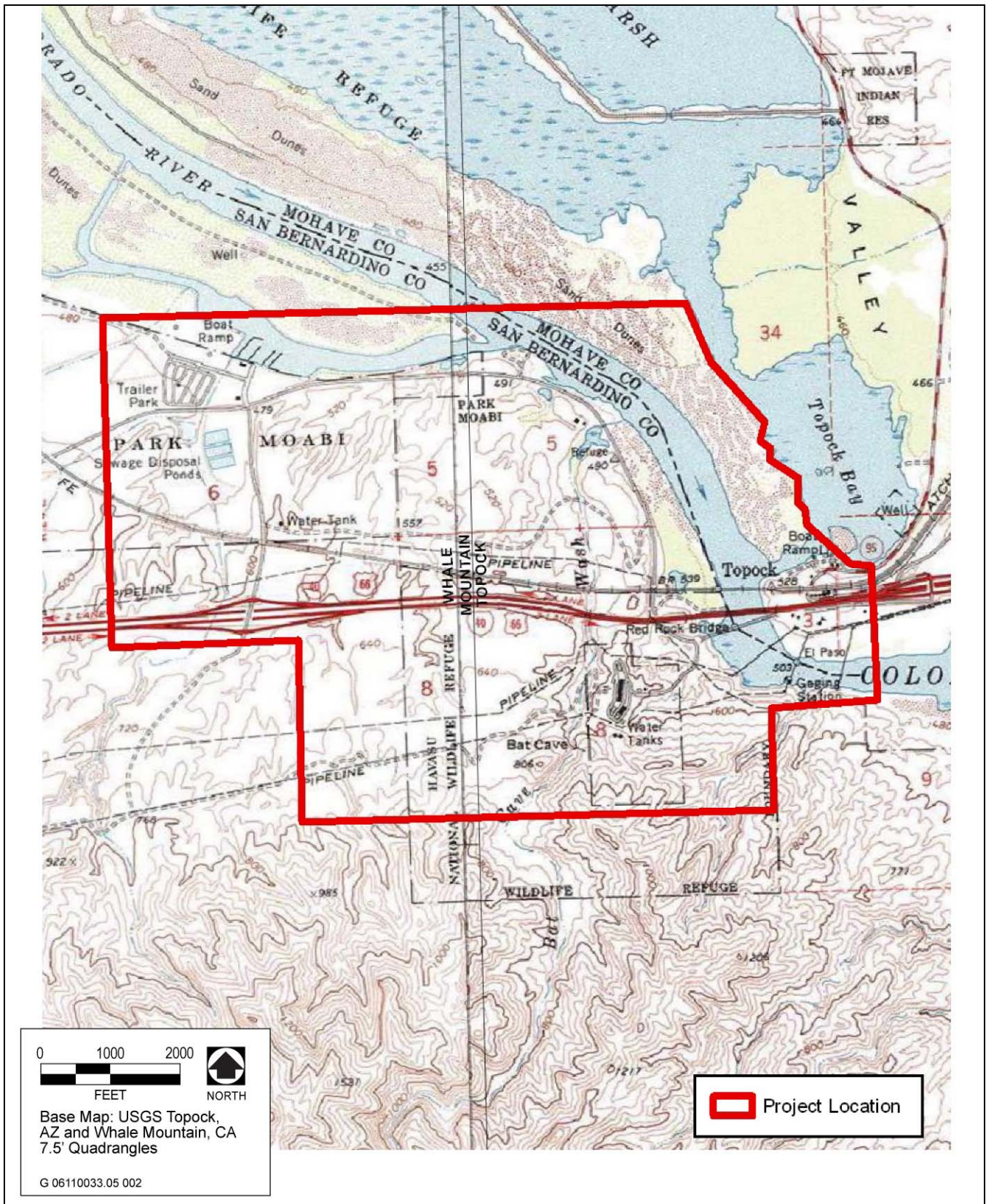
The Station is located in the Mojave Desert approximately 12 miles southeast of the city of Needles, California, and 1 mile southeast of the Moabi Regional Park in California. The Station is one-half mile west of the community of Topock, Arizona, which is situated directly across the Colorado River from the Station, and 5 miles south of Golden Shores, Arizona. The Station is one-half mile west of the Colorado River and south of Interstate 40 (see Exhibits 1-1 and 1-2, and 2-1) and occupies approximately 65 acres of land owned by PG&E. However, the study area for the corrective action activities covers additional surrounding land owned and managed by a number of private entities and government agencies, including the Havasu National Wildlife Refuge managed by the U.S. Fish and Wildlife Service (USFWS), lands managed by the Department of Interior (DOI), U.S. Bureau of Land Management (BLM), rights of way for the Burlington Northern Santa Fe Railroad and California Department of Transportation, and land owned by the Metropolitan Water District of Southern California (see Exhibits 1-1 1-2, and 1-3).



Source: Data provided by CH2M Hill in 2007 and adapted by EDAW in 2008

Project Vicinity

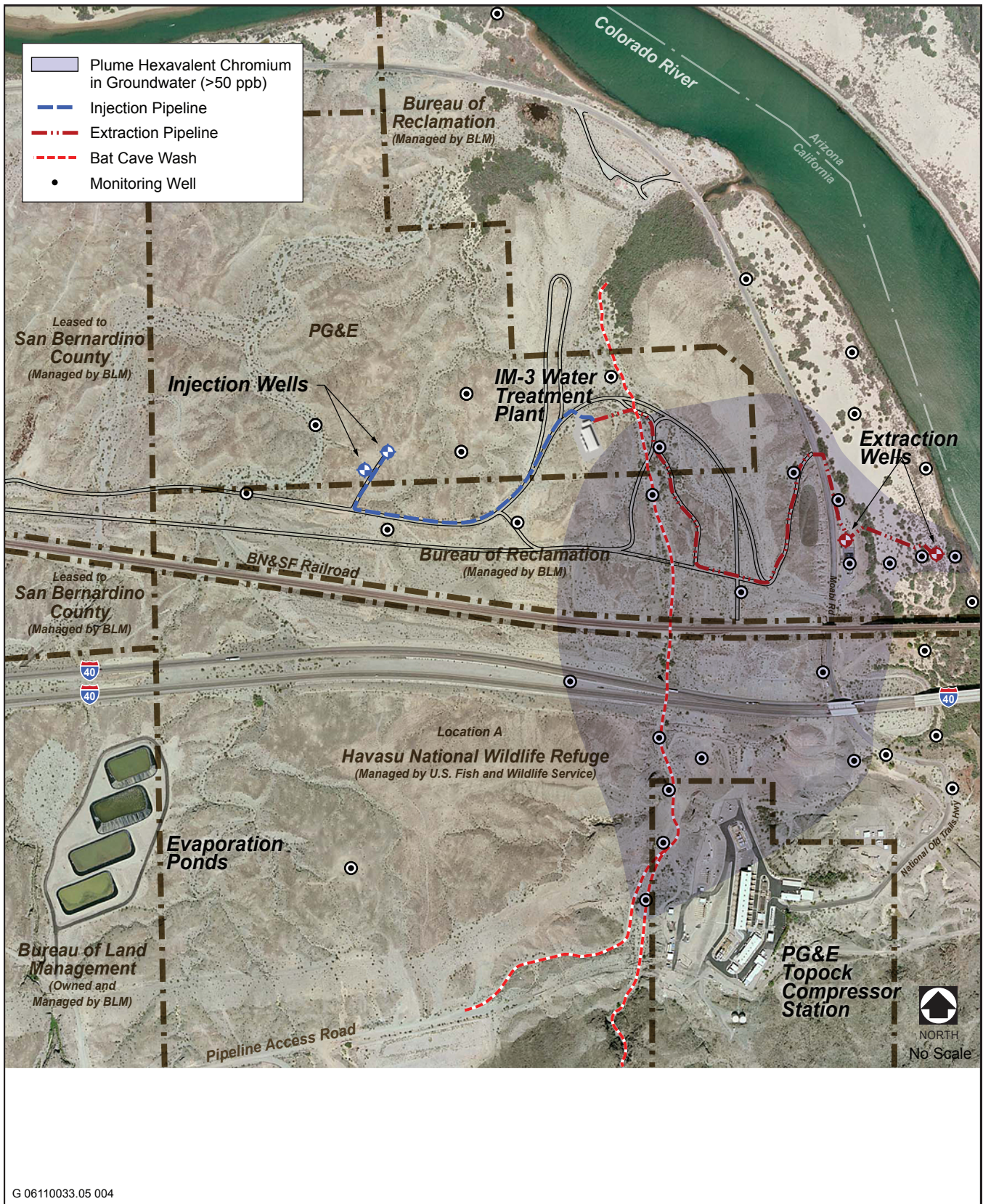
Exhibit 1-1



Source: Data provided by ESRI in 2007 and adapted by EDAW in 2008

Project Location

Exhibit 1-2



Site Map Showing Groundwater Plume

Exhibit 1-3

2 REMEDIAL ACTION ALTERNATIVES

2.1 REASONABLE RANGE OF ALTERNATIVES

CEQA requires an EIR to include a discussion of a reasonable range of alternatives, including the “no project” alternative. Specifically, an EIR must “describe a range of reasonable alternatives to the project or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives.”³ The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives.

The Topock EIR will analyze the potential environmental impacts associated with the implementation of the Final Remedy. Although the Corrective Measure Study/Feasibility Study (CMS/FS) Work Plan has not yet been approved, and preparation of the individual CMS/FS reports for groundwater and soil have not begun, DTSC anticipates that the Final Remedy will include the use of one or more of the following remedial action technologies identified in the draft CMS/FS Work Plan:

Groundwater Remediation Technologies

Monitored natural attenuation
Impermeable barrier wall
Permeable reactive barrier
Groundwater extraction and on-site treatment
Groundwater extraction and off-site treatment
Reactive *in-situ* treatment zones
Passive *in-situ* treatment zones

Soil Remediation Technologies

Excavation and offsite disposal
Excavation and onsite treatment
Soil washing
Chemical reduction/oxidation
Soil flushing
In-situ reduction
Phytoremediation
Solidification/stabilization
Capping in place

2.2 ENVIRONMENTAL EFFECTS TO BE EXAMINED IN THE EIR

The purpose of an EIR is to examine a project for potentially significant environmental effects and to identify measures that can reduce, avoid, or mitigate potential adverse impacts⁴. Based upon consultation with other agencies and environmental assessments conducted in and around the site, it has been determined that the proposed project may have a significant impact on Biological Resources and Cultural Resources. Because DTSC believes additional adverse impacts could exist, the EIR also will examine potential effects in the following areas:

Aesthetics	Noise
Air Quality	Population and Housing
Agricultural Resources	Public Services
Geology and Soils	Recreation
Hazardous Materials and Public Health	Transportation and Circulation
Hydrology and Water Quality	Utilities and Service Systems
Land Use	

³ Section 15126.6[e][1] of the California Code of Regulations

⁴ According to the [CEQA Guidelines Section 15382](#) a “significant effect on the environment” means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.

Information Repository Locations

Project Reports, fact sheets, and other project documents can be found in the Information Repositories listed below:

On the World-Wide Web at:
www.dtsc-topock.com

Needles Public Library

1111 Bailey Avenue
Needles, CA 92363
Kristin Mouton: 760-326-9255

Chemehuevi Indian Reservation

2000 Chemehuevi Trail
Havasu Lake, CA 92363
Gilbert Para: 760-858-1140

Golden Shores/Topock Library Station

13136 Golden Shores Parkway
Topock, AZ 86436
Avis McKinnon: 928-768-2235

Lake Havasu City Library

1770 McCulloch Blvd.
Lake Havasu City, AZ 86403
Audrey LaComarre: 928-453-0718

Colorado River Indian Tribes Public Library

2nd Avenue and Mojave Road
Parker, AZ 85344
Amelia Flores: 928-669-1285

Parker Public Library

1001 Navajo Avenue
Parker, AZ 85344
Jana Ponce: 928-669-2622

Department of Toxic Substances Control

5796 Corporate Avenue
Cypress, CA 90630
Julie Johnson: 714-484-5337
9am-Noon, 1pm-4pm, Monday –Friday
Please call for an appointment



Comment and Mailing List Form for PG&E's Topock Compressor Station

If you have any comments concerning the Notice of Preparation, please fill out the information below and mail in by **July 1, 2008**.

Comments (attach additional pages as needed)

If you would like to be added to or taken off the distribution list for mail related to the site, please fill out this form and return to DTSC.

REMOVE me from the mailing list

ADD me to the mailing list

Name: _____

Address: _____

City/State/Zip: _____

Phone/Email _____

Please address all mailings to Aaron Yue, Project Manager, Department of Toxic Substances Control, 5796 Corporate Avenue, Cypress, CA 90630, or by email to AYue@dtsc.ca.gov.

Our mailing lists are only used for keeping you informed of our activities. We do not routinely release our mailing lists to outside parties. However, they are considered public records and, if requested, may be subject to release.



NOTICE OF PUBLIC COMMENT PERIOD

PACIFIC GAS AND ELECTRIC COMPANY COMPRESSOR STATION ENVIRONMENTAL INVESTIGATION AND CLEANUP PROJECT, TOPOCK, CALIFORNIA

PUBLIC COMMENT PERIOD: May 2, 2008 – July 1, 2008

The public is invited to review and comment on a Notice of Preparation (NOP). The purpose of the NOP is to solicit input from agencies and the public on the scope and content of the environmental information to be included in the Environmental Impact Report (EIR). The Department of Toxic Substances Control (DTSC) is the lead regulatory agency for the cleanup of the Pacific Gas and Electric Company Topock Compressor Station. Under the California Environmental Quality Act, DTSC must evaluate the environmental impacts of a project as part of the approval process. In consideration of the final cleanup remedy for the Station, DTSC has decided to prepare an EIR to consider the potential environmental impacts of the action.

Comments on the NOP must be postmarked, faxed or emailed to DTSC no later than 5:00 pm on July 1, 2008. Please send your comments to: Aaron Yue, Project Manager, Department of Toxic Substances Control, 5796 Corporate Avenue, Cypress, CA 90630, fax: (714) 484-5411, or email: ayue@dtsc.ca.gov. You can also provide your comments orally or in writing at any one of the public scoping meetings listed below:

Public Scoping Meetings			
City	Address	Date	Time
Palm Desert, CA	City of Palm Desert City Council Chamber Palm Desert, CA 92260	Tuesday, May 27	1:30-4:30 p.m.
Yuma, AZ	Gila Ridge High School Auditorium 7150 E. 24 th Street Yuma, AZ 85365	Wednesday, May 28	1:30-4:30 p.m.
Needles, CA	Needles Elks Lodge 1000 Lillyhill Dr. Needles, CA 92363-3432	Thursday, May 29	5:30-8:30 p.m.
Lake Havasu City, AZ	City Council Chamber 2360 McCulloch Blvd. North Lake Havasu City, AZ 86403	Monday, June 2	2:00-5:00 p.m.
Big River, CA	Big River Development Enterprises 150313 Rio Vista Drive Big River, CA 92242	Thursday, June 5	5:00-7:00 p.m.

WHERE TO FIND MORE INFORMATION

The NOP, an informational fact sheet, and supporting project documents are available online at http://www.dtsc.ca.gov/SiteCleanup/Projects/PGE_Topock.cfm and at the **FOLLOWING** locations:

Needles Public Library
1111 Bailey Avenue
Needles, CA 92363

Golden Shores/Topock Library
13136 Golden Shores Parkway
Topock, AZ 86436

Chemehuevi Indian Reservation
Environmental Protection Office
2000 Chemehuevi Trail
Havasu Lake, CA 92363

Lake Havasu City Library
1770 McCulloch Boulevard
Lake Havasu City, AZ 86403

Colorado River Indian Tribes Library
2nd Avenue and Mohave Road
Parker, AZ 85344

Parker Library
1001 Navajo Avenue
Parker, AZ 85344

California Department of Toxic Substances Control
5796 Corporate Avenue
Cypress, CA 90630
Contact Julie Johnson, (714) 484-5337

CONTACT INFORMATION

If you have any questions or wish to discuss the project, please contact Aaron Yue, DTSC Project Manager, at (714) 484-5439 or email: ayue@dtsc.ca.gov or Jeanne Matsumoto, DTSC Public Participation Specialist, at (714) 484-5338, toll free at (866) 495-5651 or email: jmatsumo@dtsc.ca.gov. For media inquiries, please contact the DTSC Public Information Officer, Jeanne Garcia, at (818) 717-6573 or email: jgarcia1@dtsc.ca.gov.

ACCOMMODATIONS FOR DISABLED AND INFORMATION FOR THE HEARING IMPAIRED

The meeting rooms are accessible to people with disabilities. If translation services are needed or if additional accommodations for the disabled are needed, please notify Susan Callery at (818) 717-6567 scallery@dtsc.ca.gov no later than one week before the meeting. TDD users can obtain additional information by using the California Relay Service at 1-(888)-877-5378 to reach DTSC's Project Manager Aaron Yue at (714) 484-5439.

APPENDIX D

WRITTEN/PHONE COMMENTS RECEIVED

Comment and Mailing List Form for PG&E's Topock Compressor Station

If you have any comments concerning the Notice of Preparation, please fill out the information below and mail in by **July 1, 2008**.

Comments (attach additional pages as needed)

you need to write your informational
material in a way that is easier to
understand.

If you would like to be added to or taken off the distribution list for mail related to the site, please fill out this form and return to DTSC.

REMOVE me from the mailing list

ADD me to the mailing list

Name: John WCFARJON

Address: 90710 42

City/State/Zip: Topock, AZ 86436

Phone/Email: 928-765-4254 oldfolky@citlink.net

Please address all mailings to Aaron Yue, Project Manager, Department of Toxic Substances Control, 5796 Corporate Avenue, Cypress, CA 90630, or by email to AYue@dtsc.ca.gov.

Our mailing lists are only used for keeping you informed of our activities. We do not routinely release our mailing lists to outside parties. However, they are considered public records and, if requested, may be subject to release.

Comment and Mailing List Form for PG&E's Topock Compressor Station

If you have any comments concerning the Notice of Preparation, please fill out the information below and mail in by **July 1, 2008**.

Comments (attach additional pages as needed)

If you would like to be added to or taken off the distribution list for mail related to the site, please fill out this form and return to DTSC.

REMOVE me from the mailing list

ADD me to the mailing list

Name: Lynn Schneiderman - Bonnie Diamond

Address: 4751 E. Kayenta Dr. P.O. Box 1163

City/State/Zip: Topock, Arizona 86436-1163

Phone/Email: Pinkponib@yahoo.com

Please address all mailings to Aaron Yue, Project Manager, Department of Toxic Substances Control, 5796 Corporate Avenue, Cypress, CA 90630, or by email to AYue@dtsc.ca.gov.

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DTSC
MAY 29 2008
CYPRESS

Comment and Mailing List Form for PG&E's Topock Compressor Station

If you have any comments concerning the Notice of Preparation, please fill out the information below and mail in by **July 1, 2008**.

Comments (attach additional pages as needed)

If you would like to be added to or taken off the distribution list for mail related to the site, please fill out this form and return to DTSC.

REMOVE me from the mailing list

ADD me to the mailing list

Name: Michael Heaton

Address: P.O. Box 463

City/State/Zip: Topock AZ, 86436

Phone/Email _____

Please address all mailings to Aaron Yue, Project Manager, Department of Toxic Substances Control, 5796 Corporate Avenue, Cypress, CA 90630, or by email to AYue@dtsc.ca.gov.

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Comments (attach additional pages as needed)

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REMOVE me from the mailing list

ADD me to the mailing list

Name: _____

Address: _____

City/State/Zip: _____

Phone/Email _____



Scott Jarc
PO Box 1279
Topock, AZ 86436-1279

Please address all mailings to Aaron Yue, Project Manager, Department of Toxic Substances Control, 5796 Corporate Avenue, Cypress, CA 90630, or by email to AYue@dtsc.ca.gov.

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Comments (attach additional pages as needed)

If you would like to be added to or taken off the distribution list for mail related to the site, please fill out this form and return to DTSC.

REMOVE me from the mailing list

ADD me to the mailing list

Name: John Hovda

Address: P.O. Box 57

City/State/Zip: Topock, AZ 86436

Phone/Email: (928) 768-3676

Please address all mailings to Aaron Yue, Project Manager, Department of Toxic Substances Control, 5796 Corporate Avenue, Cypress, CA 90630, or by email to AYue@dtsc.ca.gov.

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Comments (attach additional pages as needed)

If you would like to be added to or taken off the distribution list for mail related to the site, please fill out this form and return to DTSC.

REMOVE me from the mailing list

ADD me to the mailing list

Name: Ms. Diane Trombino

Address: P.O. Box 1323

City/State/Zip: Topock, AZ 86436-1323

Phone/Email: 928-768-8537 / dianeam@frontiernet.net

Please address all mailings to Aaron Yue, Project Manager, Department of Toxic Substances Control, 5796 Corporate Avenue, Cypress, CA 90630, or by email to AYue@dtsc.ca.gov.

Our mailing lists are only used for keeping you informed of our activities. We do not routinely release our mailing lists to outside parties. However, they are considered public records and, if requested, may be subject to release.

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Comments (attach additional pages as needed)

If you would like to be added to or taken off the distribution list for mail related to the site, please fill out this form and return to DTSC.

REMOVE me from the mailing list

ADD me to the mailing list

Name: Thomas Stewart

Address: R.O. Box 1239

City/State/Zip: Topock, AZ 86436

Phone/Email _____

Please address all mailings to Aaron Yue, Project Manager, Department of Toxic Substances Control, 5796 Corporate Avenue, Cypress, CA 90630, or by email to AYue@dtsc.ca.gov.

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Comments (attach additional pages as needed)

If you would like to be added to or taken off the distribution list for mail related to the site, please fill out this form and return to DTSC.

REMOVE me from the mailing list

ADD me to the mailing list

Name: ROLAND MOSHER

Address: 1510 E. WASHINGTON

City/State/Zip: HONG BEACH, CA 90805

Phone/Email _____

Please address all mailings to Aaron Yue, Project Manager, Department of Toxic Substances Control, 5796 Corporate Avenue, Cypress, CA 90630, or by email to AYue@dtsc.ca.gov.

Our mailing lists are only used for keeping you informed of our activities. We do not routinely release our mailing lists to outside parties. However, they are considered public records and, if requested, may be subject to release.

Comment and Mailing List Form for PG&E's Topock Compressor Station

If you have any comments concerning the Notice of Preparation, please fill out the information below and mail in by **July 1, 2008**.

Comments (attach additional pages as needed)

If you would like to be added to or taken off the distribution list for mail related to the site, please fill out this form and return to DTSC.

REMOVE me from the mailing list

ADD me to the mailing list

Name: DEBORAH WALLS

Address: PO BOX 1327

City/State/Zip: TOPOCK AZ 86436

Phone/Email _____

Please address all mailings to Aaron Yue, Project Manager, Department of Toxic Substances Control, 5796 Corporate Avenue, Cypress, CA 90630, or by email to AYue@dtsc.ca.gov.

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Environmental Justice may need to be included in the EIR.

If you would like to be added to or taken off the distribution list for mail related to the site, please fill out this form and return to DTSC.

REMOVE me from the mailing list

ADD me to the mailing list

Name: Doyle Wilson

Address: 2330 McCulloch Blvd. N.

City/State/Zip: Lake Havasu City AZ 86403

Phone/Email 928-453-6660 wilsondo@lhcav.gov

Please address all mailings to Aaron Yue, Project Manager, Department of Toxic Substances Control, 5796 Corporate Avenue, Cypress, CA 90630, or by email to AYue@dtsc.ca.gov.

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REMOVE me from the mailing list

ADD me to the mailing list

Name: _____

Address: _____

City/State/Zip: _____

Phone/Email _____

LLOYD R. ROBINSON
W. MARIE ROBINSON
PO BOX 1024
TOPOCK, AZ 86436

Please address all mailings to Aaron Yue, Project Manager, Department of Toxic Substances Control, 5796 Corporate Avenue, Cypress, CA 90630, or by email to AYue@dtsc.ca.gov.

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REMOVE me from the mailing list

ADD me to the mailing list

Name: James E. Matlock

Address: PO Box 73

City/State/Zip: Topock AZ 86436

Phone/Email 928 768 7351 Rena Matlock@myway.com

Please address all mailings to Aaron Yue, Project Manager, Department of Toxic Substances Control, 5796 Corporate Avenue, Cypress, CA 90630, or by email to AYue@dtsc.ca.gov.

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Comments (attach additional pages as needed)

If you would like to be added to or taken off the distribution list for mail related to the site, please fill out this form and return to DTSC.

REMOVE me from the mailing list

ADD me to the mailing list

Name: Z. M. [unclear]

Address: Box 1272

City/State/Zip: Topock, AZ 86436

Phone/Email _____

Please address all mailings to Aaron Yue, Project Manager, Department of Toxic Substances Control, 5796 Corporate Avenue, Cypress, CA 90630, or by email to AYue@dtsc.ca.gov.

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Comments (attach additional pages as needed)

am very concerned - comments will come

If you would like to be added to or taken off the distribution list for mail related to the site, please fill out this form and return to DTSC.

REMOVE me from the mailing list

ADD me to the mailing list

Name: Melvin Wood

Address: PO Box 1341

City/State/Zip: Topock, AZ 86436

Phone/Email 929 768 9660 melvinwood@frontier.net

Please address all mailings to Aaron Yue, Project Manager, Department of Toxic Substances Control, 5796 Corporate Avenue, Cypress, CA 90630, or by email to AYue@dtsc.ca.gov.

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Comments (attach additional pages as needed)

DTSC
JUN 05 2008
CYPRESS

If you would like to be added to or taken off the distribution list for mail related to the site, please fill out this form and return to DTSC.

REMOVE me from the mailing list ADD me to the mailing list

Name: FORD E. WOLF

Address: P.O. Box 112

City/State/Zip: TOPOCK AZ. 86436

Phone/Email TOPOCK WOLF @ ~~XXXXXXXXXX~~
CITRINK.NET

Please address all mailings to Aaron Yue, Project Manager, Department of Toxic Substances Control, 5796 Corporate Avenue, Cypress, CA 90630, or by email to AYue@dtsc.ca.gov.

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Comments (attach additional pages as needed)

If you would like to be added to or taken off the distribution list for mail related to the site, please fill out this form and return to DTSC.

REMOVE me from the mailing list

ADD me to the mailing list *Currently Deceased*

Name: Philip Fanning

Address: PO Box 1063

City/State/Zip: Topock, AZ

Phone/Email: 909-815-8777

Please address all mailings to Aaron Yue, Project Manager, Department of Toxic Substances Control, 5796 Corporate Avenue, Cypress, CA 90630, or by email to AYue@dtsc.ca.gov.

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Comments (attach additional pages as needed)

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REMOVE me from the mailing list

ADD me to the mailing list

Name: DALE HOLSTE

Address: P.O. BOX 1235

City/State/Zip: TOPOCK, AZ 86436

Phone/Email: _____

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REMOVE me from the mailing list

ADD me to the mailing list

Name: A. B. COLEMAN

Address: P.O. BOX 1215

City/State/Zip: TOPOCK, AZ 86436

Phone/Email: KC5NDP@FRONTIER.NET.NET

Please address all mailings to Aaron Yue, Project Manager, Department of Toxic Substances Control, 5796 Corporate Avenue, Cypress, CA 90630, or by email to AYue@dtsc.ca.gov.

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You need to write your informational
MATERIAL in a way that is easier to
understand.

If you would like to be added to or taken off the distribution list for mail related to the site, please fill out this form and return to DTSC.

REMOVE me from the mailing list

ADD me to the mailing list

Name: John Wolfe

Address: P.O. Box 10

City/State/Zip: Topock, AZ 86436

Phone/Email 928-768-4284 oldfolky@citlink.net

Please address all mailings to Aaron Yue, Project Manager, Department of Toxic Substances Control, 5796 Corporate Avenue, Cypress, CA 90630, or by email to AYue@dtsc.ca.gov.

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ADD me to the mailing list

Name: Doyle Wilson

Address: 2330 McCulloch Blvd. N.

City/State/Zip: Lake Havasu City, AZ 86403

Phone/Email 928-453-6660 wilsondo@lhcav.gov

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cancer causing? Is it dangerous to eat the fish

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REMOVE me from the mailing list

ADD me to the mailing list

Name:

James E Matlock

Address:

PO Box 73

City/State/Zip:

Topock AZ 86436

Phone/Email

928 768 7351 Rema Matlock@myway.com

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Comments (attach additional pages as needed)

Am very concerned - comments will come

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REMOVE me from the mailing list

ADD me to the mailing list

Name:

Melvin Wood

Address:

PO Box 1341

City/State/Zip:

Topock, AZ 86436

Phone/Email

928 768 9660 melvinwood@frontiernet.net

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Comments (attach additional pages as needed)

Water Quality Risk

If you would like to be added to or taken off the distribution list for mail related to the site, please fill out this form and return to DTSC.

REMOVE me from the mailing list

ADD me to the mailing list

Name: J. K. LAMM

Address: Box 1272

City/State/Zip: TOPOCK AZ 86436

Phone/Email _____

Please address all mailings to Aaron Yue, Project Manager, Department of Toxic Substances Control, 5796 Corporate Avenue, Cypress, CA 90630, or by email to AYue@dtsc.ca.gov.

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Comments (attach additional pages as needed)

Will the evaporation ponds smell? How will this impact our water supply? Have you done a "cancer cluster" survey? We sure have one here in Topock/Golden Shores. Even vets in the area tell you to feed your dogs + cats bottled water and never drink TAP water, due to crystals forming on the kidneys. See what our water does to faucet fixtures, etc., and you would never drink it. Are you going to

If you would like to be added to or taken off the distribution list for mail related to the site, please fill out this form and return to DT&C.

REMOVE me from the mailing list

ADD me to the mailing list

Name: really clean things up, or just Add another eye-sore

Address: to our beautiful desert?

City/State/Zip: _____

Phone/Email _____

Sincerely,
Sandra Mize

Please address all mailings to Aaron Yue, Project Manager, Department of Toxic Substances Control, 5796 Corporate Avenue, Cypress, CA 90630, or by email to AYue@dtsc.ca.gov.

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Sandra B. Mize
PO Box 354
Topock AZ 86436

MR AARON YUE PROJECT MANAGER
CALIFORNIA DEPT OF TOXIC
SUBSTANCES CONTROL
5796 CORPORATE AVE
CYPRESS CA 90630



ARNOLD SCHWARZENEGGER
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



CYNTHIA BRYANT
DIRECTOR

Notice of Preparation

May 1, 2008

To: Reviewing Agencies

Re: PG&E Topock Compressor Station Environmental Investigation and Cleanup Project
SCH# 2008051003

Attached for your review and comment is the Notice of Preparation (NOP) for the PG&E Topock Compressor Station Environmental Investigation and Cleanup Project draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

Mr. Aaron Yue
Department of Toxic Substances Control
5796 Corporate Avenue
Cypress, CA

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan
Project Analyst, State Clearinghouse

Attachments
cc: Lead Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2008051003
Project Title PG&E Topock Compressor Station Environmental Investigation and Cleanup Project
Lead Agency Toxic Substances Control, Department of

Type NOP Notice of Preparation
Description The proposed project includes the development of a final remedy under the California Hazardous Waste Control Law for corrective action. A "final remedy" is a final cleanup action proposed for dealing with contaminants at a site. Under California law, owners or operators of facilities that treat, store, or dispose of hazardous waste must undertake corrective actions to clean up releases and spills of hazardous wastes or constituents resulting from their operation. The final remedy will address both soil and groundwater contamination at the Pacific Gas & Electric Compressor Station, which is located in eastern San Bernardino County, California.

Lead Agency Contact

Name Mr. Aaron Yue
Agency Department of Toxic Substances Control
Phone 714 484-5439 **Fax**
email
Address 5796 Corporate Avenue
City Cypress **State** CA **Zip**

Project Location

County San Bernardino
City
Region
Cross Streets 145453 National Trails Highway, Needles, CA
Parcel No. 650-161-08
Township **Range** **Section** **Base**

Proximity to:

Highways Route 66
Airports na
Railways BNSF Railroad
Waterways Colorado River
Schools na
Land Use

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Geologic/Seismic; Noise; Public Services; Population/Housing Balance; Recreation/Parks; Soil Erosion/Compaction/Grading; Toxic/Hazardous; Traffic/Circulation; Water Quality; Landuse

Reviewing Agencies Resources Agency; Colorado River Board; California Energy Commission; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Native American Heritage Commission; Cal Fire; Public Utilities Commission; State Lands Commission; California Highway Patrol; Caltrans, District 8; Regional Water Quality Control Board, Region 7

Date Received 05/01/2008 **Start of Review** 05/01/2008 **End of Review** 05/30/2008

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
e-mail: ds_nahc@pacbell.net



May 16, 2008

Mr. Mr. Aaron Yue

CALIFORNIA DEPARTMENT OF TOXIC SUBSTANCES CONTROL

6796 Corporate Avenue
Cypress, CA 90630

Re: SCH#2008051003: CEQA Notice of Preparation (NOP): draft Environmental Impact Report (DEIR): PG&E Environmental Investigation and Cleanup; near Ft. Mojave Indian Reservation; San Bernardino County, California

Dear Mr. Yue:

The Native American Heritage Commission is the state agency designated to protect California's Native American Cultural Resources. The California Environmental Quality Act (CEQA) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the California Code of Regulations §15064.5(b)(c) (CEQA guidelines). Section 15382 of the 2007 CEQA Guidelines defines a significant impact on the environment as "a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historic or aesthetic significance." In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE)', and if so, to mitigate that effect. To adequately assess the project-related impacts on historical resources, the Commission recommends the following action:

- √ Contact the appropriate California Historic Resources Information Center (CHRIS) for possible 'recorded sites' in locations where the development will or might occur. Contact information for the Information Center nearest you is available from the State Office of Historic Preservation (916/653-7278) <http://www.ohp.parks.ca.gov>. The record search will determine:
 - If a part or the entire APE has been previously surveyed for cultural resources.
 - If any known cultural resources have already been recorded in or adjacent to the APE.
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - If a survey is required to determine whether previously unrecorded cultural resources are present.
- √ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.
- √ Contact the Native American Heritage Commission (NAHC) for:
 - * A Sacred Lands File (SLF) search of the project area and information on tribal contacts in the project vicinity that may have additional cultural resource information. Please provide this office with the following citation format to assist with the Sacred Lands File search request: USGS 7.5-minute quadrangle citation with name, township, range and section.
 - The NAHC advises the use of Native American Monitors to ensure proper identification and care given cultural resources that may be discovered. The NAHC recommends that contact be made with Native American Contacts on the attached list to get their input on potential project impact (APE). In some cases, the existence of a Native American cultural resources may be known only to a local tribe(s).
- √ Lack of surface evidence of archeological resources does not preclude their subsurface existence.
 - Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5 (f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
 - A culturally-affiliated Native American tribe may be the only source of information about a Sacred Site/Native American cultural resource.
 - Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.

√ Lead agencies should include provisions for discovery of Native American human remains or unmarked cemeteries in their mitigation plans.

* CEQA Guidelines, Section 15064.5(d) requires the lead agency to work with the Native Americans identified by this Commission if the initial Study identifies the presence or likely presence of Native American human remains within the APE. CEQA Guidelines provide for agreements with Native American, identified by the NAHC, to assure the appropriate and dignified treatment of Native American human remains and any associated grave liens.

√ Health and Safety Code §7050.5, Public Resources Code §5097.98 and Sec. §15064.5 (d) of the California Code of Regulations (CEQA Guidelines) mandate procedures to be followed, including that construction or excavation be stopped in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery until the county coroner or medical examiner can determine whether the remains are those of a Native American. . . Note that §7052 of the Health & Safety Code states that disturbance of Native American cemeteries is a felony.

√ Lead agencies should consider avoidance, as defined in §15370 of the California Code of Regulations (CEQA Guidelines), when significant cultural resources are discovered during the course of project planning and implementation

Please feel free to contact me at (916) 653-6251 if you have any questions.

Sincerely,



Dave Singleton
Program Analyst

Attachment: List of Native American Contacts

Cc: State Clearinghouse

**Native American Contacts
San Bernardino County
May 16, 2008**

Cahuilla Band of Indians
Anthony Madrigal, Jr., Chairperson
P.O. Box 391760 Cahuilla
Anza , CA 92539
tribalcouncil@cahuilla.net
(951) 763-2631

(951) 763-2632 Fax

Ramona Band of Cahuilla Mission Indians
Joseph Hamilton, vice chairman
P.O. Box 391670 Cahuilla
Anza , CA 92539
admin@ramonatribe.com
(951) 763-4105
(951) 763-4325 Fax

San Manuel Band of Mission Indians
James Ramos, Chairperson
26569 Community Center Drive Serrano
Highland , CA 92346
(909) 864-8933
(909) 864-3724 - FAX
(909) 864-3370 Fax

Chemehuevi Reservation
Charles Wood, Chairperson
P.O. Box 1976 Chemehuevi
Chemehuevi Valley , CA 92363
chemehuevit@yahoo.com
(760) 858-4301
(760) 858-5400 Fax

Fort Mojave Indian Tribe
Tim Williams, Chairperson
500 Merriman Ave Mojave
Needles , CA 92363
(760) 629-4591
(760) 629-5767 Fax

Colorado River Reservation
Michael Tsosie, Cultural Contact
Route 1, Box 23-B Mojave
Parker , AZ 85344 Chemehuevi
symi@rraz.net
(928) 669-9211
(928) 669-5675 Fax

AhaMaKav Cultural Society, Fort Mojave Indian Tribe
Linda Otero, Director
P.O. Box 5990 Mojave
Mohave Valley , AZ 86440
ahamakav@citlink.net
(928) 768-4475
(928) 768-7996 Fax

Morongo Band of Mission Indians
Michael Contreras, Cultural Resources-Project
49750 Seminole Drive Cahuilla
Cabazon , CA 92230 Serrano
(951) 755-5206
(951) 922-8146 Fax

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2008051004; CEQA Notice of Preparation (NOP) for PG&E Topock Compress Station Investigation and Cleanup Project; near Ft. Mojave Indian Reservation; San Bernardino County, California.

Native American Contacts
San Bernardino County
May 16, 2008

San Manuel Band of Mission Indians
Ann Brierty, Environmental Department
101 Pure Water Lane Serrano
Highland, CA 92346
abrierty@sanmanuel-nsn.gov
(909) 863-5899 EXT-4321

(909) 862-5152 Fax

Fort Mojave Indian Tribe
Esadora Evanston, Environmental Coordinator
500 Merriman Ave Mojave
Needles, CA 92363
region9epa@ftmojave.com
(760) 326-1112
(760) 629-4591
(760) 629-5767 Fax

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From: Aaron Yue
To: Jeanne Matsumoto; Karen Baker; Kathie Schievelbein; Nancy Long; Will...
Date: 5/20/2008 4:34 PM
Subject: RE: Question re Scoping Meetings

Hey gang,

What do you think? At what point can we release the recordings?

Aaron

>>> "Zischke, Michael H." <MZischke@coxcastle.com> 5/20/08 4:26 PM >>>
Thanks.

-----Original Message-----

From: Aaron Yue [<mailto:AYue@dtsc.ca.gov>]
Sent: Tuesday, May 20, 2008 4:22 PM
To: Zischke, Michael H.; Jeanne Matsumoto
Cc: Kathie Schievelbein; William Beckman
Subject: RE: Question re Scoping Meetings

Hum, I don't know. We will discuss internally... it should technically be a public record, but we'll see.

Aaron

>>> "Zischke, Michael H." <MZischke@coxcastle.com> 5/20/08 4:16 PM >>>
Thanks, Aaron, I agree with your statement, just wanted to check on what was being done, thanks for the quick response.

Would it be possible to obtain a copy of the recording afterwards to listen to the comments? I might want to do that for some of the meetings that I cannot attend.

MICHAEL H. ZISCHKE
Cox Castle & Nicholson LLP
555 California Street, 10th Floor
San Francisco CA 94104-1513
email: mzischke@coxcastle.com <<mailto:mzischke@coxcastle.com>>
Direct dial: 415-262-5109
Fax: 415-392-4250
Switchboard: 415-392-4200

-----Original Message-----

From: Aaron Yue [<mailto:AYue@dtsc.ca.gov>]
Sent: Tuesday, May 20, 2008 3:57 PM
To: Zischke, Michael H.; Jeanne Matsumoto
Cc: Kathie Schievelbein; William Beckman
Subject: Re: Question re Scoping Meetings

Michael,

While we do not need to keep track of each and every comment from the scoping meetings, we will be recording them and will be alerting the participant of that.

Aaron

>>> "Zischke, Michael H." <MZischke@coxcastle.com> 5/20/08 3:16 PM >>>

Aaron and Jeanne, this email duplicates the voicemail message I left - at the scoping meetings, I was curious how DTSC will be tracking and noting the comments - will they be taped, or someone taking notes, or some other method? Thanks.

MICHAEL H. ZISCHKE
Cox Castle & Nicholson LLP
555 California Street, 10th Floor
San Francisco CA 94104-1513
email: mzischke@coxcastle.com
Direct dial: 415-262-5109
Fax: 415-392-4250
Switchboard: 415-392-4200

If I may be of further assistance with regard to this matter, please do not hesitate to contact me at 951-755-5212 or FRANKLIN_DANCY@MORONGO.ORG.

Very truly yours,
MORONGO BAND OF MISSION INDIANS



Franklin A. Dancy
Project Manager

MORONGO
BAND OF
MISSION
INDIANS



11581 POTRERO ROAD · BANNING, CA 92220

Aaron Yue, Project Manager.
California Department of Toxic Substances
Control
5796 Corporate Avenue
Cypress, CA 92240

9063074700 0023

STATEMENT OF MR. TIMOTHY WILLIAMS
CHAIRMAN OF THE FORT MOJAVE INDIAN TRIBE
ENVIRONMENTAL IMPACT REPORT/PUBLIC SCOPING MEETING

May 29, 2008

NEEDLES ELKS LODGE, NEEDLES CALIFORNIA

As the elected leader of the Fort Mojave Indian Tribe, I am here today to express deep concern for the area of which you intend to evaluate the environmental impacts of this project as part of the approval process to select a Final cleanup remedy.

First of all the Fort Mojave Indian Tribe has been a part of this area since time immemorial, we are the "Aha Makav" the people along the river. We are a living culture and caretaker of this land given by the Creator, Matavila. For many generations these oral traditions were handed down and passed on to the leadership of the different clans that make up the Aha Makav. During the early years before the white man came we were an integral part of this region extending from North of Las Vegas to the South to the Phoenix area and east into Kingman and as far west as Santa Barbara. This was our territory and traditional homeland, today most of that tribal area has been reduced to what we have today, 48,000 acres located in three States, California, Arizona and Nevada. We have many areas of cultural and spiritual connection all up and down this valley. Much of the land is now owned or managed by Federal Agencies, State and individual landowners. Many historic and prehistoric places exist within the area you are talking about this cleanup occurring. Our beliefs define who we are, and how we continue to exist as a people, our affiliation with the land, air and most importantly the Water known to many as the mighty Colorado River is the lifeline to millions who depend on this water to exist. We are here today to state that the Protection of the River is first the number one concern to our tribe and many tribes downstream of the area mentioned in the cleanup of Topock.

From what we understand, chromium six has NOT been detected in the River by the monitoring agencies The EIR and the scoping meetings should make this clear.

Second, the area is sacred to the Mojave people and other tribes who have an affinity and connection to this sacred area also. We must ensure that this EIR includes a thorough Cultural Resources Technical Report and Ethnographic Study. Our Tribe is willing to contribute to the drafting and technical review those reports. This will help to disclose the level of total impacts to the Mojave's cultural resources and protect the area from further desecration. If you looked at a map, you would see the areas of cultural and sacred sites significant to our people. The area is critical to our beliefs especially when we pass from this world to the afterlife, this area should be treated with respect and acknowledged for what it is SACRED in its entirety not picked apart as how most archeologists see things or when an area has experienced some prior disturbance.

The Fort Mojave Tribe has been a participant in this process since first contacted in July of 2004, by the Bureau of Land Management. We were informed of actions, which were never previously brought to our attention in light of the fact they (DTSC/DOI) were exempting their activities from state and federal environmental laws, as alleged Emergency actions. Since that first notification and meeting with the affected Tribal governments, we attempted under State/Federal law to consult with the regulatory agencies to find out what was going on out there and to get up to speed with this complex process.

We were never brought in or advised of the actions taking place, we were viewed more as a hindrance instead of tribal governments with equal responsibility to be consulted with on a government- to-government relationship basis. We welcome that an environmental impact report is finally being prepared for the clean-up. We expect that at last an honest assessment of the cumulative past, current and planned impacts to the sacred area, a cultural and ethnographic landscape, will finally occur. Without this component, the document will be seriously flawed.

The Federal Agencies who are involved (Bureau of Land Management, U.S. Fish and Wildlife, Bureau of Indian Affairs, Bureau of Reclamation and the Environmental Protection Agency) are equally responsible to our tribal governments based on their obligation as our "Trustee" to uphold and protect the tribal interests. The prior Notice of Exemption justified a water treatment facility that was constructed directly within an area of cultural and sacred sites. The Federal government's trust responsibility to see that the concern and interest of the tribes involved are protected and or managed with proper consultation, are still, in our estimation, nonexistent and a reminder of injustices of the past. If this cleanup is to take place, this tribe and other tribes along the Colorado River have to have a seat at the table, one of respect and comity and of true consultation based on our concerns and guiding principles. The environmental document must also be sufficient to meet requirements of the National Historic Preservation Act and other federal statutes, protective land use designations and guidance if it is to form the basis for the final remedy, which has federal implications.

To reiterate our position we are not special interest groups! We are a tribal government who has equal footing in this matter of cleanup and a final remedy determination with our interests protected and acknowledged by the Regulatory Agencies (State of California and the Department of Interior) who are responsible under Federal Law and Settlement Agreements to consult with our Tribal governing body to protect our cultural and sacred sites within this area of cleanup. The Tribe is also a landowner within the affected area. We expect that the EIR will be consistent with the terms of those Agreements.

For the purposes of providing comments for this public forum, this is a summary of comments on behalf of the Fort Mojave Indian Tribe and further defined detailed written comments will be forthcoming for the record. While we are disappointed that DTSC could not figure out a way to co-host a scoping meeting for tribal members on the reservation, we wish to inform DTSC that the Tribe will be hosting a forum for tribal member participation. Such a forum will allow our people to discuss the project, tribal sensitivities and the scoping for its environmental document in a more comfortable manner. We would like those comments incorporated into this record for defining the scope of the EIR and the interests of the Fort Mojave People.

Thank you for the opportunity to comment on behalf of our tribal government and the Mojave people.



**Fort Mojave Indian Tribe
Aha Makav Cultural Society**

Nora McDowell-Antone
Project Manager

Office: (928) 768-4475

Fax: (928) 768-7996

Cell: (760) 238-1769

noramcdowell-antone@fortmojave.com

P.O. Box 5990
Mohave Valley, AZ 86440



DEPARTMENT OF FISH AND GAME

Inland Deserts Region (6)

www.dfg.ca.gov

P.O. Box 2160

Blythe, CA 92226

Office (760) 921-2974

Fax (760) 922-5638



June 20, 2008

Mr. Aaron Yue
DTSC Project Manager
Department of Toxic Substance Control
5796 Corporate Avenue
Cypress, CA 90630

RE: Notice of Preparation for a Draft Environmental Impact Report (EIR) for the PG&E Topock Compressor Station Project (SCH #2008051003)

Dear Mr. Yue,

The Department of Fish and Game (Department) appreciates this opportunity to comment on the Notice of Preparation (NOP) for the

To enable Department staff to adequately review and comment on the proposed project, we recommend the following information be included in any environmental document prepared for the proposed project:

1. A complete assessment of the flora and fauna within and adjacent to the project area, with particular emphasis upon identifying endangered, threatened, and locally unique species and sensitive habitats.
 - a. A thorough assessment of rare plants and rare natural communities, following the Department's May 1984 Guidelines for Assessing Impacts to Rare Plants and Rare Natural Communities.
 - b. A complete assessment of sensitive fish, wildlife, reptile, and amphibian species. Seasonal variations in use of the project area should also be addressed. Focused species-specific surveys, conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures should be developed in consultation with the California Department of Fish & Game and the U.S. Fish and Wildlife Service.
 - c. Rare, threatened, and endangered species to be addressed should include all those which meet the California Environmental Quality

Conserving California's Wildlife Since 1870

Act (CEQA) definition (see CEQA Guidelines, § 15380).

- d. The Department's California Natural Diversity Data Base in Sacramento should be contacted to obtain current information on any previously reported sensitive species and habitats, including Significant Natural Areas identified under Chapter 12 of the Fish and Game Code.
 - e. If the project has the potential to impact the western burrowing owl (*Athene cunicularia*), a California Species of Special Concern, the Department recommends that focused burrowing owl surveys be conducted on the project site to determine how many occupied owl burrows will be impacted. Any burrows that cannot be avoided should be mitigated at a 2:1 ratio with artificial burrows located in a protected area that provides a minimum 6.5 acres per pair or solitary owl. The 1995 CDFG Staff Report on Burrowing Owl Mitigation provides the appropriate survey protocols and mitigation guidelines.
2. A thorough discussion of direct, indirect, and cumulative impacts expected to adversely affect biological resources, with specific measures to offset such impacts.
- a. CEQA Guidelines, § 15125(a), direct that knowledge of the regional setting is critical to an assessment of environmental impacts and that special emphasis should be placed on resources that are rare or unique to the region.
 - b. Project impacts should be analyzed relative to their effects on off-site habitats. Specifically, this should include nearby public lands, open space, adjacent natural habitats, and riparian ecosystems. Impacts to and maintenance of wildlife corridor/movement areas, including access to undisturbed habitat in adjacent areas, should be fully evaluated and provided.
 - c. The zoning of areas for development projects or other uses that are nearby or adjacent to natural areas may inadvertently contribute to wildlife-human interactions. A discussion of possible conflicts and mitigation measures to reduce these conflicts should be included in the environmental document.
 - d. A cumulative effects analysis should be developed as described under CEQA Guideline, § 15130. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on similar plant communities and wildlife habitats.

proposed project and mitigation measures may be required in order to obtain a CESA Permit. The Fish and Game Code requires that the Department issue a separate CEQA document for the issuance of a CESA permit unless the project CEQA document addresses all project impacts to listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of a CESA permit. For these reasons, the following information is requested:

- a. Biological mitigation monitoring and reporting proposals should be of sufficient detail and resolution to satisfy the requirements for a CESA Permit.
 - b. A Department-approved Mitigation Agreement and Mitigation Plan are required for plants listed as rare under the Native Plant Protection Act.
5. The Department opposes the elimination of watercourses and/or their channelization or conversion to subsurface drains. All wetlands and watercourses, whether intermittent or perennial, must be retained and provided with substantial setbacks which preserve the riparian and aquatic values and maintain their value to on-site and off-site wildlife populations.
- a. The Department has direct authority under Fish and Game code § 1600 et seq. In regard to any proposed activity which would divert, obstruct, or affect the natural flow or change the bed, channel, or bank of any river, stream, or lake.
 - b. The Department is emphasizing in comment letters on projects with impacts to lakes or streambeds, that alternatives and mitigation measures must be addressed in CEQA-certified documents prior to submittal of an application of a SAA. Any information which is supplied to the Department after the CEQA process is complete will not have been subject to the public review requirements of CEQA.
 - c. In order for the Department to process a SAA agreement, the CEQA-certified documents must include an analysis of the impacts of the proposed project on the lake or streambed, an analysis of the biological resources present on the site, copies of biological studies conducted on the site, biological survey methodology, and a discussion of any alternative, avoidance, or mitigation measures which will reduce the impacts of the proposed development to a level of insignificance. In addition, a discussion of potential adverse impacts from any increased runoff, sedimentation, soil erosion, and/or pollutants on streams and watercourses on or near the project site, with mitigation measures proposed to alleviate such impacts must be included in the CEQA-certified documents.

The Department appreciates the opportunity to comment on this project.
Questions regarding this letter should be directed to Mr. David Elms, Senior
Environmental Scientist at (760) 921-2974.

Sincerely,

A handwritten signature in blue ink that reads "David J. Elms". The signature is fluid and cursive, with the first name "David" being the most prominent part.

David J. Elms
Senior Environmental Scientist
Inland Deserts Region

California Dept. of Fish and Game
P.O. Box 2160
Blythe, CA 92226

MR AARON YUE PROJECT MANAGER
CALIFORNIA DEPT OF TOXIC
SUBSTANCES CONTROL
5796 CORPORATE AVE
CYPRESS CA 90630

3063044700 0039



From: Aaron Yue
To: Shannon.Frattone@edaw.com,rperdue@waterboards.ca.gov
CC: bob.lucas@calobby.com,Watson Gin,Karen
Baker,DREW.PAGE@lw.com,erigdon@mw...
Date: 5/9/2008 11:24 AM
Subject: Re: PG&E Topock Compressor Station Environmental Impact Report

Good Morning Mr. Perdue,

Thank you for your inquiry. DTSC has carefully considered the intent of the scoping meetings. Our primary objective in the scoping meeting is to meet the intent of the CEQA requirements, which is to ensure that responsible agencies and trustee agencies have adequate input into the proposed EIR based on their jurisdiction and authority over the proposed project. DTSC decided to open up the scoping meetings to the general public, including the tribes, to allow input on their views of the potential impacts under the EIR review. The scoping meeting is not intended to be a public meeting to discuss concerns over general water quality. As you may envision, such a meeting will be difficult to focus on gathering information for the EIR. Also, for water quality issues, concern citizens will not likely focus on the issue specifically related to the PG&E Topock project but the Colorado River water in general. DTSC simply is not prepared to discuss matters outside of our jurisdiction and scope of our current project.

That said, the scoping meeting is mainly for the benefit of the RWQCB, San Bernardino County who has jurisdiction over permits that PG&E may need, and local interested parties such as the Native American Tribes in San Bernardino that may have ancestry in the area. The meeting, however, will be open to the general public who may have input on the sensitivity of the landscape around the PG&E Topock project area. I hope this provided insight of our objective. If you still have questions regarding this matter, please feel free to contact me and we can have additional dialogue.

Aaron Yue
Senior Hazardous Substances Engineer
Geology, Permitting and Corrective Action Branch
Cypress, California
>>> "Robert Perdue" <rperdue@waterboards.ca.gov> 05/09/08 9:33 AM >>>
Shannon

I'm puzzled why you are holding a scoping meeting in Palm Desert rather than downtown Los Angeles @ MWD/Union Station or downtown San Diego so the majority of the public interested in potential impacts to their drinking water could provide input.

In Palm Desert, during our season there are maybe 500,000 (750,000?) people in the Coachella Valley. By the end of May there are possibly 250,000 people left. I suspect there will be very few people attending the May 27 scoping meeting at Palm Desert City Hall. Most likely the EDAW/DTSC/PG&E staff will far outnumber the interested public.

If the rationale for holding scoping meetings is to get the greatest feedback from the potentially impacted population, in this case the 18 million southern Californians drinking Colorado River water supplied by MWD, then please contemplate holding the scoping meeting(s) in more accessible locations such as downtown LA.

Thanks
Robert
(760)776-8938

>>> "Frattone, Shannon" <Shannon.Frattone@edaw.com> 5/2/2008 10:29 AM >>>
Attached for your review and comment are a Notice of Preparation (NOP) and Fact Sheet for an Environmental Impact Report (EIR) pertaining to the Pacific Gas & Electric Company (PG&E) Compressor Station Environmental Investigation and Cleanup Project, located near Needles,

California. These documents present an overview of the history of the project area, the objectives of the EIR, and the dates and times of upcoming scoping meetings being held to obtain input from the public and government agencies regarding the content of the environmental information to be included in the EIR.

Best Regards,

Shannon Frattone

EDAW, Inc.

1420 Kettner Boulevard, Suite 500

San Diego, Ca 92101

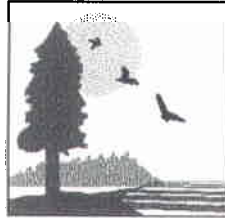
Phone: (619) 233-1454 Ext. 6928

Fax: 619.233.0952

www.edaw.com <<http://www.edaw.com/>>

CALIFORNIA STATE LANDS COMMISSION

100 Howe Avenue, Suite 100-South
Sacramento, CA 95825-8202



PAUL D. THAYER, Executive Officer
(916) 574-1800 FAX (916) 574-1810
Relay Service From TDD Phone **1-800-735-2929**
from Voice Phone **1-800-735-2922**

Contact Phone: (916) 574-1900
Contact FAX: (916) 574-1885

May 14, 2008

File Ref: SCH 2008051003
PRC 8737.1

Aaron Yue
Department of Toxic Substances
5796 Corporate Avenue
Cypress CA

Dear Mr. Yue:

Subject: Notice of Preparation (NOP) for a Draft Environmental Impact Report for the PG&E Topock Compressor Station Environmental Investigation and Cleanup Project located near the City of Needles, San Bernardino County

This letter is sent in response to your request for comments from the California State Lands Commission (Commission) on the NOP for the preparation of a Draft Environmental Impact Report (EIR) for the above referenced project located in San Bernardino County.

As general background, upon admission to the Union in 1850, California acquired nearly four million acres of sovereign land underlying the State's navigable waterways. Such lands include, but are not limited to, the beds of more than 120 navigable rivers and sloughs, nearly 40 navigable lakes, and the three-mile wide band of tide and submerged land adjacent to the coast and offshore islands of the State. The Commission holds its sovereign interest in these lands subject to the Public Trust for commerce, navigation, fisheries, open space, and preservation of natural environments, among others. The Commission is particularly concerned with the natural resources and public recreational opportunities of lands under its jurisdiction.

The proposed project identified in the NOP may impact the Colorado River, which is sovereign land of the State of California as described above. The Commission has a legal responsibility for, and a strong interest in, protecting the ecological and Public Trust values associated with the State's sovereign lands, including the use of these lands for habitat preservation, open space and recreation. Proposed development located within the Colorado River would be subject to the Commission's application process and the Commission would be a Responsible Agency under the California Environmental Quality Act (CEQA).

The document should discuss the full range of environmental issues required under the CEQA, including, but not limited to, water quality and hydrology, including runoff, sedimentation, degradation, erosion, and drainage; biology, including, native, rare, endangered, and threatened plant, animal, and aquatic species, and species of special concern; and the loss of wetland and upland habitats. All studies which may be needed to evaluate the environmental effects of the proposed project, including biotic studies and inventories of plants, animals and aquatic resources, should be conducted as part of the preparation of the Draft EIR. Maps, charts or other graphics should also be included to illustrate the location of biotic species and their habitats in the relation to the project site, and the proposals for their protection. Mitigation measures, as appropriate, should be included to reduce the significance of any impacts to these resources.

In addition, greenhouse gas emissions information consistent with the California Global Warming Solutions Act (AB 32) should be included. This would include a determination of the greenhouse gases that will be emitted, a determination of the significance of the impact, and mitigation measures to reduce that impact.

Further, on December 14, 2006, the Commission authorized the issuance of a General Lease –Right of Way Use, Lease No. PRC 8737.1, for the installation and maintenance of five mitigation monitoring wells extending from the adjacent uplands of the Havasu National Wildlife refuge and into the bed of the Colorado River, southeast of the city of Needles in San Bernardino County and near the town of Topock, Mohave County, Arizona. The lease was subsequently amended February 5, 2007, and again on June 28, 2007, to allow for installation of additional groundwater monitoring wells, in the bed of the Colorado River, as required by the Department of Toxic Substances Control in connection with the prior groundwater *hexavalent chromium* contamination at PG&E's Topock Compressor Station. Once staff has reviewed the Draft EIR, PG&E will be advised if an application to amend the existing lease will be required for any component of the final remedy for the cleanup action proposed for dealing with contaminants at the site(s).

We appreciate the opportunity to comment on the NOP and look forward to our review of the draft document. If you have any questions concerning the Commission's leasing process, please contact Susan Young at (916) 574-1879. If you have any questions regarding environmental issues, please contact Steven Mindt at (916) 574-1497 or by e-mail at mindts@slc.ca.gov.

Sincerely,

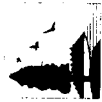


Gail Newton, Chief
Division of Environmental Planning and
Management

cc: Office of Planning and Research
State Clearinghouse

Susan Young, CSLC
Steven Mindt, CSLC

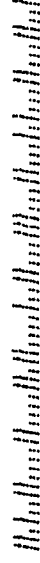
CALIFORNIA STATE LANDS COMMISSION
100 Howe Avenue, Suite 100-South
Sacramento, CA 95825-8202



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MAY 15 2008
MAILED FROM ZIP CODE 95825

Aaron Yue
Department of Toxic Substances
5796 Corporate Avenue
Cypress CA

5063044700



From: Aaron Yue
To: Jeanne Matsumoto
CC: Kathie Schievelbein; William Beckman
Date: 5/5/2008 10:15 AM
Subject: Fwd: FW: PG&E Topock Compressor Station Environmental Impact Report
Attachments: Jeff Smith.vcf

Hi Jeanne,

We already got a comment from Jeff Smith of BOR on the day the NOP was issued. See below.

Aaron

>>> "Frattonne, Shannon" <Shannon.Frattonne@edaw.com> 5/2/08 2:55 PM >>>

Hi Aaron,

I have been working on the preparation of the Topock NOP with the EDAW San Diego team. This morning, I sent out an email containing the electronic versions of the NOP and the Fact Sheet to all contacts on the email list that was provided to us. I received a comment from one of the recipients (included below) that I think should be directed your way. If I get any further comments, I will pass them onto you as well.

Also, there have been a few failed deliveries due to inaccurate or invalid email addresses (4 so far). I am making a note of those and will let either you or Jeanne know which contacts did not receive the email.

Thanks Aaron,

Shannon Frattonne

-----Original Message-----

From: Jeff Smith [<mailto:JBSMITH1@lc.usbr.gov>]
Sent: Friday, May 02, 2008 1:45 PM
To: Frattonne, Shannon
Subject: Re: PG&E Topock Compressor Station Environmental Impact Report

Shannon

The lands that BLM manages belongs to the Bureau of Reclamation. The land that the HNWR is on also belongs to the Bureau of Reclamation. BLM and the US Fish and Wildlife Service are only managing partners for this property according to laws and regulations.

Jeffery B. Smith
Regional Hazmat Coordinator
Bureau of Reclamation
Lower Colorado Regional Office
P.O. Box 61470 (LC-2640)
Boulder City, NV 89006-1470
Office: (702) 293-8060
Cell: (702) 378-2400
Fax: (702) 293-8418
e-mail: jbsmith1@lc.usbr.gov

>>> "Frattonne, Shannon" <Shannon.Frattonne@edaw.com> 05/02/08 10:29 AM
>>>

Attached for your review and comment are a Notice of Preparation (NOP) and Fact Sheet for an Environmental Impact Report (EIR) pertaining to the Pacific Gas & Electric Company (PG&E) Compressor Station Environmental Investigation and Cleanup Project, located near Needles, California. These documents present an overview of the history of the project area, the objectives of the EIR, and the dates and times of upcoming scoping meetings being held to obtain input from the public and government agencies regarding the content of the environmental information to be included in the EIR.

Best Regards,

Shannon Frattonne

EDAW, Inc.

1420 Kettner Boulevard, Suite 500

San Diego, Ca 92101

Phone: (619) 233-1454 Ext. 6928

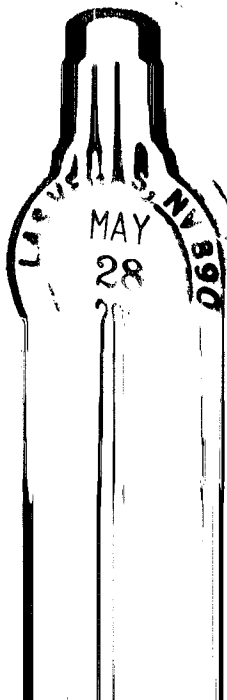
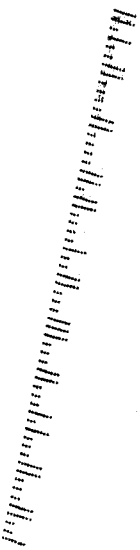
Fax: 619.233.0952

www.edaw.com <<http://www.edaw.com/>>

Joseph P. Mellette
P.O. Box 1005
Tucson, AZ 85736

MR AARON YUE PROJECT MANAGER
CALIFORNIA DEPT OF TOXIC
SUBSTANCES CONTROL
5796 CORPORATE AVE
CYPRESS CA 90630

90630-90630



HAVE YOU APPEARED ON ANY GAME/TALK/REALITY SHOWS (INCLUDING AMERICAN IDOL) THAT HAVE AIRED IN THE PAST 2 YEARS, OR WHICH MAY AIR WITHIN THE NEXT YEAR? **YES NO** (CIRCLE ONE)

IF YES, PLEASE FILL IN THE FOLLOWING:

SHOW NAME	AIR DATE (include tape date if not yet aired)	AMOUNT WON

[Use the back of this sheet if additional space is necessary.]

LIST ALL TV GAME OR CONTESTANT SHOWS (INCLUDING AMERICAN IDOL) ON WHICH YOU HAVE APPEARED, AND WETHER OR NOT YOU WON ANY PRIZES. IF YOU HAVE NOT APPEARED ON ANY SUCH SHOWS, PLEASE CHECK THE BOX BELOW:

I HAVE NEVER APPEARED ON ANY TV GAME OR CONTESTANT SHOWS OR WON ANY PRIZES.

SHOW NAME	AIR DATE (include tape date if not yet aired)	AMOUNT WON

[Use the back of this sheet if additional space is necessary.]

HAVE YOU APPLIED TO BE ON ANY TV SHOWS (INCLUDING AMERICAN IDOL) IN THE TWO YEARS?

YES NO (CIRCLE ONE)

IF YES, WHICH ONES? _____

ARE YOU CURRENTLY BEING CONSIDERD FOR ANY OTHER REALITY SHOWS, INCLUDING, WITHOUT LIMITATION. ANY GAME OR CONTEST SHOW (INCLUDING AMERICAN IDOL)? **YES NO** (CIRCLE ONE)

IF YES. WHICH ONES? _____

HAVE YOU EVER DONE OR BEEN INVOLVED IN ANYTHING THAT WOULD REFLECT NEGATIVELY ON YOU OR ON THE PROGRAM, THE PROGRAM'S PRODUCERS AND/OR THE TELEVISION NETWORKS AND STATIONS THAT BROADCAST THE PROGRAM? **YES NO** (CIRCLE ONE)

IF YES, PLEASE EXPLAIN IN DETAIL, WITHOUT LIMITATION, DATE(S), PLACE(S), PERSON(S) INVOLVED AND THEIR RELATIONSHIP TO YOU, CONTEXT, SETTING, PUBLICITY (IF ANY) AND THE EXACT NATURE OF THE INCIDENT(S): _____

PART III

IF SELECTED AS A CONTESTANT, PLEASE LIST FOUR (4) FRIENDS AND/OR FAMILY MEMBERS WHOM YOU WOULD LIKE TO APPEAR WITH YOU ON THE SHOW TO SUPPORT YOU.

NAME	RELATION	PHONE	ADDRESS	E-MAIL	AGE

GAME DESCRIPTION:

“Don’t Forget the Lyrics!” (the “Program”) is a television program in which a Contestant has the opportunity to win up to a million dollars by singing the exact words to different songs (exact number to be determined).

In successive rounds with varying degrees of difficulty, the Contestant is presented with various music categories (made up of decades and genres or a combination of both) to choose from. Once a category is selected, the Contestant will be presented with one or more songs to choose from. After selecting one song, the host will instruct the music to play and the words/lyrics will appear on a screen for the Contestant to sing.

At a pre-determined point during the song (determined by the Producers), the music will stop and the words/lyrics will disappear. The Contestant must sing the next word(s) of the song, the exact number of word(s) to be determined by Producers. With each correct answer, the contestant wins the amount of money designated on the money ladder for that round.

After successfully completing a round, the contestant is given the choice to leave the game with their current winnings or to continue playing the game (unless they have reached the maximum prize amount). The contestant may be provided with one or more lifelines to help aid them in their completion of the word(s) during game play.

Eligibility Requirements:

- A. Each contestant must be 18 years of age or older and a legal resident of the 50 United States and/or Washington D.C.
- B. You must not be a candidate for public office and must agree not to become one until after one (1) year after the initial broadcast of the programs in which you appear, if selected as a participant.
- C. Neither you nor any member of your immediate family or anyone living in your household may be or have been within the last two (2) years employees, officers, directors or agents of any of the following:

- i. Fox Broadcasting Company ("FBC"), RDF USA Inc. ("RDF"), Argyle Productions Inc. ("Producer"), Brad Lachman Productions Inc., StoryVision Entertainment Inc., Genco Entertainment Inc., Skycastle Entertainment Company/Sullivan Compliance Company or any of their respective parent, subsidiary or affiliated companies;
- ii. Any television station or channel, cable network or satellite network that airs or that may air the Program;
- iii. Any person or entity involved in the development, production or distribution or other exploitation of the Program;
- iv. Any sponsor of the Program or its advertising agency; or
- v. Any person or entity supplying services or prizes the Program.

In addition, the Producers reserve the right, but are not obligated, to disqualify or render ineligible any person who the Producers determine, in their sole discretion, is sufficiently connected with the production, administration, casting, judging or distribution of the Program such that his or her participation in the Program is improper or creates the appearance of impropriety. Such decisions shall be final and are not subject to challenge or appeal.

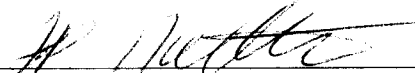
- D. Any person who has ever been a contestant on the Program is not eligible to play the game again, provided, however, the Producers reserve the right to invite back any contestant(s) for special episodes of the Program.
- E. Contestants will need to be available for at least one (1) full day for the production, as well as any promotional appearances required by the Producers or FOX, and be willing to travel to one or more locations designated by the Producers.
- F. If selected as a potential participant, you must execute waivers and release agreements, including a contestant agreement and release and other waivers and agreement(s) as are required by Producer, FBC, or any of their licensees, successors, or assigns.
- G. You must be willing to submit to a background check, medical examinations, and psychological examination, at Producer's sole discretion.
- H. You must not have appeared as a Contestant in more than two (2) television competition or game shows within the last five (5) years from the tape date of the Program in which you appear. In addition, you must not have appeared as a contestant on more than one (1) television competition or game show within the past twelve (12) months from the tape date of the Program in which you may appear (regardless of whether such appearance has been or will be broadcast or cablecast).

Contestant Selection:

- A. Applicants applying to be contestants must complete and sign the "Don't Forget the Lyrics!" Application, complete and score a passing grade on a song word test, and attend one (1) or more audition/interview sessions. The Producers, in their sole discretion, will determine who among the people interviewed will be placed into the pool of eligible potential Contestants ("Audition Player Pool"). The Producers, in their sole discretion, shall select people from the Audition Player Pool to become finalists for episodes of the Program (each, a "Finalist").
- B. Selection of Finalists and Contestants shall be made by the Producers based on such criteria as the Producers shall determine in their sole discretion, which may be subjective. The Producers are not obligated to select anyone, even if someone meets all eligibility requirements and all criteria for selection. The Producers' decisions regarding the selection of Finalists and Contestants are final and not subject to challenge or appeal. The Producers are not obligated to have any Contestant or Finalist appear on the Program and the Producers shall have the right at all times and in their sole discretion to remove or replace any Contestant or Finalist for any reason or no reason. Even if a Finalist participates in the Program or any part thereof, the Producers are not obligated to broadcast or otherwise use or exploit the Program, Contestant's /Finalist's participation therein or any part thereof.
- C. All Finalists must sign and return waivers and release agreements required by the Producers and FOX and/or any of their respective licensees, successors and assigns.
- D. Any applicant who refuses to sign any of the releases or authorizations requested by the Producers shall be ineligible to participate on the Program and/or is subject to disqualification from the Program.

Please read, sign and date the following acknowledgement:

I hereby acknowledge that: (i) I have read and agree to be bound by the eligibility requirements; (ii) I have answered the previous questions honestly, completely and accurately; (iii) if any of the above information is found to be false or incomplete, this will be grounds for dismissal from the "Don't Forget the Lyrics!" contestant selection process, and/or from the "Don't Forget the Lyrics!" contest, if selected; (iv) I understand that it is a federal offense, unless disclosed to the Producers prior to broadcast, if any, to give or agree to give any member of the production staff and anyone associated in any manner with the Program, or any representative of the Producers any portion of my compensation or anything else of value to arrange my appearance on the Program or to accept or agree to accept anything of value to promote any product, service or venture on the Program, or use any prepared material containing such a promotion where I know the writer received consideration for it; (v) even if I meet the eligibility requirements, the Producers have no obligation to interview me, and/or to select me as a Finalist or a Contestant; (vi) all decisions by the Producers concerning selection of the Finalists and Contestants is final and not subject to challenge or appeal; and (vii) the Producers have no obligation to return any materials submitted by me as part of the application whether or not I am selected to participate in the Program.


Signature

5-23-08
Date

Please sign and date the following NAME AND LIKENESS RELEASE AND TRANSFER OF RIGHTS:

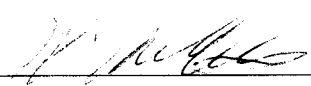
By submitting the Application, I hereby consent to the recording, use and reuse by Fox Broadcasting Company, RDF USA Inc., Argyle Productions Inc., Brad Lachman Productions Inc., Genco Entertainment Inc., StoryVision Entertainment Inc., their respective licensees, assignees, parents, subsidiaries, or affiliated entities and each of the respective employees, agents, officers and directors of the foregoing entities (collectively, "Releasees") of my voice, actions, likeness, name, appearance, biographical material, and any information contained in my Application and/or in any materials submitted by me in connection with my Application (collectively "Likeness") in any and all media now known or hereafter devised, throughout the universe in perpetuity, in or in connection with the television program currently entitled "Don't Forget the Lyrics!" (the "Program"). I agree that Releasees may use all or any part of my Likeness, and may alter or modify it regardless of whether or not I am recognizable. I further agree that Releasees exclusively own all right, title, and interest (including, without limitation, all copyrights) in and to any video or other materials that I have provided in connection with my Application and any materials that I have provided or may provide in connection with the Program (the "Materials") including, without limitation, the right to edit, alter or modify the Materials and to use all or part of the Materials and my Likeness in any and all media now known or hereafter devised, throughout the universe, in perpetuity. I represent and warrant that the Materials (specifically including, without limitation, any videotaped material) are free from any pornographic or graphically violent material, contain no nudity, and do not contain any content that is contrary to law or which places any of the participants appearing on or off camera at serious risk or harm. I further agree that Releasees may use my Likeness and the Materials in connection with any promotion, publicity, marketing or advertisement for the Program and/or any sponsor thereof. I grant the rights hereunder whether or not I am selected to participate in the Program in any manner whatsoever. I release Releasees from any and all liability arising out of the recording and/or use of my Likeness and/or the Materials. I agree not to make any claim against Releasees as a result of the recording and/or use of my Likeness and/or the Materials (including, without limitation, any claim that such use invades any right of privacy and/or publicity or constitutes a defamation). I understand that I will not be paid any money for giving Releasees these rights, or for signing this agreement, the sole consideration for which being the Producers' consideration of me as a possible contestant, which I acknowledge is good, valuable and sufficient.

I acknowledge that there is a possibility that after the execution of this Application, I may discover facts or incur or suffer claims that were unknown or unsuspected at the time I executed this Agreement, and which, if known by me at that time, may have materially affected my decision to execute this Application. I acknowledge and agree that by reason of this Application and the releases contained herein, I have assumed any risk of such unknown facts and such unknown and unsuspected claims. I am aware of the existence of Section 1542 of the California Civil Code, which provides:

A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS WHICH THE CREDITOR DOES NOT KNOW OR SUSPECT TO EXIST IN HIS FAVOR AT THE TIME OF EXECUTING THE RELEASE, WHICH IF KNOWN BY HIM MUST HAVE MATERIALLY AFFECTED HIS SETTLEMENT WITH THE DEBTOR.

Notwithstanding this provision, this release shall constitute a full, final, and complete release, accord and satisfaction of each and every of the released claims that I have or may have, at any time, against any of the Releasees. To the maximum extent permitted by law, I knowingly and voluntarily waive the provisions of Section 1542 of the California Civil Code, as well as any other statute, law or rule of similar effect of any other jurisdiction throughout the world, and acknowledge and agree that this waiver is an essential and material term of this release. I represent that I understand and acknowledge the significance and consequence of the releases I have made herein, and of my waiver of any rights I may have under Section 1542 of the California Civil Code and any other similar statutes, laws and rules.

I have signed this release on the 5/28 day of July, 2007.

Signature 

Name (Please print or type) Joseph Patrick McElroy
(JPM)

Thank you for your time and effort in completing this information.

Don't forget to attach a photocopy of your Driver's License. Good Luck!



COLORADO RIVER INDIAN TRIBES

OFFICE OF THE ATTORNEY GENERAL

June 13, 2008

Mr. Aaron Yue
California Environmental Protection Agency
Department of Toxic Substances Control
5796 Corporate Avenue
Cypress, California 90630

Re: ***COMMENTS ON NOTICE OF PREPARATION FOR A DRAFT ENVIRONMENTAL IMPACT REPORT; PACIFIC GAS AND ELECTRIC COMPANY, TOPOCK COMPRESSOR STATION, NEEDLES, CALIFORNIA***

Dear Mr. Yue,

The Colorado River Indian Tribes ("CRIT" or "Tribes") Office of the Attorney General makes the following comments regarding the Notice of Preparation ("NOP") for a Draft Environmental Impact Report ("EIR"), dated May 2, 2008. The purpose of these comments is to help minimize future delays in selecting the appropriate final remedy; because as a downstream Tribe, CRIT would be directly impacted by any contamination entering the Colorado River from the Pacific Gas and Electric Company ("PG&E") Topock compressor station site ("Site").

GENERAL COMMENTS

- CRIT would like to thank DTSC for granting the additional thirty (30) days for review of the NOP. This additional time allowed CRIT sufficient time to review and present our comments in a timely manner, which we hope will expedite the final remedy process. We support asking the questions now that would eliminate delays once the EIR process begins.
- CRIT would like to know when written responses by DTSC to comments made during the sixty (60) day comment period will be provided. We request that DTSC indicate when written responses will be provided by July 15, 2008. This two week period should allow DTSC an opportunity to initially review the comments received, then determine how much time will be required to provide responses.

- Do the DTSC or PG&E settlement agreements, or any supplemental agreements, contain requirements that may potentially impact the scope or focus of evaluating the significance of any environmental effects on cultural and biological resources under the California Environmental Quality Act (“CEQA”) and the proposed EIR?
- Does the DTSC settlement agreement, or any supplemental agreement, contain any requirements that would prevent DTSC from acting as an unbiased, neutral lead agency in the preparation of CEQA documents and the EIR? Does the DTSC settlement agreement state that DTSC will recognize the specific interest of any one Tribal entity?
- The project location and the study area for the corrective action activities, as defined in the text and on Exhibit 1-2, extends into and includes areas across the Colorado River into Arizona. How does CEQA apply to any activities that are outside California? How can CEQA enforce mitigation measures for areas outside California? What are the environmental requirements and environmental processes that will be utilized in Arizona?
- What is the specific baseline date that DTSC will use in the EIR to establish and set the existing baseline conditions that will be used when evaluating potential impacts and significance? We assume that the baseline date will be May 2, 2008, when the NOP was prepared, and therefore will be consistent with CEQA guidelines. Is this correct?
- At the NOP meeting that CRIT representatives attended on June 5, 2008, DTSC expressed a desire to open the communication process with the Tribes. DTSC also indicated during the presentation that they were willing to stay “as long as necessary” after the meeting to answer questions. When certain CRIT representatives requested to meet with DTSC and the EIR contractor after the meeting (before providing our formal written comments), DTSC indicated that additional discussion would not be allowed. Therefore, we would like to get a clear understanding of what the intended and desired DTSC communication process actually is. Based on this recent experience, it appears that the communication process is not consistent with the presentation and will only occur through formal scoping meetings. Apparently additional discussion outside this process will not be conducted with CRIT or any other entity, Tribal or otherwise. We request that the communication process be clarified for future discussions and presentations, and that future presentations be updated to reflect the actual process in order to eliminate any confusion or misunderstanding.
- Future scoping meetings were referenced in the NOP presentation. The frequency and scheduling of these meetings were not discussed, however. CRIT would like to know the estimated schedule for future scoping meetings and at what point in

the EIR process they will occur. CRIT would like to know what outreach to the Tribes is actually planned and the frequency for those outreach activities.

- CRIT is in the preliminary stages of preparing an ethnographic study. We request to be updated on the EIR schedule and would like to know if DTSC has any interest in scheduling future meetings to discuss the status and progress of the ethnographic study. In addition, when would DTSC need the final CRIT ethnographic study to be submitted in order to meet the time schedule for the EIR?

PURPOSE AND THE NOTICE OF PREPARATION

- It is stated that DTSC is the lead agency for the PG&E cleanup project. It is CRIT's understanding that the Department of Interior ("DOI") is also a lead agency for the project. While DTSC may be assuming lead agency responsibility under CEQA, it appears from the statement that DTSC is the only lead agency.
- It is stated that DTSC determined the project may have a significant impact on the environment, therefore it decided to prepare an EIR under CEQA. Why isn't a joint EIR and Environmental Impact Statement ("EIS") not being prepared? Has DTSC received written documentation from DOI or other Arizona agencies that an EIS will not be required in the future? CRIT would like a determination from DTSC that the EIR cannot be challenged in the future since an EIS is not also going to be prepared. Any future challenge on these grounds would result in a significant delay in selecting a final remedy.

PROVIDING COMMENTS ON THE NOTICE OF PREPARATION

- It is stated that individuals are encouraged to submit comments on the scope, focus, and content of the environmental information to be contained in the draft EIR. When the information in the NOP is reviewed, however, it is not clear what the scope, focus, and content of the environmental information is that will be contained in the EIR. DTSC did provide some additional information at the NOP meeting on June 5, 2008, but it was limited. How and when will this information be communicated in the future?

DEADLINE FOR SUBMITTING COMMENTS

- It is stated that documents related to the proposed project are available for review on the DTSC website and in the repositories. In reviewing the website and the repositories, it appears that they may not be entirely current. As stated in Section 1.1, a draft Corrective Measures Study/Feasibility Study Work Plan was submitted in 2002 and a revised CMS/FS Work Plan was issued in June 2007. Neither of these documents is included on the DTSC website. It would be helpful if DTSC could provide a list of the documents relevant to the EIR so that Tribal members can narrow their review.

PROJECT DESCRIPTION

- *Section 1.1, Second Paragraph* – Please explain the term “other risks” for all Chemical of Concern (COC’s).
- Hexavalent chromium is stated to be the principal COC, but why aren’t all COCs in the soil and groundwater not listed?
- *Third Paragraph* – It is stated that cooling water was discharged to a “dry wash.” Since Exhibit 1-3 identifies the dry wash as “Bat Cave Wash” it may be clearer for readers if the document references “Bat Cave Wash” as the discharge area.
- *Section 1.2, Exhibit 1-3* – This is a site map showing the groundwater plume. The outline of the groundwater plume may not accurately illustrate the extent of the contaminated groundwater that is above assumed background concentrations. Rather, the groundwater plume shown is based on the fifty (50) parts per billion concentrations for hexavalent chromium. It would be helpful to identify or estimate the groundwater plume that is above background concentrations so that it can be determined that the boundaries of the project location or Area of Potential Effect (“APE”) as presented on Exhibit 1-2 are inclusive of the anticipated groundwater contamination area.
- Provided that the boundaries of the project location/APE as presented on Exhibit 1-2 include the extent of groundwater contamination, potential soil and groundwater remediation areas, access routes, staging areas, and proposed monitoring well locations, CRIT agrees that these boundaries are adequate to include areas of potential disturbance as a result of any anticipated remedial activities. We do not support the expansion of the project location area/APE based on other considerations that are not consistent with CEQA guidelines, however. Please verify if the CEQA evaluation related to potential environmental effects and the significance of these environmental effects on cultural and biological resources will only occur within the defined project area/APE.

REMEDIAL ACTION ALTERNATIVES

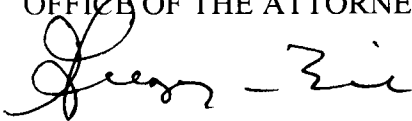
- *Section 2.1* – Are the identified groundwater or soil remediation technologies listed in any specific order of priority or importance (*i.e.*, monitored natural attenuation listed first)? If they are not, CRIT recommends an alphabetical arrangement.
- Can phytoremediation be considered a groundwater technology?
- Can bioremediation or soil vapor extraction be considered a soil remediation technology?

- *Section 2.2* – It is stated that the proposed project may have significant impact on biological and cultural resources. How will CEQA and the EIR evaluate the potential of environmental effects or the significance of environmental impacts related to cultural resources? Is an alternate process being considered? CRIT supports following CEQA guidelines during the EIR process.

If you have any questions, please contact me at (928) 669-1271.

Sincerely,

COLORADO RIVER INDIAN TRIBES
OFFICE OF THE ATTORNEY GENERAL



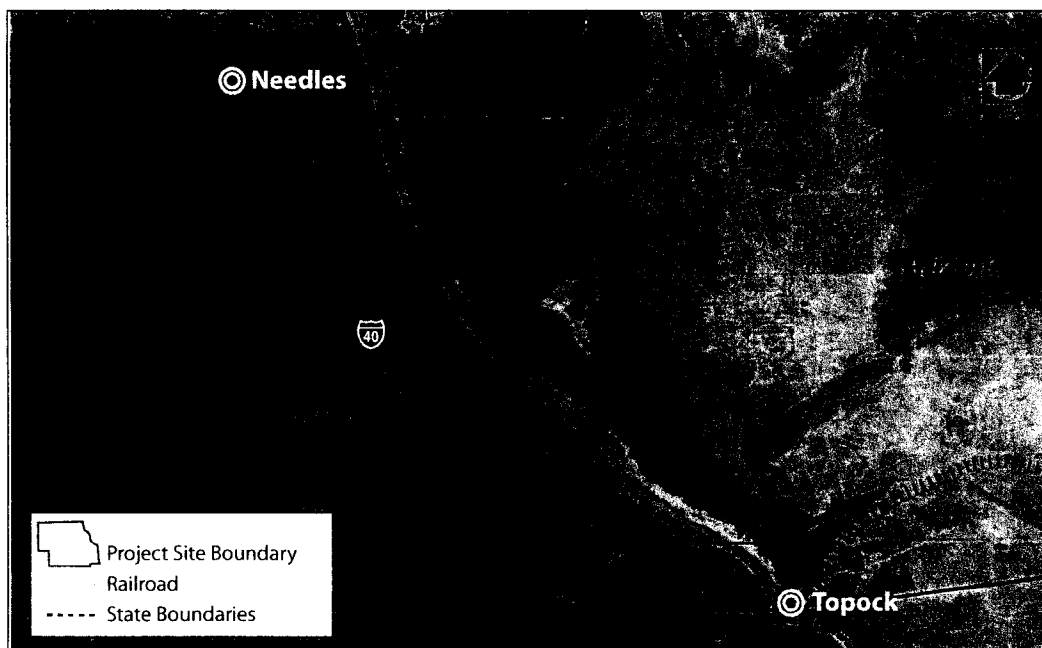
Gregg deBie
Deputy Attorney General

cc: Michael Tsosie
CRIT Museum Director

Nancy Shopay
Envirometrix Corporation

PG&E Topock Compressor Station Project Availability of a Notice of Preparation

The *Notice of Preparation* (NOP) is currently available for review and comment. The purpose of the NOP is to solicit guidance from agencies and stakeholders for the scope and content of the environmental information to be included in the *Environmental Impact Report* (EIR). The Department of Toxic Substances Control (DTSC) is the *lead regulatory agency* for the cleanup of the PG&E Topock Compressor Station (referred to as the "Station"). Under the *California Environmental Quality Act* (CEQA), DTSC must evaluate the environmental impacts of a project as part of the approval process. In order to select the most appropriate final cleanup remedy, DTSC will prepare an EIR to document the potential environmental impacts of the action. (*Words in bold and italics appear in the Glossary of Terms.*)



Project Location

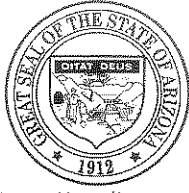
Public Scoping Meetings

Public Comment Period for the NOP runs from May 2 to July 1, 2008.

For information on accessibility and to request reasonable accommodations, please contact Susan Callery at (818) 717-6567 at least one week before the meeting.

- City of Palm Desert, City Council Chamber, Palm Desert, CA 92260
Tuesday, May 27, 1:30-4:30
- Gila Ridge High School Auditorium, 7150 E. 24th Street, Yuma, AZ 85365
Wednesday, May 28, 1:30-4:30 p.m.
- Needles Elks Lodge, 1000 Lillyhill Dr., Needles, CA 92363
Thursday, May 29, 5:30-8:30 p.m.
- City Council Chamber, 2360 McCulloch Blvd. North, Lake Havasu City, AZ
Monday, June 2, 2:00-5:00 p.m.
- Big River Development Enterprises, 150313 Rio Vista Dr., Big River, CA 92242
Thursday, June 5, 5:00-7:00p.m.

A Topock Elks Lodge



Janet Napolitano
Governor

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

1110 West Washington Street • Phoenix, Arizona 85007
(602) 771-2300 • www.azdeq.gov



Stephen A. Owens
Director

June 30, 2008

VRP 08: 199

Mr. Aaron Yue, Project Manager
California Department of Toxic Substances
5796 Corporate Avenue
Cypress, California 90630

RE: Notice of Preparation for a Draft Environmental Impact Report
PG&E Topock Compressor Station Environmental Investigation and Cleanup Project

Dear Mr. Yue:

The Arizona Department of Environmental Quality (ADEQ) has received the notice of preparation (NOP) for the draft environmental impact report (EIR) and appreciates the opportunity to comment on the proposed scope of the report. ADEQ notes the proposed EIR study area extends across the Colorado River into Arizona and includes portions of the Havasu National Wildlife Refuge and the town of Topock. At this time, ADEQ finds the boundary for the study area in Arizona to be acceptable.

Sincerely,

Jennifer Barr
Manager
Voluntary Remediation Program

cc: EDAW
2022 J Street
Sacramento, California 95811
Heather Halsey, Project Manager

Northern Regional Office
1801 W. Route 66 • Suite 117 • Flagstaff, AZ 86001
(928) 779-0313

Southern Regional Office
400 West Congress Street • Suite 433 • Tucson, AZ 85701
(520) 628-6733

LAW OFFICE OF STEVEN P. McDONALD, LC

7855 Fay Avenue, Suite 250
La Jolla, CA 92037
858.551.1185
858.551.1186 fx
smcdonald@spmcdonaldlaw.com

July 1, 2008

Mr. Aaron Yue, Project Manager
California Department of Toxic Substances Control
5796 Corporate Avenue
Cypress, CA 90630

Re: Fort Mojave Indian Tribe Comments on NOP for DEIR, PG&E Topock Compressor Station Environmental Investigation and Cleanup Project

Dear Mr. Yue:

Through this letter, the Fort Mojave Indian Tribe (“Fort Mojave” or the “Tribe”) is issuing preliminary written comments on the scoping for the above-titled project. This letter supplements Fort Mojave Tribal testimony provided at scoping hearings held on May 29, 2008 and June 5, 2008, and may be supplemented by additional forthcoming information and consultative meetings between the Tribe and DSTC. Additional comments may also be provided based on the RFI/RI, Corrective Measure Study/Feasibility Study (“CMS/FS”) Work Plan and individual CMS/FS reports for groundwater and soil, once those are released for stakeholder review.

Fort Mojave Cultural Affiliation to Project Area

The Fort Mojave has been a part of this area since time immemorial, and in the Tribe’s words:

We are the “Aha Makav,” the people along the river. We are a living culture and caretaker of this land given by the Creator, Matavila. For many generations these oral traditions were handed down and passed on to the leadership of the different clans that make up the Aha Makav. During the early years before the white man came, we were an integral part of this region extending from North of Las Vegas to the South (the Phoenix area), and East into Kingman, and as far West as Santa Barbara. This was our territory and traditional homeland. Today, our reservation is broken up into separate patches of land in California, Arizona and Nevada.

We have many areas of cultural and spiritual connection all up and down this valley. Much of the land is now owned or managed by federal agencies, state and individual landowners. Our beliefs define who we are, and how we continue to exist as a people, our affiliation with the land, air, the earth's creatures, and most importantly the water known to many as the mighty Colorado River is the lifeline to millions who depend on this water to exist. Protection of the River is the number one concern to our Tribe and many tribes downstream of the area mentioned in the cleanup of Topock.

Our Tribe has strong language, clan, oral history, archaeological, and geographical ties to the Topock area. Such ties also include being the closest Indian reservation to the project site. The Tribe's traditional songs are tied to the land on and surrounding the project site. The songs start with the Tribe's beginnings and end in this world that connect the Tribe to all things that Creator has given the Tribe as commandments by which to live life.

Accordingly, the DEIR must recognize the Tribe's strong and continuing cultural affiliation to the area.

Fort Mojave Tribal philosophy towards this project emphasizes the following:

- 1) All efforts must be made in the course of any application of groundwater or soil remediation technologies to avoid and minimize direct, indirect and cumulative impacts to the cultural and spiritual values the Tribe ascribes to the landscape, air, and water subject to effect. The approach to cultural resource management must fully consider the cultural value attributed by the Tribe to the entire landscape and its constituent parts (landforms, water, plants, animals, spiritual qualities, etc.), and not focus merely on the research value of specific sites that are of interest to archaeologists;
- 2) Prior disturbance of areas subject to effect by the project is most regrettable. However, such disturbance does not mean that these areas do not still have value and integrity in the eyes of the affiliated community. Although Fort Mojave had no power historically allowing it to stop that historic desecration of its sacred area (e.g., the railroad and I-40), the Tribe still reveres the area today. The continuing significance of the area is evidenced by the 2005 Inter Tribal Council of Arizona and 2005 National Congress of American Indians resolutions supporting Fort Mojave. Any assessment of impacts on the area's cultural resources, and of the integrity of such resources, must address more than scientific archaeological interpretations of integrity.
- 3) An extremely low level of uncertainty should not be the primary goal of data acquisition. If the data base is sufficient to scope the remedy and discriminate

among alternative technologies, then the information should be sufficient. Therefore, the Tribe believes residual data gaps may be acceptable, and decisions regarding the need for additional data acquisition should be balanced against further impacts to the sacred area and legal obligations to prevent or minimize such impacts.

- 4) All efforts must be made to correct (i.e. minimize and eliminate) the damage that has already been sustained. The Tribe must be consulted on such matters.

The Tribe expects that it will be consulted regarding these viewpoints and that these viewpoints will be reflected throughout the EIR including the alternatives, impacts, and mitigation sections.

The Tribe is also willing and requests to contribute to the drafting and technical review of the DEIR's cultural resource reports.

Consistency with Settlement Agreement

The project and the EIR must be consistent with the settlement agreement in *Fort Mojave Indian Tribe v. Department of Toxic Substances Control, et al.*, Sacramento Superior Court Case No. 05CS00437 (the "Settlement Agreement"). A copy of that agreement is attached hereto.

Respect for Tribe's Spiritual and Cultural Beliefs.

In the Settlement Agreement, DTSC expressly acknowledges that:

DTSC understands that members of the Fort Mojave Tribe view the development of the IM-3 Site as a desecration of the cultural and spiritual nature of the larger area. DTSC regrets the spiritual consequences to the Tribe that has occurred in association with regulatory actions to avoid contamination of the Colorado River. Although DTSC relied in good faith on the counsel and expertise of other government agencies with specific responsibilities and authorities for protecting the Tribe's sacred sites, DTSC now recognizes that it should have taken a more active role in these matters regarding the cultural and spiritual beliefs of the Tribe. DTSC commits to communicate and plan its future actions in a manner that will respect those beliefs as it continues to work with the Tribe to protect the Colorado River and its spiritual resources. (Settlement Agreement § V.E.)

Mr. Aaron Yue, Project Manager
July 1, 2008
Page 4

Thus, an overarching consideration for the Topock Cleanup is that it be planned in a manner that will respect the Tribe's cultural and spiritual beliefs of the Topock area.

Training of CEQA Personnel.

To the extent allowable by law and collective bargaining agreements, DTSC will require the training of DTSC's management, employees, workers, contractors, and consultants involved with the remediation and/or restoration of the Topock Site about the importance of the Tribe's cultural resources and sacred places. (Settlement Agreement § V.G.)

This provision applies to the training of EDAW as a contractor involved with the remediation. The Tribe stands ready at the earliest opportunity to participate in the training of EDAW regarding the importance of the Tribe's cultural resources and sacred places. Please contact Nora McDowell-Antone, as set forth at the end of this letter, to schedule this training.

Section V. C of the Settlement Agreement provides, in relevant part:

In the event that the proposed final remedy for the Topock Site includes locating or retaining any equipment or installation on the IM-3 Site, DTSC will, in exercising its discretion regarding any such equipment or installation, and in compliance with applicable laws and regulations, including but not limited to CEQA, evaluate the significant environmental effects on cultural and biological resources on the IM-3 Site based upon the environmental setting as of January 2004, to the maximum extent permitted by CEQA.

The IM-3 Site is defined as a parcel of property owned by the Metropolitan Water District (San Bernardino County assessor's parcel number 650-151-06) that was transferred to PG&E as the location for, among other things, a hazardous waste treatment plant and injection wells for the disposal of treated water. Thus, the evaluation of any alternative that includes locating or retaining any equipment or installation on the IM-3 Site must be based upon the environmental setting as of January 2004, i.e., prior to Interim Measure No. 3. Any impacts from equipment or installation on the IM-3 Site must be considered *de novo*, and must also be included in any cumulative impact analysis in conjunction with any other potentially significant adverse environmental effects on cultural or biological resources.

Finally, Section V.H of the Settlement Agreement provides that “to the extent it is within DTSC’s authority and allowable by law, DTSC will facilitate the implementation of the following items”:

1. Title Search. A detailed title search conducted for the parcels identified as Site No. CA-SBr-219A, B, and C, that contain some or all of the original physical Topock Maze, plus a radius of one mile beyond the physical perimeter of Site No. CA-SBr-219A, B, and C.
2. Cultural Report and Archives. A cultural report and archives provided for Tribal use. As part of National Historic Preservation Act Section 106 consultation, DTSC understands that PG&E and the Tribe will be preparing an ethnographic study. This study and other related material will be archived with the Tribe.
3. GPS/GIS Mapping. A detailed Geographic Positioning System/ Geographic Information System (GPS/GIS) mapping conducted of the cultural resources within the parcels identified as Site No. CA-SBr-219A, B, and C, that contain some or all of the original physical Topock Maze, plus a radius of one mile beyond the physical perimeter of Site No. CA-SBr-219A, B, and C.

These items should form a part of the PEIR process to ensure that sufficient information is available to evaluate the potential impacts of project alternatives on the environment and the landscape that the Tribe holds sacred.

Cumulative Impacts

Pursuant to CEQA Guidelines Section 15355, cumulative impacts are referred to as two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts. That section also provides: (a) the individual effects may be changes resulting from a single project or a number of separate projects; (b) the cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time. Unfortunately, the cumulative impacts of the many aspects of this remediation effort have never been assessed, particularly with reference to the significance the Tribe ascribes to the affected landscape.

Also, as noted above, the cumulative impacts analysis must include any impacts since January 2004 to the extent any alternative proposes to locate or retain any equipment or installation on the IM-3 Site.

Mr. Aaron Yue, Project Manager
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Historic, modern and recent investigation/remediation-related impacts have damaged the Tribe's sacred area, without prior consultation with the Tribe. The workplans for the many recent investigation/remediation projects can be found listed at Draft RCRA Facility Investigation and Report, Volume 2, May 2008, Table 4-1, "Plans and procedures for RFI/RI Investigations and Data Collection." Investigations have already been taking place since at least 1997, however. (See RFI, vol. 2.) Many of these projects moved forward on environmental exemptions from CEQA or negative declarations. NO projects to date for the investigations/remediation have produced an EIR. This means that no formal Alternatives Analysis has taken place to date despite the fact that over 150 wells and other facilities have been installed, and nearly 200 soil samples have been taken over the last ten years.

It is also important to remember that cumulative impact analysis is supposed to address ALL kinds of effects, and is not limited to investigation and remediation. In this case, cumulative impacts would also include the development, operation, maintenance and repair of pipelines, any plans related to the construction or relocation of facilities at the PG&E Compressor station, power lines, highways, the railroad, and farming operations, urbanization, recreational facilities and use, including the potential expansion of Park Moabi, etc.

Furthermore, the Tribe has repeatedly expressed its concern that cumulative impacts to its sacred area have NOT been adequately considered in the CEQA and NHPA Section 106 processes to date. We carry forward that concern to the project EIR.

Nor have cumulative impacts been considered in federal implementation of CERCLA actions. The Tribe, in good faith, participated with BLM and other tribes to update the Cultural Resources Management Plan ("CRMP") for the IM-3 project over the course of two years. After extensive meetings and redrafting, the Tribe felt that progress was being made to improve the CRMP and make it more reflective of tribal viewpoints. Much to the Tribe's surprise, that process was unilaterally abandoned by BLM, without consultation, earlier this year. A flawed CRMP cannot be the foundation for the historical resources section of the EIR nor of any potential programmatic or other historic resources agreement under CEQA or NHPA.

After repeated inquiries and requests at all decision-making levels, the Tribe appreciates that an EIR is finally being prepared for the clean-up. We expect that at last an honest assessment of the cumulative past, current and proposed impacts to the sacred area will finally be addressed. The Tribe expects that a full analysis of ALL cumulative impacts to the area will be included in the EIR.

Consideration of the Entire Topock Area as a Traditional Cultural Property

The entire Topock area is a traditional cultural property (TCP) that deserves protection. The Tribe believes an area larger than that which has already been listed on the National Register since 1978 is eligible for listing on the National Register of Historic Places and the California Register.

The Tribe's belief that the entire Topock area is a TCP should be sufficient to consider it as such. If DTSC chooses to look at other factors in addition to the Tribe's beliefs, as discussed below (and which is unnecessary), the Tribe is confident that DTSC will come to the same conclusion and find that the entire area is a TCP that is eligible for listing on the California Register and National Register.

Notwithstanding the federal position regarding cultural landscapes (with which position the Tribe does not agree), as a matter of California law, the State must consider whether the area is a TCP and determine its eligibility for the California Register and the National Register of Historic Places. A TCP is a place that is important to a community for the role it plays in the group's culture or identity, and such a property may be eligible for the National Register if it has integrity in the eyes of those who value it, and if it meets one or more of the National Register's criteria as a site, structure, building, district, or object through association with traditional or other patterns of events, people, or other characteristics.¹ An area is eligible for the California Register and afforded certain protections under CEQA if it is: (1) associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States; (2) associated with the lives of persons important to local, California or national history; (3) embodies the distinctive characteristics of a type, period, region or method of construction or represents the work of a master or possesses high artistic values; and (4) has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California or the nation.²

Thus, the DEIR must include a consideration of the entire Topock area as a traditional cultural property and determine its eligibility for the California Register and the National Register of Historic Places.

¹ See Patricia L. Parker & Thomas F. King, Nat'l Park Serv., Nat'l Reg. Bulletin 38: *Guidelines for Evaluating and Documenting Traditional Cultural Properties* (1998); Thomas F. King, *Saving Places that Matter: A Citizen's Guide to the National Historic Preservation Act 233* (2007).

² See Cal. State Parks, Office of Historic Preservation, Cal. Register, <<http://ohp.parks.ca.gov>>.

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Project Title

The project title is confusing. First, it refers to an "Environmental Investigation" and "Cleanup Project." What components encompass the environmental investigation? Has the investigation been completed for this project or is more anticipated?

Second, what is meant by "Cleanup Project"? We understood the EIR was going to be for the Final Remedy project. Is this not the case? Why does the NOP state that the proposed project *includes* the development of a final remedy? (See NOP, page 4.) What else does the project include?

Please clarify the definitions and scope for the Project Title.

Programmatic EIR

The NOP states that the EIR would be programmatic. (NOP, page 4). It also states that any subsequent activities would then be examined in light of the PEIR to determine if a supplemental environmental document must be prepared.

What kinds of "subsequent activities" are, or may be, envisioned?

Project Description

The NOP states that there is currently no evidence that human or ecological receptors are being exposed to Cr (VI) from the contaminated groundwater. (NOP, page 4.) This fact should be emphasized in the EIR.

The NOP also states that "the final remedy will be designed to protect potential receptors against exposures in the future." (NOP page 4.) While this statement is always true in the abstract, what does this last sentence mean in light of the lack of evidence that current ecological receptors are being exposed to Cr (VI) and the recent Anaerobic Core Testing (Phase II) Report that appears to document a sufficiently robust reducing environment to change Cr (VI) to Cr (III) in the subsurface environment before it could enter the River? Potential receptors will be protected against *what* exposures? Those exposures known at this time or hypothetical future exposures? Will the final remedy design be sufficient to meet current needs or be designed to do more or other than that? The Tribe reiterates its philosophical view regarding data uncertainty set forth as paragraph number 3 at pages 1-2, above.

Again, the Tribe expects that intrusions will be as limited as possible and that the remedy will reasonably meet known potential exposures – not meet any and all possibilities regardless of how remote or speculative they may be.

Project Location

The NOP states that the study area for the corrective action activities covers the PG&E Topock compressor station parcel plus land owned or managed by others. (NOP, page 4.) Another important aspect of project location is emphasizing the sacred nature and essence of the location, which is a traditional named site of the Fort Mojave.

The DEIR should fully describe how and when and by whom the study area was selected.

Moreover, pursuant to the settlement agreement between PG&E and the Tribe in *Fort Mojave Indian Tribe v. Department of Toxic Substances Control, et al.*, Sacramento Superior Court Case No. 05CS00437, the former MWD parcel, San Bernardino County Assessor's Parcel No. 0650-151-06, will be transferred to Fort Mojave Indian Tribe ownership by the time the EIR is completed. All maps and text referring to that parcel should reflect the updated land ownership of this parcel and any other parcels in the area.

Project and EIR Consistency with Public Resources Code Section 5097.97

As set forth above, in testimony from the Tribe to DTSC on this scoping exercise and in other documents and testimony from the Tribe, the Topock area is a Native American sacred site under California law, among other authority. California Public Resources Code section 5097.97 enables the Native American Heritage Commission ("Commission") to investigate the effect of proposed actions by a public agency if such action may cause severe or irreparable damage to a Native American sacred site located on public property or may bar appropriate access thereto by Native Americans. It authorizes the Commission to recommend mitigation measures for consideration by the agency if the Commission finds, after a public hearing, that the proposed action would result in such damage or interference. It also allows the Commission to ask the Attorney General to take appropriate action if the agency fails to accept the mitigation measures.

The United States has argued in *Glamis Gold, Ltd., and United States of America, (Arbitration Under Chapter Eleven of the North American Free Trade Agreement and the UNCITRAL Arbitration Rules)* that this provision applies to federal lands located in California.³ Therefore, the project must be consistent with, and the EIR must fully evaluate, this statute's effect on project design and impacts on both state and federal lands.

³ See, for example, Rejoinder of the Respondent United States of America, March 15, 2007, pages 23-31, <<http://www.state.gov/s/l/c10986.htm>>.

Alternatives

While the Tribe will carefully examine the relative cultural/spiritual impacts for the various groundwater and soil remediation technologies on Tribal heritage resources, we believe that some technologies are more damaging than others.

For example, among groundwater technologies, monitored natural attenuation is at the least impactful. It requires relatively little additional intrusion and is a natural, ongoing process. At the other end of the spectrum, barrier walls appear to have unacceptable levels of impact to the plants, animals, landforms, and other heritage resources of the area.⁴ A complete analysis of alternatives must include and respond to Tribal views on the relative impacts.

Regarding soil remediation technologies, a similar spectrum may exist and should be analyzed. For example, the Tribe views the soil within the area as integral to the cultural landscape. Therefore, excavation or offsite disposal causes adverse impacts. Capping specific locations in place, while it could be categorically acceptable from a scientific archaeological point of view, can be damaging as a means of protecting a site's cultural value; its acceptability in a given instance can be determined only through consultation.

Consultation between DTSC, EDAW and the Tribe should occur regarding each and every alternative prior to finalization of the DEIR.

Environmental Effects

The Tribe requests to be provided with any and all Initial Studies relative to the final remedy or related projects, once they are completed and prior to the release of the DEIR or other environmental document. We also request to be provided with copies of the scoping hearing transcripts as soon as they are completed, and every comment letter on EIR scoping, in advance of the DEIR being circulated.

The Tribe believes that special efforts must be made to examine the project for potentially significant environmental effects to the following areas:

Aesthetics: Consider visual impacts not only from the viewpoints of the general public but also from that of a Tribal person looking out from and toward the Topock Maze mesas while carrying out spiritual activities. Also consider impacts on views of the river, the mountains, and other features of the landscape; such consideration should again reflect Tribal cultural perspectives. In addition, it is important to address restoration

⁴ A representative of MWD recently stated that MWD has decided not to look at the barrier wall. Fort Mojave has not yet seen anything in writing to this effect, however, and MWD has not discussed this at any of the CWG meetings.

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plans for authorized and unauthorized visual impacts to date, including but not limited to the Compression Station, former and current evaporation ponds, well heads, pipes, above-ground poles, fencing, transmission lines, railroad tracks, etc.

Historic Resources: As suggested above, assessment of historic resources must reflect Tribal perspectives. From the standpoint of the Tribe, the entire landscape including and surrounding the Topock Maze – essentially the entire area under consideration in selecting the final remedy – is culturally significant and embodies the history of the Tribe. The simplest and most efficient way to address this significance is simply to treat the landscape as eligible for the National and California State Registers of Historic Places, and consult with the Tribe about how to minimize and mitigate impacts on it, including both the impacts of the final remedy and those resulting from prior actions (for example, from aspects of IM-3). Further professional study of the area's historic and cultural significance should be necessary only if some form of documentation, such as correcting the existing National Register nomination, is found through consultation to be a useful mitigation measure.

Land Use: Must include a complete evaluation of federal land use designations, management and planning in the area including Areas of Critical Environmental Concern, Special Cultural Resource Management Area, National Wildlife Refuge Areas, and Multi-Species Conservation Plan. Must also include a history of the ownership of the Compressor Station property, including that it was public California State Lands prior to 1965 when PG&E purchased the property from the State. Future land use options must consider the Tribe's interest in the future ownership and/or use of all areas.

Moreover, the Tribe would like a Tribal-use exposure scenario evaluated and, when there is a more defined risk assessment and soils study, the Tribe will be able to provide more comments on how stringent, i.e., to what level, a clean-up must be.

Noise: Must include an assessment of impacts of existing and expected noise sources on human receptors, including Tribal members who may be in the area engaging in cultural or spiritual activities. This would include facility alarms, phones, and other public address impacts and reflect wind patterns and impact to the quality of cultural activities – not just standard hearing levels. Vibration effects from various projects and operations should also be studied.

Utilities and Service Systems: Must include an assessment of current and projected utilities and service needs, including related roads, access and easement issues. Wherever possible, Tribal service providers should be considered in an attempt to lessen project impacts. Traffic/access management should be discussed and a plan devised to discourage off-road activities that may be attracted by the project.

In addition, the Tribe questions why Service Systems is an effect when looking at clean-up activities. It seems that Utilities would cover the project.

Other Effects: The Tribe noticed that certain effects that have been included in CEQA documents for other projects were not included here. These effects included, most notably: cultural resources, planning, and global climate change. Why are these effects, especially cultural resources, not included in the current list?

Sufficiency for Use by Federal Entities

The NOP states that DTSC is the project lead. However, we understand that the federal agencies will have to consider the EIR to satisfy their other regulatory obligations, including those under NHPA Section 106, its federal trust obligations and other requirements for treatment of tribal heritage resources and sacred places. How is this issue being addressed in the EIR?

In a conference call held on May 12, 2008 with Fort Mojave Tribal representatives, DTSC and EDAW were not clear on how the EIR and federal obligations would mesh. In the PowerPoint produced for the call, dated April 9, 2008 and titled "Topock CEQA Status and Schedule," slide 5 states that contents of the NOP include a "List of related environmental review and consultation requirements mandated by federal, state or local laws, regulations or policies." Yet, such a comprehensive list is absent from the NOP. The Tribe strongly suggested prior to and during that call that this issue be determined early on and made part of the scope of work for EDAW, and continues to believe it is an important issue that needs to be addressed.

Simply put, the Tribe wants to know whether the EIR will address federal regulatory obligations. It is important to remember that even if a NEPA EIS is not required, a substantively comparable level of impact analysis will be required under CERCLA. Each alternative remedy must be evaluated against the nine CERCLA FS criteria, which include: (a) overall protection of human health and the environment; (b) compliance with ARARs;⁵ (c) long-term effectiveness and performance; (d) reduction of toxicity, mobility, or volume through treatment; (e) short-term effectiveness; (f) implementability; (g) cost; (h) state acceptance; and (i) community acceptance. Community acceptance is extremely important at this site. There are numerous stakeholders and the tribes are among those. The Fort Mojave Tribe's cultural and sacred landscape has already been greatly impacted without the benefit of proper and legally-mandated consultations, and future actions must take that into account. (See also philosophical view number 4, above.)

⁵ The Tribe has previously submitted comments regarding ARARs.

Federal Statutes

Again, as DOI should be using the EIR as part of the record for its decision-making purposes, the document must address relevant federal laws, including the following:

CERCLA (42 U.S.C. § 9601 *et seq.*)

See relevant criteria above, and note requirements for Tribal involvement, e.g., 42 U.S.C. § 9625.

National Historic Preservation Act of 1966 (16 U.S.C. §470 *et seq.*; 36 C.F.R. Parts 60 and 800)

Sets forth a national policy of historic preservation and, at Section 106, provides a process that must be followed to ensure that impacts of actions on historic resources are considered.

American Indian Religious Freedom Act (42 U.S.C. § 1996 -1996a.)

Articulates federal government policy supporting tribal exercise of their inherent rights to free exercise of traditional religions.

Archaeological Resources Protection Act (16 U.S.C. § 470aa *et seq.*; 43 C.F.R. Part 7)

Sets forth requirements that are triggered when archaeological resources are excavated or discovered on federal lands.

Archaeological and Historic Preservation Act (16 U.S.C. § 469-469c-2)

Requires federal agencies that find or are notified that their actions may disturb archaeological, historic, or scientific data to notify the Secretary of the Interior and either preserve or recover such data themselves, or assist the Secretary of the Interior in doing so.

Native American Graves Protection and Preservation Act (25 U.S.C. §§ 3001-3013; 43 C.F.R. Part 10)

Prohibits the destruction or removal of Native American cultural items (human remains and associated funerary objects, graves, cairns, pictographs, glyphs, or other painted records) and requires written notification of their inadvertent discovery to the appropriate agencies and Native American tribes.

Religious Freedom Restoration Act (42 U.S.C. § 2000bb *et seq.*)

Prohibits the government from substantially burdening religious exercise without demonstrating a compelling governmental interest as a justification for the burden. The government must also demonstrate that the action contemplated is the least restrictive means of furthering the demonstrated compelling governmental interest.

Federal Executive Orders

E.O. 13175: Requires ongoing government-to-government consultation with Indian tribes, and flexibility in applying federal standards to tribes.

E.O. 13007: Directs federal agencies to avoid and minimize impacts on the physical integrity of “Indian sacred sites” on federal and Indian lands, as well as to avoid blocking access to such sites by tribal religious practitioners. The Topock Maze and other locations within the greater Topock area landscape constitute such sites, as does the landscape overall.

E.O. 12898: Requires special efforts to avoid disproportionate adverse effects to environments valued by low income populations and minority communities; Fort Mojave Tribal members include both.

E.O. 13352: Requires federal agencies to carry out conservation activities in collaboration with other parties, notably including Indian tribes.

Sufficiency to Meet All California Mandates and Guidance

Relevant state laws include those found and summarized on the State Native American Heritage Commission website at <<http://www.nahc.ca.gov/slc.html>>, such as:

Administrative Code, Title 14, Section 4307

No person shall remove, injure, deface or destroy any object of paleontological, archaeological, or historical interest or value.

CCR Section 1427

Recognizes that California’s archaeological resources are endangered by urban development and population growth and by natural forces. The Legislature further finds and declares that these resources need to be preserved in order to illuminate and increase public knowledge concerning the historic and prehistoric past of California. Every person, not the owner thereof, who willfully injures, disfigures, defaces, or destroys any object or thing of archaeological or historical interest or value, whether situated on private lands or within any public park or place, is guilty of a misdemeanor. It is a misdemeanor to alter any archaeological evidence found in any cave, or to remove any materials from a cave.

Senate Concurrent Resolution Number 43

Requires all state agencies to cooperate with programs of archaeological survey and excavation, and to preserve known archaeological resources whenever this is reasonable.

Senate Concurrent Resolution Number 87

Provides for the identification and protection of traditional Native American resource gathering sites on State land.

PRC § 5024.1: California Register of Historical Resources

Establishes the California Register of Historical Resources, duties of the committee overseeing the administration of the register, and criteria for inclusion of resources on the Register.

PRC § 5020.5: State Historical Resources Commission

Directs the State Historical Resources Commission to develop criteria and methods for determining the significance of archeological sites, for selecting the most significant sites, and for determining whether the most significant sites should be preserved intact or excavated and interpreted. Directs the commission to develop guidelines for the reasonable and feasible collection, storage, and display of archeological specimens.

PRC § 5020.7: Public promotion of historical resource protection

Directs public agencies to encourage owners of both identified and unidentified historical resources to perceive historical resources as assets and to elicit the support of owners and of the general public for the preservation of historic resources.

PRC § 5024: State-owned historical resources

Directs all state agencies to preserve and maintain all state-owned historical resources with the assistance of the State Historic Preservation Officer.

PRC § 5024.1: California Register of Historical Resources

Establishes the California Register of Historical Resources, duties of the committee overseeing the administration of the register, and criteria for inclusion of resources on the Register.

PRC § 5079.10-5079.15: California Heritage Fund

Establishes the California Heritage Fund in the State Treasury for implementation of laws providing for historical resource preservation.

PRC § 5079.20-5079.28: State acquisition of property to preserve historical resources

Defines methods by which the State Public Works Board may acquire property, on behalf of the (Treasury), for the purpose of meeting the policies and objectives of the California Register to protect and/or provide public access to cultural or historical resources.

PRC § 5079.40-5079.44: Grants for historical resource preservation

Directs the (Treasury) to provide competitive grants to public agencies and non-profit

organizations for historical resource preservation projects, not to exceed \$1,000,000 or 50% of project costs.

PRC § 5097.1-5097.6: Parks and Recreation Code and Sites

Requires state agencies proposing any major public works project on state lands to have plans reviewed by the Department of Parks and Recreation. Authorizes the Department of Parks and Recreation to conduct archeological site surveys for historical features on land affected by projects. Authorizes the state agencies to undertake surveys, excavation, or other operations on the state lands, or request such activities be done on their behalf by the Department of Parks and Recreation. Prohibits any archeological program from delaying state construction projects. Prohibits the removal, destruction, or defacement of any archeological or historical feature situated on public lands, except with the express permission of the public agency having jurisdiction over the lands.

PRC § 5097.9: Non-interference with Native American religious expression

Establishes that public agencies, or private entities using, occupying or operating on public property under public permit, shall not interfere with free expression or exercise of Native American religion and shall not cause severe or irreparable damage to Native American sacred sites, except under special determined circumstances of public interest and necessity.

PRC § 5097.91-5097.94: Native American Heritage Commission (NAHC)

Creates the nine-member Native American Heritage Commission appointed by the governor and directs that at least five members shall be elders, traditional people, or spiritual leaders of California Native American tribes. Directs the commission to identify and catalog places of special religious or social significance to Native Americans, and known graves and cemeteries of Native Americans on private lands, and to perform other duties regarding the preservation and accessibility of sacred sites and burials and the disposition of Native American human remains and burial items.

PRC § 5097.95: State and local agency cooperation with the NAHC

Directs all state and local agencies to cooperate with the Native American Heritage Commission in transmitting to the commission copies of appropriate sections of all CEQA environmental impact reports related to property identified by the commission as of special religious significance to Native Americans, or which is reasonably foreseeable as such property.

PRC § 5097.96: The NAHC inventory of Native American sacred places

Authorizes the Native American Heritage Commission to prepare an inventory of sacred places located on public lands and to review the administrative and statutory protections accorded to such places. Directs the commission to submit a report to the Legislature

recommending actions, as the commission deems necessary, to preserve such sacred places and to protect the free exercise of Native American religions.

PRC § 5097.98: NAHC identifying most likely descendant

Requires the Native American Heritage Commission, upon notification by a county coroner, to notify the most likely descendants regarding the discovery of Native American human remains. Enables the descendants, within 48 hours of notification by the commission, to inspect the site of the discovery of Native American human remains and to recommend to the landowner or the person responsible for the excavation work means for treating or disposition, with appropriate dignity, the human remains and any associated grave goods. Requires the owner of the land upon which Native American human remains were discovered, in the event that no descendant is identified, or the descendant fails to make a recommendation for disposition, or the land owner rejects the recommendation of the descendant, to reinter the remains and burial items with appropriate dignity on the property in a location not subject to further disturbance.

PRC § 5097.99: Prohibition of possession of Native American artifacts and remains

Prohibits acquisition or possession of Native American artifacts or human remains taken from a Native American grave or cairn after January 1, 1984, except in accordance with an agreement reached with the Native American Heritage Commission.

PRC § 5097.991: Repatriation of Native American remains

States that the policy of the state is that Native American remains and associated grave artifacts shall be repatriated.

PRC § 5097.993-5097.994: Native American Historic Resource Protection Act

Establishes as a misdemeanor, punishable by up to a \$10,000 fine or both fine and imprisonment, the unlawful and malicious excavation, removal or destruction of Native American archeological or historic sites on public lands or on private lands. Exempts certain legal acts by landowners. Limits a civil penalty to \$50,000 per violation.

PRC § 21083.2: California Environmental Quality Act- Archeological Resources

Directs the lead agency on any project undertaken, assisted, or permitted by the state to include in its environmental impact report for the project a determination of the project's effect on unique archeological resources. Defines unique archeological resource. Enables a lead agency to require an applicant to make reasonable effort to preserve or mitigate impacts to any affected unique archeological resource. Sets requirements for the applicant to provide payment to cover costs of mitigation. Restricts excavation as a mitigation measure.

PRC § 21084.1: California Environmental Quality Act- Historic Resources

Establishes that adverse effects on an historical resource qualifies as a significant effect on the environment. Defines “historical resource”.

Government Code § 6254(r): California Public Records Act

Exempts from disclosure public records of Native American graves, cemeteries, and sacred places maintained by the Native American Heritage Commission.

PC § 622: Destruction of Sites

Establishes as a misdemeanor the willful injury, disfiguration, defacement, or destruction of any object or thing of archeological or historical interest or value, whether situated on private or public lands.

HSC § 7050.5 Disturbance of human remains

Establishes intentional disturbance, mutilation or removal of interred human remains as a misdemeanor. Requires that further excavation or disturbance of land, upon discovery of human remains outside of a dedicated cemetery, cease until a county coroner makes a report. Requires a county coroner to contact the Native American Heritage Commission within 24 hours if the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes the remains to be those of a Native American.

HSC § 7051 Removal of human remains

Establishes removal of human remains from internment, or from a place of storage while awaiting internment or cremation, with the intent to sell them or to dissect them with malice or wantonness as a public offense punishable by imprisonment in a state prison.

HSC § 7052: Felony offenses related to human remains

States that willing mutilation of, disinterment of, removal from a place of disinterment of, and sexual penetration of or sexual contact with any remains known to be human are felony offenses.

Confidentiality

Consultative information given by the Tribe regarding its sacred places should be put into a confidential section of the DEIR that is not open to public review unless the Tribe agrees to allow all or part of the information to be disclosed, as provided for by the authority below. In addition, if there is a request by an entity for disclosure of the information, the Tribe should be immediately informed of that request.

Governor's Office of Planning & Research, "Tribal Consultation Guidelines" (2005), available at <<http://www.opr.ca.gov/index.php?a=programs/tribal.html>>. See especially pages 25-29.

(Public Records Act) Gov. Code § 6254.

“Except as provided in Sections 6254.7 and 6254.13, nothing in this chapter shall be construed to require disclosure of records that are any of the following: . . . (r) Records of Native American graves, cemeteries, and sacred places and records of Native American places, features, and objects described in Sections 5097.9 and 5097.993 of the Public Resources Code maintained by, or in the possession of, the Native American Heritage Commission, another state agency, or a local agency.”

(Public Records Act) Gov. Code § 6254.10.

“Nothing in this chapter requires disclosure of records that relate to archaeological site information and reports maintained by, or in the possession of, the Department of Parks and Recreation, the State Historical Resources Commission, the State Lands Commission, the Native American Heritage Commission, another state agency, or a local agency, including the records that the agency obtains through a consultation process between a California Native American tribe and a state or local agency.”

(General Planning Law) Gov. Code § 65352.3.

“(a) (1) Prior to the adoption or any amendment of a city or county's general plan, proposed on or after March 1, 2005, the city or county shall conduct consultations with California Native American tribes that are on the contact list maintained by the Native American Heritage Commission for the purpose of preserving or mitigating impacts to places, features, and objects described in Sections 5097.9 and 5097.993 of the Public Resources Code that are located within the city or county's jurisdiction.

(2) From the date on which a California Native American tribe is contacted by a city or county pursuant to this subdivision, the tribe has 90 days in which to request a consultation, unless a shorter timeframe has been agreed to by that tribe.

(b) Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Section 65040.2, the city or county shall protect the confidentiality of information concerning the specific identity, location, character, and use of those places, features, and objects.”

(Open Space Planning Law) Gov. Code § 65560.

“(a) "Local open-space plan" is the open-space element of a county or city general plan adopted by the board or council, either as the local open-space plan or as the interim local open-space plan adopted pursuant to Section 65563.

(b) "Open-space land" is any parcel or area of land or water that is essentially unimproved and devoted to an open-space use as defined in this section, and that is designated on a local, regional or state open-space plan as any of the following:

(1) Open space for the preservation of natural resources including, but not limited to, areas required for the preservation of plant and animal life, including habitat for fish and wildlife species; areas required for ecologic and other scientific study purposes; rivers, streams, bays and estuaries; and coastal beaches, lakeshores, banks of rivers and streams,

and watershed lands.

(2) Open space used for the managed production of resources, including but not limited to, forest lands, rangeland, agricultural lands and areas of economic importance for the production of food or fiber; areas required for recharge of groundwater basins; bays, estuaries, marshes, rivers and streams which are important for the management of commercial fisheries; and areas containing major mineral deposits, including those in short supply.

(3) Open space for outdoor recreation, including but not limited to, areas of outstanding scenic, historic and cultural value; areas particularly suited for park and recreation purposes, including access to lakeshores, beaches, and rivers and streams; and areas which serve as links between major recreation and open-space reservations, including utility easements, banks of rivers and streams, trails, and scenic highway corridors.

(4) Open space for public health and safety, including, but not limited to, areas which require special management or regulation because of hazardous or special conditions such as earthquake fault zones, unstable soil areas, flood plains, watersheds, areas presenting high fire risks, areas required for the protection of water quality and water reservoirs and areas required for the protection and enhancement of air quality.

(5) Open space in support of the mission of military installations that comprises areas adjacent to military installations, military training routes, and underlying restricted airspace that can provide additional buffer zones to military activities and complement the resource values of the military lands.

(6) Open space for the protection of places, features, and objects described in Sections 5097.9 and 5097.993 of the Public Resources Code.”

(Open Space Planning Law) Gov. Code § 65562.5.

“On and after March 1, 2005, if land designated, or proposed to be designated as open space, contains a place, feature, or object described in Sections 5097.9 and 5097.993 of the Public Resources Code, the city or county in which the place, feature, or object is located shall conduct consultations with the California Native American tribe, if any, that has given notice pursuant to Section 65092 for the purpose of determining the level of confidentiality required to protect the specific identity, location, character, or use of the place, feature, or object and for the purpose of developing treatment with appropriate dignity of the place, feature, or object in any corresponding management plan.”

Tribal Scoping and Consultative Meetings

The Tribe was disappointed to be informed just prior to the project’s scoping meetings, that: 1) a pre-NOP release meeting between the Tribe and DTSC would not be held as promised; and 2) DTSC interpreted CEQA to prohibit DTSC from hosting a NOP scoping meeting on the reservation for Fort Mojave Tribal people. It was frustrating to the Tribe that communication was not strong enough to allow for such issues to be dealt

with earlier in the CEQA process, especially in light of the settlement agreement between the Tribe and DTSC.⁶

DTSC's failure to provide for a scoping meeting for Fort Mojave resulted in less direct Tribal input from the Tribal community in the scoping process, contrary to the Tribe's wishes. The Tribe explained to DTSC that some Tribal members are not comfortable going off reservation to provide public testimony, especially about spiritual matters for fear of ridicule and reprisal. DTSC's reversal of its earlier promise and position that a DTSC-sponsored scoping meeting for Tribal members could be held, resulted in less Tribal input in scoping, which may in turn trigger future revisions in the DEIR that may have been otherwise avoidable, which could in turn produce unfortunate delay in finalizing the environmental document.

DTSC has pledged to look into other mechanisms to ensure full Fort Mojave Tribal member participation in the EIR process in a manner appropriate to, and comfortable for, the Tribe. These include: 1) engaging in immediate consultations between the Tribe and EDAW on cultural resource issues, 2) providing an advance copy of the draft DEIR (cultural resource sections) to the Tribe as part of its consultative responsibilities to the Tribe under state law and pursuant to the settlement agreement and 3) hosting a hearing on the reservation on the DEIR findings once the PDEIR is available.

The Tribe intends to work with DTSC to ensure full Fort Mojave Tribal participation.

Conclusion

The Fort Mojave Indian Tribe appreciates this opportunity to submit some of its scoping comments in writing. As set forth in footnote 4, above, the Tribe requests a limited extension of time until July 28, 2008, to supplement this letter, as needed, following a Tribally-hosted NOP scoping meeting.

The Tribe believes that this PEIR is an opportunity to finally address impacts to the Topock sacred area and the investigation and remediation adverse effects on Tribal people, beliefs and heritage resources, if done properly and in accordance with timely and meaningful government-to-government consultation in the true essence and spirit of our settlement negotiations and agreement.

⁶ In an effort to ameliorate DTSC's failure to host the on-reservation NOP public hearing, the Tribe scheduled its own tribally-hosted NOP scoping meeting for May 29, 2008. The Tribe had to cancel this scoping meeting on the reservation due to a death in the community and, therefore, could not obtain complete input from the Tribal community prior to the deadline for this letter. (It is not uncommon for hearings, meetings, and other Tribal business to be cancelled upon a community death out of cultural tradition and respect for the family.) The Tribe would appreciate a limited extension of time until July 28, 2008, to supplement this letter, as needed, following a Tribally-hosted NOP scoping meeting.

Mr. Aaron Yue, Project Manager
July 1, 2008
Page 22

Contact Persons

Please contact Courtney Ann Coyle, Tribal Attorney, 858.454.8687, CourtCoyle@aol.com for any legal questions regarding this comment letter or other Tribal input; and Nora McDowell-Antone, Topock Project Manager, 928.768.4475, NoraMcDowell-Antone@fortmojave.com regarding other tribal concerns. We also request that both contacts receive three CD and three hard copies of the DPEIR and its complete technical appendices.

Very Truly Yours,



Steven P. McDonald
of
Law Office of Steven P. McDonald, LC

Enclosure

cc: Lynn Scarlett, Deputy Secretary of the Department of the Interior
Hon. Denise Ducheny, California State Senator
Maureen Gorsen, Director DTSC
Rebecca Heck, Colorado River Area Manager, BLM
John Earle, Manager National Wildlife Refuge
Wayne Donaldson, California SHPO
James Garrison, Arizona SHPO
Larry Myers, Secretary NAHC
John L. Nau III, Chairman, Advisory Council on Historic Preservation
Tribal CWG Representatives

APPENDIX F

SCOPING MEETING POWERPOINT PRESENTATIONS



California Environmental Protection Agency
Department of Toxic Substances Control

**PG&E TOPOCK COMPRESSOR STATION
NOTICE OF PREPARATION**

SCOPING MEETING

FOR THE DRAFT ENVIRONMENTAL IMPACT REPORT

May - June 2008



California Environmental Protection Agency
Department of Toxic Substances Control

The California Department of Toxic Substances Control (DTSC)

*is the state agency responsible for
environmental protection, investigation,
and cleanup*



Meeting Purpose

The purpose of this meeting is to gather input on the “**scope**” of the Environmental Impact Report (EIR)

DTSC is interested in your input

- *Environmental issues to be analyzed*
 - *Possible alternatives or mitigation measures to consider*
 - *Project-related questions*
- This input will be used to develop the EIR
 - The EIR will be the response to the comments you may have tonight



The Notice of Preparation (NOP) Comment Process

- **Comments** - are used to determine what information to be included in the Environmental Impact Report (EIR)
- **Comment Request Cards** – Please fill out a card if you would like to make a comment on the scope and content of the EIR
- **State your name for conversation purposes.**
Names will not be entered into the Project Administrative Record.
- **Comments will be recorded**
 - Digital Recording
 - Graphic Recording

QUESTIONS - All Project Team Members will be available to answer questions after verbal comments have been taken



Agenda

- **Introduction**
- **Project Background**
- **EIR Process**
- **Comments**
- ***--- Conclusion of Formal Scoping Meeting ---***
- **Question & Answer**



DTSC Project Team

- **Watson Gin** – Chief Engineer
- **Karen Baker** – Branch Chief
- **Aaron Yue** – Project Manager
- **Jeanne Matsumoto** – Public Participation Specialist



Office of Planning & Environmental Analysis


- **Kathie Schievelbein** – Senior Environmental Planner
- **William Beckman** – Hazardous Substance Engineer
- **Susan Wilcox** – Associate Environmental Planner



EDAW Team

EDAW - is the independent consulting firm helping to prepare the EIR

- **Bobbette Biddulph** – Project Director
- **Jamie Cleland** – Cultural Resources
- **Leah Murphy** – Project Coordinator
- **Leslie Redford** – Project Manager
- **Nancy Graham** – Graphic Recorder
- **Stev Weidlich** – Cultural Resources

An aerial photograph of the Topock Reservoir in California. The reservoir is a large body of blue water surrounded by arid, hilly terrain. A multi-lane highway bridge spans across the left side of the reservoir. In the background, there are mountains and a power transmission tower. The sky is clear and blue.

Pacific Gas and Electric (PG&E) Company Topock Compressor Station Project Background

Department of Toxic Substances
Control

May – June, 2008

- Aaron Yue
- Senior Hazardous Substances Engineer
- DTSC Project Manager

- Contact: ayue@dtsc.ca.gov
- (714) 484-5439

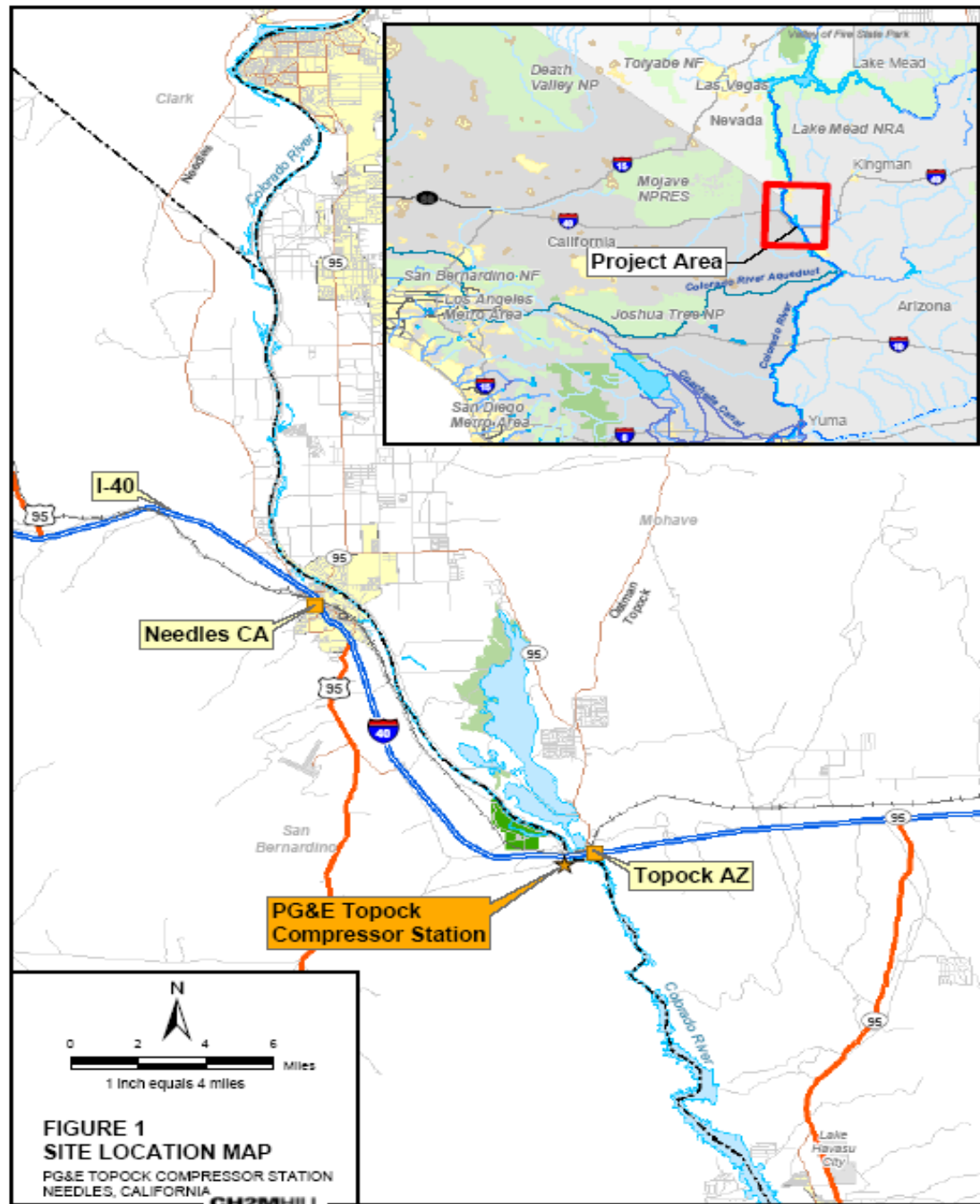
Outline of Presentation

- Project Background
- Investigation and Cleanup Process

Project Background

Project Setting

- The Topock Compressor Station is located 15 miles southeast of Needles, California.
- The area has cultural and spiritual significance to Native American people.
- The Station is surrounded by federal lands, including lands managed by the Havasu National Wildlife Refuge.



Operational History

- PG&E has owned and operated the Station since 1951.
- PG&E compresses natural gas for delivery to its service territory in Central and Northern California.

PG&E Topock Compressor Station



Cooling Tower Fluids



- Hexavalent Chromium (Cr^{+6}) was added to the cooling water as a corrosion inhibitor from 1951 to 1985.

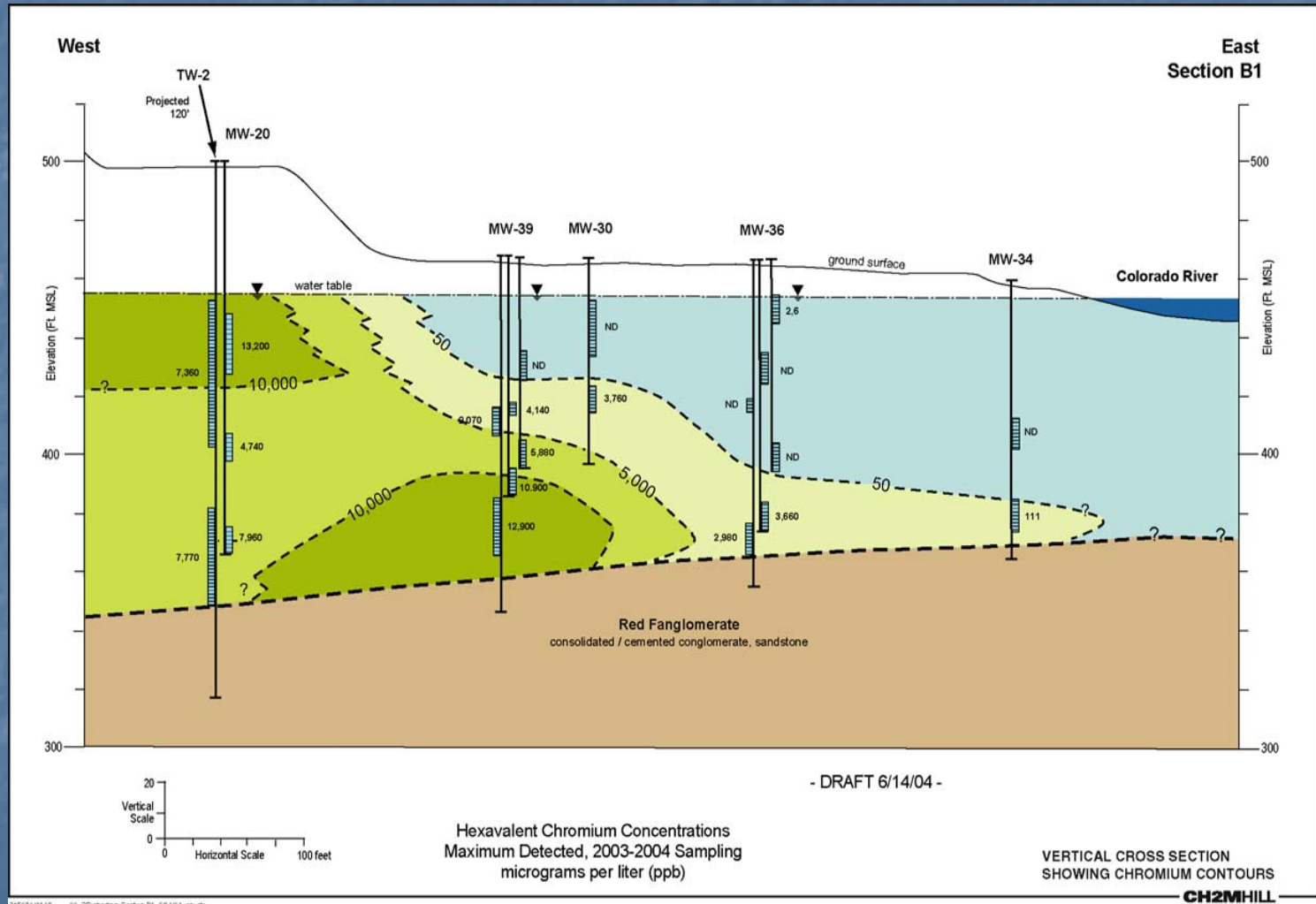
Groundwater Contamination

- In the past, large volumes of Cr^{+6} , a carcinogen, were discharged into Bat Cave Wash and it eventually seeped through soils and entered groundwater.
- The discharge created a Cr^{+6} groundwater plume extending toward the Colorado River.

PG&E Topock Compressor Station Groundwater Plume Projection



PG&E Topock Compressor Station Groundwater Plume



315024.M 03 00_GRI shading_Section B1_6/14/04_xz.dwg

Investigation and Cleanup Process

Investigation and Cleanup Process

- 3 major Steps:
 - Step 1: How Bad Is It?
 - Step 2: How Should We Clean It Up?
 - Step 3: Clean It Up!

How Bad Is It?

- Field investigations for soil and groundwater are being implemented to determine the type and extent of contamination.
- Due to the proximity of the Colorado River, the groundwater investigation was given priority over soils contamination.

How Bad Is It?

- PG&E monitors over 150 groundwater wells across the site.
- The Colorado River is also sampled and monitored at nine locations.



How Bad Is It?

- Groundwater investigation is almost complete.
- We now know the extent of Cr⁺⁶ groundwater contamination from the wash.
- River water is not impacted by Cr⁺⁶.

Interim Measures

- In 2004, contamination was discovered near the river from a new well.
- As a result, a groundwater extraction and treatment system was installed to direct groundwater flow away from the river.
- Approximately 200 million gallons of contaminated groundwater and over 4700 lbs of chromium removed since 2004.

Soil Investigation Status

- PG&E has identified 29 areas to investigate for contamination.
- PG&E has drafted soil sampling work plans to define surface and subsurface soil contamination.
- Work plans are pending approval by regulatory agencies.

How Should We Clean It Up?

- Final groundwater and soil cleanup technologies will be evaluated in upcoming documents.
 - Corrective Measures Studies/ Feasibility Studies (CMS/FS)
 - Environmental Impact Report (EIR)

Clean It Up!

- DTSC will select a final cleanup remedy for groundwater and soil after public input and finalization of the EIR.
- After remedy selection, the remedy will be implemented.

OVERVIEW OF CEQA EIR PROCESS

An Environmental Impact Report (EIR) is required for the Topock Remediation Project

Under the California Environmental Quality Act (CEQA), DTSC must prepare an EIR for any project that it proposes to carry out that may have a significant impact on the environment (Public Resources Code Section 21100[a]).

Project Under Review

- The EIR will analyze the potential effects of the final cleanup of the Topock site
 - Groundwater
 - Soils
- The alternative clean-up approaches will be described in Corrective Measures Study/ Feasibility Study (CMS/FS)

The EIR

- The EIR for the Topock Cleanup Project will be a “Program” EIR
 - Site-specific analysis for groundwater cleanup (more information is available)
 - A broader approach to soil cleanup (less information is available)
- Future environmental analysis will address soil cleanup in more detail

CONTENTS OF THE EIR

Environmental Topics

- **Aesthetics**
- **Agricultural Resources**
- **Air Quality**
- **Biological Resources**
- **Cultural Resources**
- **Geology, Soils & Mineral Resources**
- **Hazards & Hazardous Materials**
- **Hydrology & Water Quality**
- **Land Use & Planning**
- **Noise**
- **Population & Housing**
- **Public Services & Utilities**
- **Recreation**
- **Transportation & Circulation**

CONTENTS OF THE EIR

Other Topics Under CEQA












- **Alternatives to the Proposed Project**
- **Impacts Found not to be Significant**
- **Significant and Unavoidable Adverse Impacts**
- **Significant Irreversible Changes**
- **Growth-Inducing Impacts**
- **Cumulative Impacts (Including Climate Change)**

EIR Analysis




- Throughout the EIR process, information will be gathered from many sources, including:
 - Published reports
 - On-going monitoring efforts (e.g., groundwater monitoring)
 - Agency input
 - Tribal outreach and communication
 - Site-specific resource studies (e.g., biology)

The Topock EIR

A Step-by-Step Process

SPRING/SUMMER 2008	FALL 2009 WINTER 2010	WINTER 2010	WINTER / SPRING 2010	SPRING 2010
Notice of Preparation Distribution and Scoping Meetings	Draft EIR Completed	Public Review of Draft EIR and Receipt of Comments	Preparation of Responses to Comments and Final EIR	Final EIR Certified and Notice Determination Filed
				
				
				

Legend:

-  Fact Sheet
-  Public Meeting
-  Information Repository

MEETING PURPOSE

- The purpose of this meeting is to gather input on the “scope” of the EIR
- DTSC is interested in your input on:
 - What environmental effects should be addressed in the EIR?
 - Do you have ideas for potential alternatives or mitigation measures?
 - Do you have project-related questions?
- The EIR will respond to this input

OPPORTUNITIES FOR INPUT

- Notice of Preparation (NOP) and Fact Sheet available May 2, 2008
- Five scoping meetings

Palm Desert, CA
Tuesday, May 27 1:30-4:30 p.m.

City of Palm Desert
Council Chamber
Palm Desert, CA 92260

Yuma, AZ
Wednesday, May 28 1:30-4:30 p.m.

Gila Ridge High School Auditorium
7150 E. 24th Street
Yuma, AZ 85365

Needles, CA
Thursday, May 29 5:30-8:30 p.m.

Needles Elks Lodge
1000 Lillyhill Drive
Needles, CA 92363-3432

Lake Havasu City, AZ
Monday, June 2 2:00-5:00 p.m.

City Council Chamber
2360 McCulloch Blvd. North
Lake Havasu City, AZ 86403

Big River, CA
Thursday, June 5 5:00-7:00 p.m.

Big River Development Enterprises
150313 Rio Vista Drive
Big River, CA 92242

PUBLIC COMMENTS

Ways to submit your comments:

- Verbally, at tonight's scoping meeting
- In writing, via comment form: Turn-in form tonight or mail to DTSC
- In writing, via a letter or email to DTSC, **must be postmarked on or before July 1, 2008**



For More Information
About the Project



DTSC Contacts

Aaron Yue, Project Manager

5796 Corporate Avenue, Cypress, CA 90630-4732

(714) 484-5439

E-mail: ayue@dtsc.ca.gov

Jeanne Matsumoto, Public Participation Specialist

5796 Corporate Avenue, Cypress, CA 90630-4732

(714) 484-5338

E-mail: jmatsumo@dtsc.ca.gov

For Media Inquiries:

Jeanne Garcia, Public Information Officer

9211 Oakdale Avenue, Chatsworth, CA 91311-6505

(818) 717-6537

E-mail: jgarcia1@dtsc.ca.gov



Information Repositories

- **Needles Public Library**
- **Chemehuevi Indian Reservation**
- **GoldenShores/Topock Library Station**
- **Lake Havasu City Library**
- **Colorado River Indian Tribes Public Library**
- **Parker Public Library**

The Complete Administrative Record:

Department of Toxic Substances Control

5796 Corporate Avenue, Cypress, CA 90630

(714) 484-5337



DTSC Topock Website

www.dtsc-topock.com



Comments

**Please use comment request cards*



MEETING PURPOSE

- The purpose of this meeting is to gather input on the “scope” of the EIR
- DTSC is interested in your input on:
 - What environmental effects should be addressed in the EIR?
 - Do you have ideas for potential alternatives or mitigation measures?
 - Do you have project-related questions?

APPENDIX G
SCOPING MEETING SIGN-IN SHEETS



Department of Toxic Substances Control



DEPARTMENT OF TOXIC
SUBSTANCES CONTROL

PG&E Topock Compressor Station Environmental Impact Report Scoping Meeting May 27, 2008

Name/Nombre	Street Address/Dirección	City, State and Zip/ Ciudad, Estado, Código Postal	Affiliation/Affiliación (optional/opcional)
Anne Barrington Bob Dass	13.455 TERRAZA DRIVE PALM DESERT 77 BEALE ST, MC BIGA	PALM DESERT SAN FRANCISCO, CA 94105	PG&E
Cliff Baley Robert Verdine	RWQCB#7	Palm Desert	RWQCB



Department of Toxic Substances Control



DEPARTMENT OF TOXIC
SUBSTANCES CONTROL

PG&E Topock Compressor Station Environmental Impact Report Scoping Meeting May 28, 2008

Name/Nombre	Street Address/Dirección	City, State and Zip/ Ciudad, Estado, Código Postal	Affiliation/Affiliación (optional/opcional)
Glenn Canuso	77 Beale St	San Francisco CA 94107	PG&E
Bob Cass	"	"	"
Janice Helfen	1301 Calle Agua Salada	Yuma, AZ 85364	Bureau of Reclamation



Department of Toxic Substances Control



DEPARTMENT OF TOXIC
SUBSTANCES CONTROL

PG&E Topock Compressor Station Environmental Impact Report Scoping Meeting May 29, 2008

Name/Nombre	Street Address/Dirección	City, State and Zip/ Ciudad, Estado, Código Postal	Affiliation/Affiliación (optional/opcional)
Bob Doss	77 Beale St., Mac Code 8274	SAN FRANCISCO, CA 94105	PG&E
Bill Yantavick	9401 W. Brown Derby	Needles Ca 92363	Local Business
Linda Otero	Fast Moving Indian Tribe 500 McKernan Ave	NEEDLES CA 92363	H. Moore
Victor Dagg	1157 Marina Dr. Ne	Needles, Ca 92363	OSS in Bernardino
Nora McDowell-Anderson	500 McKernan	Needles CA 92363	H. Moore Tribe
Rick Huebner	208 Schulz	Needles CA 92363	
Jodi Miller	2100 EL MONTE	NEEDLES CA 92363	
Glenn Cugo	77 Beale St. SF CA		PG&E
Michael Thornton		Needles CA 92363	
Robert Martinez	2159 Casa Linda	Needles Ca	BNSF
Ally	2015 PEACE DR	Marly AZ 80480	H. Moore Tribe
Jim Swinnip	1205 Cherry	Wadley, Ca	



Department of Toxic Substances Control



DEPARTMENT OF TOXIC
SUBSTANCES CONTROL

PG&E Topock Compressor Station Environmental Impact Report Scoping Meeting May 29, 2008

Name/Nombre	Street Address/Dirección	City, State and Zip/ Ciudad, Estado, Código Postal	Affiliation/Affiliación (optional/opcional)
Kelly Hill	500 Merriam	Needles CA	FA MESA
Email - valley Mills@fortmaguire.com	P.O. -	Needles Ca	
Don Brown	103 Victory Dr.	Needles Ca	

TOPOCAL EIR SCOPING MEETING
 JUNE 2, 2008

<u>NAME</u>	<u>ADDRESS</u>	<u>AFFILIATION</u>
LESLIE REDFORD	3346 STATE ST SAN DIEGO, CA 92103	EDAW
Boyle Wilson Craig Neppert	2330 McCulloch Blvd. Lake Havasu City, AZ 86403 Lake Havasu	LHC Public Works Dept.
PETER E. von Haam	^{MWD} P.O. Box 54153, LA, CA 90054	MWD
Bart Koch	MWD 700 Moreno Ave La Verne CA 91750	"



Department of Toxic Substances Control



DEPARTMENT OF TOXIC
SUBSTANCES CONTROL

PG&E Topock Compressor Station Environmental Impact Report Scoping Meeting June 5, 2008

Name/Nombre	Street Address/Dirección	City, State and Zip/ Ciudad, Estado, Código Postal	Affiliation/Affiliación (optional/opcional)
Gregg deBie	26600 Mohave Road	Parker, AZ 86403	CRIT
Dumber Van Fleet	Environmental Protection, Rt 1	Box 23-B, Parker, AZ 85304	CRIT EPO
Lisa Swick	26600 Mohave Rd	Parker, AZ 86403	CRIT
Michael Zosin	26600 Mohave Rd	Parker, AZ 85344	CRIT
Norman Shopov	25600 Mohave Rd	Parker, AZ 85314	CRIT
Norma McDonald-Antara	Somervillan Rd	Needles, CA 92363	Ft Mojave Tribe

APPENDIX H
SCOPING MEETING HANDOUTS

What's Next?

Interim Measures at the site will continue until the **Final Remedy** is in place. Additional groundwater extraction wells will be installed and a wastewater treatment system will be constructed on site. Groundwater and river water sampling will continue on a regular basis.

The results of the Interim Measures, groundwater monitoring, and supplemental field studies will be incorporated in the evaluation of the Final Remedy and preparation of a **Corrective Measures Study** to select the long-term remedy for the site.

DTSC also has directed PG&E to evaluate the effectiveness of a **subsurface containment barrier**, including a "slurry wall." A subsurface containment barrier, when designed and installed properly, can be used in combination with ongoing groundwater extraction to prevent the contamination from impacting the river. Other long-term alternatives being evaluated include **in-situ treatment**, which converts the Cr+6 to Cr+3 under the ground to speed up the remediation of the site. These and other alternatives will be evaluated for effectiveness in protecting the environment, reliability, technical feasibility, cost effectiveness, community acceptance, and other factors. The Final Remedy may include pumping and treatment of groundwater in combination with these alternatives. Before the Final Remedy is selected, the public will have an opportunity to review and provide comments on the proposed Final Remedy. Additionally, a public hearing will be held.

Glossary of Terms

Berms – A curb, ledge, wall, or mound made of various materials, used to prevent the spread of contaminants.

California Environmental Quality Act (CEQA)

A law mandating environmental impact review of governmental action. It requires that public agencies study the significant environmental effects of proposed activities and that the public be informed and allowed to comment on project decisions.

Corrective Measures Study (CMS) – A study conducted by the facility owner/operator to identify and evaluate alternative remedies (i.e., cleanup options) to address contaminant releases at a site.

Final Remedy – The final cleanup action proposed for dealing with contaminants at a site.

Groundwater – Water beneath the earth's surface that flows through soil and rock openings, and often serves as a primary source of drinking water.

Hexavalent chromium (Cr+6) – Hexavalent chromium is a form of chromium, a metal commonly found in soil, plants, and animals. Also used in industrial products and processes, hexavalent chromium is a known human carcinogen when inhaled (i.e., through breathing).

In-situ treatment – Technology that treats

contaminants in place within the soil or in groundwater. It typically involves injection of a material such as air, gases, chemical or biological reagents or solid material (e.g., molasses or lactose) to chemically alter the contaminant, or to encourage bacteria in the soil to aid in the treatment.

Interim Measures – Cleanup actions taken to protect public health and the environment while long-term solutions are being developed.

Parts per billion – A unit of measure used to describe levels or concentrations of contamination. One part per billion is the equivalent of one drop of contaminant in one billion drops of water.

Percolation – The downward flow or filtering of water or other liquids through subsurface rock or soil layers, usually continuing to groundwater.

Plume – A body of contaminated groundwater flowing from a specific source.

Subsurface containment barrier – Barriers used to contain or control the flow of contaminated groundwater or subsurface liquids. They are constructed by digging a trench around a contaminated area and filling the trench with a material that tends not to allow water to pass through it.

May 2004

PACIFIC GAS & ELECTRIC COMPANY
TOPOCK COMPRESSOR STATION
NEEDLES, CALIFORNIA



Interim Measures at the PG&E Topock Compressor Station

DTSC is one of six Boards and Departments within the California Environmental Protection Agency. The Department's mission is to restore, protect, and enhance the environment, to ensure public health, environmental quality and economic vitality by regulating hazardous waste, conducting and overseeing cleanups, and developing and promoting pollution prevention.



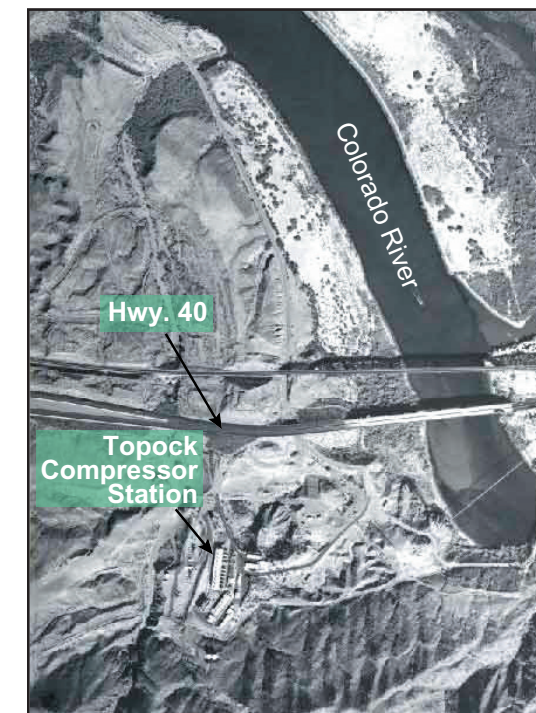
Department of Toxic Substances Control
5796 Corporate Avenue
Cypress, CA 90630
714-484-5474



California Environmental Protection Agency

What's Happening?

On March 8, 2004, Pacific Gas and Electric Company (PG&E) began extracting chromium-contaminated **groundwater*** near the Topock Compressor Station (Station) to prevent it from reaching the Colorado River. The chromium contamination is the result of discharges from past operations at the Station. The groundwater cleanup is being conducted under the oversight of the California Environmental Protection Agency, Department of Toxic Substances Control (DTSC), which recently determined that urgent action is needed to ensure chromium-contaminated groundwater does not reach the Colorado River. Although the contamination has not been detected in the Colorado River and there is no imminent threat to public



PG&E Topock Compressor Station near Needles, California

health, DTSC required immediate action as a precautionary measure to protect the Colorado River, a valuable drinking water resource.

The environmental investigation, which has been underway since 1997, is primarily focused on the toxic chemical **hexavalent chromium** (also known as Cr+6). The affected groundwater, commonly referred to as the **plume**, extends about 2,400 feet long and 1,300 feet wide and mostly underlies federal lands. The immediate actions required by DTSC, called **Interim Measures**, include pumping, transporting, and disposing of groundwater from three existing monitoring wells located just above the floodplain of the Colorado River. The pumping is intended to draw the chromium plume in the floodplain toward the monitoring wells and away from the Colorado River.

DTSC is working closely with various regional, state, and federal agencies through a Consultative Workgroup (CWG), which meets regularly with PG&E to discuss and consult on the site cleanup. Agencies involved in the CWG include: Arizona Department of Environmental Quality, Mojave County (Arizona) Department of Health and Social Services, California Regional Water Quality Control Board - Colorado River Basin, Metropolitan Water District of Southern California, U.S. Department of the Interior, U.S. Bureau of Land Management, U.S. Bureau of Reclamation, U.S. Fish and Wildlife Service, U.S. Geological Survey, and the U.S. Bureau of Indian Affairs. DTSC also consults regularly with the surrounding Native American communities, including the Fort Mojave, Chemehuevi, and Colorado River Indian Tribes, and has

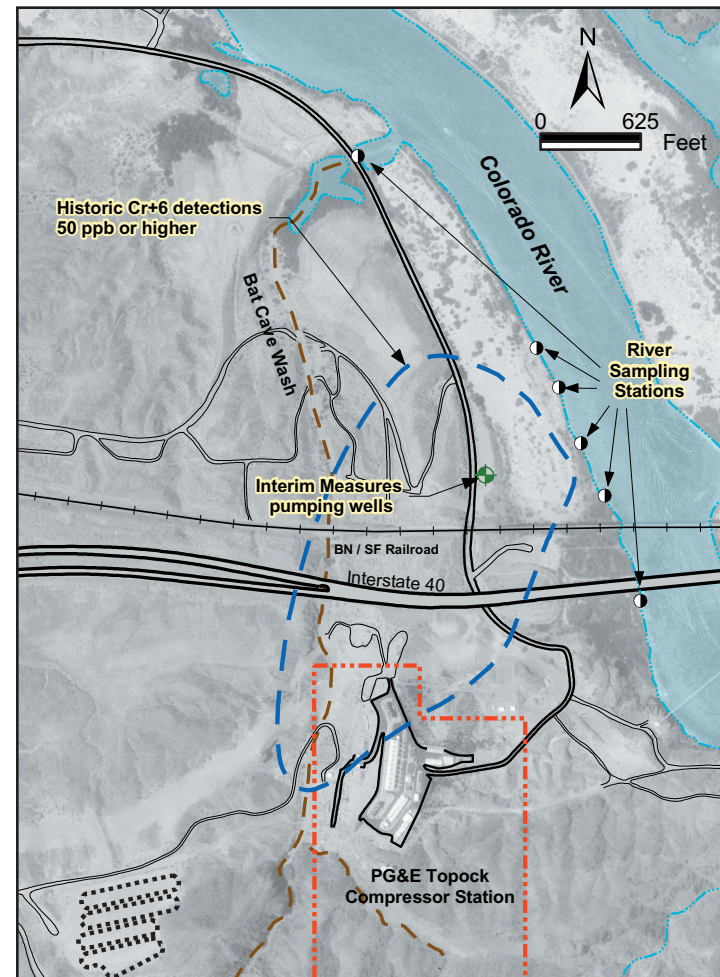
* Words in **bold** appear in the Glossary of Terms on the back page.

been working to keep other members of the public and elected officials apprised of project status.

Interim Measures

Interim Measures are urgent actions taken to clean up the site while the long-term remedy is being evaluated. DTSC required Interim Measures to accelerate removal of chromium contamination and to protect the Colorado River. Planning and implementation of the Interim Measures is being closely coordinated with the U.S. Bureau of Land Management, which acts as trustee of the federal land where the pumping occurs. Based on the need for immediate action, DTSC issued a Notice of Exemption (NOE) under the **California Environmental Quality Act (CEQA)**.

As part of the Interim Measures, PG&E is currently pumping contaminated groundwater 24 hours a day, 16 gallons per minute, for a total removal of approximately 23,000 gallons per day. Water pumped from the wells is being temporarily stored in steel holding tanks, and then transferred into trucks for transport to a licensed waste treatment facility in Los Angeles. Approximately six trucks



Area of historic maximum hexavalent chromium detections (50 ppb or higher) in the area associated with the discharge

per day are hauling water from the site. Multiple safeguards are in place to ensure that contaminated groundwater is safely contained during the removal process. The entire area where contaminated water is handled is underlain with durable, watertight liners and surrounded by protective **berms**. The site is also secured with fencing and manned on a 24-hour basis. Emergency response procedures are in place, including trained spill response personnel who are on call 24 hours per day. PG&E provides DTSC with a progress report on the Interim Measures every two weeks.

Two high-capacity groundwater extraction wells have recently been completed near the site of the present pumping. It is anticipated that pumping activity will switch over to these high-capacity extraction wells in early May 2004. The Interim Measures include provisions for the installation of additional extraction wells, if necessary, to draw the chromium plume in the floodplain toward the extraction wells and away from the Colorado River. In addition, a treatment plant is currently being planned to reduce or eliminate the need for trucking water off site. PG&E is currently evaluating options for disposal and/or re-use of the treated water.

Why Interim Measures? Has the Colorado River been Affected?

Water from the Colorado River has been sampled quarterly since 1997, and monthly since November 2003. To date, Cr+6 has not been detected in any of these samples. Likewise, bottom sediments from different locations along the river have been sampled and no Cr+6 has been detected. These data indicate that the chromium plume has not affected the Colorado River to any significant and measurable degree.

The current groundwater pumping is targeted at the most contaminated part of the plume, located approximately 600 feet from the river, where concentrations as high as 13,000 ppb of Cr+6 have been measured. It is believed that plume migration occurred mostly between 1951 and 1968 when wastewater was actively discharged from the Station, at the rate of about six to ten million gallons per year. This active discharge provided the main driving force that pushed the plume to its present position. Current data suggests that the plume is moving very slowly, at the rate of one to three feet per year.

At present, there are 35 wells monitoring the plume

including 12 monitoring wells in the floodplain area adjacent to the river. Seven of these wells were installed in 2003 to better monitor the edge of the plume closest to the river. Nine of these floodplain wells have never detected Cr+6. Of the three wells that detected Cr+6, the one closest to the river has exceeded the California drinking water standard of 50 ppb on two occasions, with a concentration as high as 111 ppb. These affected floodplain wells, plus a few others, are currently sampled on a weekly basis.

Based on the chromium detections from these floodplain wells, DTSC required Interim Measures in the form of groundwater pumping to prevent any potential impact to the Colorado River. While Cr+6 has never been detected in the Colorado River, pumping is intended to induce groundwater flow in the flood plain area away from the river to prevent any possibility of the chromium plume reaching the river. Also, the Interim Measures will gather additional technical data which will be used in designing the final cleanup system.

Where is the Topock Compressor Station?

PG&E's Topock Compressor Station is located in eastern San Bernardino County, about 15 miles southeast of Needles, along the Colorado River. The nearest communities are Moabi Regional Park, California (one mile northwest of the Station); Topock, Arizona (one-half mile east-northeast across the Colorado River); and Golden Shores, Arizona (eight miles north). Three Indian reservations are located within 35 miles along the Colorado River: the Fort Mojave Indian Reservation 20 miles upstream; the Chemehuevi Indian Reservation 25 miles downstream; and the Colorado River Indian Reservation 35 miles downstream.

History of Chromium Use at the Topock Compressor Station

PG&E Topock Compressor Station compresses natural gas before transporting it through pipelines to central and northern California. Between 1951 and 1985, PG&E used Cr+6 as an anti-corrosion agent in its cooling towers. From 1951 to 1964, untreated wastewater from the cooling towers was discharged into **percolation** beds in Bat Cave Wash, a normally dry wash next to the Station. Beginning in 1964, PG&E treated the wastewater to remove Cr+6. The treated wastewater was discharged into Bat Cave Wash until 1968, and subsequently into an on-site injection well. Over

time, PG&E installed a series of lined evaporation ponds for wastewater disposal. In 1985, PG&E stopped using the chromium-based additive and switched to a phosphate-based solution. In 1996, PG&E entered into a Corrective Action Consent Agreement with DTSC to investigate and clean up the Cr+6 contamination at the Station.

What is Chromium and Why Should I be Concerned about it?

Chromium is a naturally occurring metal found in rocks, soil, and the tissue of animals and plants. It is present in the environment most commonly in two different forms: hexavalent chromium (Cr+6) and trivalent chromium (Cr+3). Cr+6 is the toxic variety; it is considered a human carcinogen when inhaled. It is also highly soluble, and therefore easily transported in groundwater. Cr+3, on the other hand, is considered an essential nutrient and relatively harmless. It is insoluble and tends to bind to the soil; thus it does not travel readily in the environment. Cr+6 is stable only under certain chemical conditions and may convert into Cr+3. However, Cr+3 does not convert as readily to Cr+6.

The California drinking water standard, which is a legal mandate based on health and other considerations, is currently set at 50 ppb of total chromium (which includes both Cr+6 and Cr+3). There is currently no separate drinking water standard for Cr+6.

Am I Affected by the Contaminated Groundwater?

As stated previously, Cr+6 has not been detected in the Colorado River, which is a major source of drinking water. The groundwater containing Cr+6 is in an isolated area and is not used for drinking or other purposes. Cr+6 is no longer used at the Station, and health and safety procedures are in place to ensure that workers at the Station do not come in contact with chromium-contaminated soil or groundwater.

(continued on back page)



Interim Measures equipment, including water storage tanks

We want to hear from you!

DTSC welcomes your feedback. There are several ways to contact us.

For any questions or comments please contact:

Derrick Alatorre, *Public Participation Specialist*

DTSC

5796 Corporate Ave.

Cypress, CA 90630

714-484-5474, DAlatorr@dtsc.ca.gov

Norman Shopay, *Project Manager*

DTSC

700 Heintz Ave., Suite 200

Berkeley, CA 94710

510-540-3943, NShopay@dtsc.ca.gov

Media inquiries please contact:

Jeanne Garcia, *Public Information Officer*

DTSC

1011 N. Grandview Ave.

Glendale, CA 91201

818-551-2176, JGarcia1@dtsc.ca.gov

TDD: Call 1-888-877-5378, and ask to contact Derrick Alatorre

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DEPT. OF TOXIC SUBSTANCES CONTROL
5796 CORPORATE AVENUE
CYPRESS, CA 90630

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Department of Toxic Substances Control

FACT SHEET – July 2005

Pacific Gas and Electric Company (PG&E) Topock Project Begins Interim Measure No. 3 Treatment Operations



Treatment facility for Interim Measure No. 3

This fact sheet describes Interim Measure No. 3 (IM3) at the PG&E Topock Compressor Station. The goal of IM3 is to treat groundwater contaminated with hexavalent chromium and to gain better control of the plume, which is adjacent to the Colorado River. The station is located about 15 miles southeast of Needles, California.

History

In February 2004, DTSC directed PG&E to begin pumping, transporting, and disposing of groundwater from the MW-20 bench location (a level patch of federal land located approximately 600 feet from the river, above the floodplain, see map, page 2) to ensure that groundwater containing hexavalent chromium would not reach the Colorado River. The level of water in the Colorado River has a large influence on groundwater levels, and during periods of low river levels, groundwater will tend to move toward the river. On March 8, 2004, PG&E began extracting groundwater and transporting it by truck to a licensed hazardous waste disposal and treatment facility in Vernon, California. In July 2004, a batch treatment system was added at the MW-20 bench to make the groundwater non-hazardous prior to transport. These actions are termed Interim Measures No. 2 (IM2). Under IM2, PG&E has been removing approximately 70 gallons per minute (gpm) of groundwater, 24 hours per day. This treated groundwater is then trucked to the disposal facility in Vernon, California.

In June 2004, DTSC determined that groundwater would need to be removed at higher rates than could be treated and managed at the current MW-20 bench site. To ensure that hexavalent chromium would not reach the Colorado River, DTSC directed PG&E to design and install a larger treatment facility capable of handling the higher groundwater flows. This facility is known as Interim Measure No. 3, or IM3. Construction of the IM3 system is complete, and it is expected to begin treating groundwater to reduce hexavalent chromium in mid-July 2005.



Elements of Interim Measure No. 3

The IM3 project consists of several elements:

- extraction of groundwater
- transportation via pipelines
- treatment to reduce hexavalent chromium
- management of the treated groundwater

These project components are described in detail below.

Removal, Piping and Transportation of Groundwater

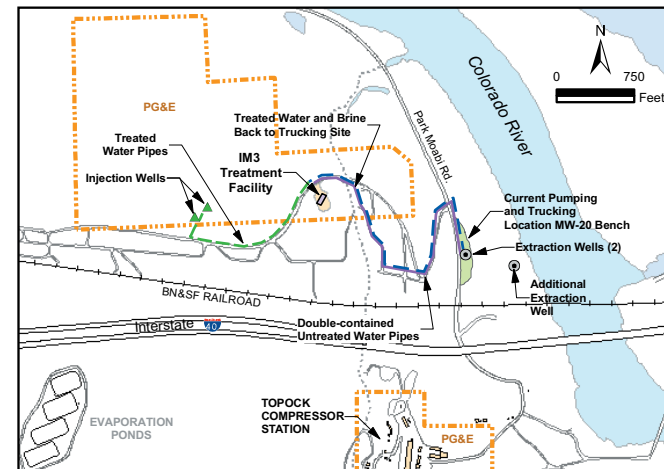
Two extraction wells are located above the floodplain on the MW-20 bench, in the area of the plume where the highest concentrations of hexavalent chromium have been detected. These extraction wells are also being utilized for the current pumping and trucking of groundwater under IM2. A third extraction well was installed in the floodplain in March 2005 (see map) to allow for extraction of groundwater within the floodplain, if deemed necessary to maintain control of the plume.

Double-walled piping will deliver untreated groundwater from the extraction wells to the IM3 treatment facility. Additional piping will carry treated water from the treatment facility back to the MW-20 bench. The water will continue to be trucked to the treatment facility in Vernon until re-injection wells are tested and approved by DTSC. Once approved by DTSC, the treated water will be injected into the local aquifer (as described below under the Management of Treated Water section).

Treatment Process

The treatment facility uses a multi-step process to ensure that groundwater is cleaned to the standards set by the Regional Water Quality Control Board (RWQCB). The cleaned groundwater will meet or be cleaner than the 50 part per billion (ppb) drinking water standard for chromium set by the State of California. This standard is well below the standard set by Arizona which is 100 ppb.

The first step of the cleanup process is the introduction of chemicals such as iron (in the form of ferrous chloride) to convert the hexavalent chromium to trivalent chromium (see glossary), which forms a solid material in water. This water-solid mixture will be pumped into a clarifier, which will remove a majority of the solids. The solids that are removed by the clarifier will be dewatered and trucked away from the site to be disposed of at a hazardous waste facility. The



Interim Measure No. 3 Treatment System Map

remaining water will be pumped through a micro-filter to remove any small solid particles which are left. After this treatment to reduce hexavalent chromium, a portion of the groundwater will be treated by a process called reverse osmosis which removes dissolved salts from the water. This step is necessary because the aquifer water in the injection area is less salty than the extracted groundwater. Reverse osmosis will result in two water streams – one with high salt content, called brine, and the other with low salt.

Management of Treated Water

After the water has been treated, the solids and brine will be trucked away for offsite disposal. The remaining treated water will be injected into two injection wells located west of the treatment facility (see map). The injection wells will reintroduce the treated groundwater back into the underground groundwater aquifer. The quality of the treated groundwater will not degrade the aquifer into which it will be injected. Injection well locations were selected based on hydrogeology, accessibility, and avoidance of biological and cultural resources.

To ensure that injection of treated water does not degrade the water quality of the aquifer, DTSC and the RWQCB directed PG&E to conduct studies to determine the current groundwater quality, and to install monitoring wells surrounding each injection well. These monitoring wells will be used to verify that the aquifer's groundwater quality is not adversely affected by the injection of treated groundwater.

Schedule

Construction of the IM3 treatment system is complete. Prior to startup, the system will be tested and any necessary adjustments made to ensure the system will operate properly. During testing, water will be trucked offsite. DTSC expects that the IM3 system will

begin treating groundwater to reduce hexavalent chromium in mid-July. Injection of the treated water will begin upon approval by DTSC. Treated water will continue to be trucked offsite until injection is approved to begin.

The Interim Measures at the Topock site are temporary measures intended to fully protect the Colorado River until a final cleanup plan can be evaluated, discussed with stakeholders and the public, selected and approved. DTSC has directed PG&E to prepare a Corrective Measures Study that will identify potential long-term cleanup technologies for the site, evaluate those technologies based on selection criteria and recommend a cleanup approach, known as the final remedy. The final remedy will be subject to the California Environmental Quality Act and to stakeholder and public review before being approved and implemented.

Glossary

Aquifer: A water-bearing layer of rock or sediment that is capable of yielding useable amounts of water.

California Environmental Quality Act (CEQA): Enacted in 1970 to provide long-term environmental protection, this law requires that governmental decision-makers and public agencies study the environmental effects of proposed activities, and that significant adverse effects be avoided or reduced where feasible. CEQA also requires that the public and stakeholders be informed and given an opportunity to provide input prior to the decision of the lead public agency.

Clarifier: A process in which solids are separated from liquids.

Corrective Action: Specific activities designed to investigate and cleanup contamination at a site resulting from present and past hazardous waste handling practices.

Department of Toxic Substances Control (DTSC): A department within the California Environmental Protection Agency charged with the regulation of hazardous waste from generation to final disposal, and for overseeing the investigation and clean-up of hazardous waste sites.

Extraction wells: Wells that are used primarily to remove contaminated groundwater from the ground. Water level measurements and water samples can also be collected from extraction wells.

Final Remedy: The final cleanup action proposed for dealing with contaminants at a site.

Groundwater: Water beneath the earth's surface that flows through soil and rock openings, aquifers, and often serves as a primary source of drinking water.

Hexavalent Chromium: A form of chromium, a metal naturally found in rocks, soil and the tissue of plants and animals. Also used in industrial products and processes, hexavalent chromium is a known carcinogen when inhaled (i.e., through breathing).

Hydrogeology: The geology of groundwater, with particular emphasis on the chemistry and movement of water.

Lead agency: A public agency which has the principal responsibility for ordering and overseeing site investigation and cleanup.

Monitoring wells: Specially-constructed wells used exclusively for testing water quality.

Parts per billion (ppb): A unit of measure used to describe levels or concentrations of contamination. A measure of concentration, equaling 0.0000001 percent. Most drinking water standards are expressed in ppb concentrations.

Plume: A body of contaminated groundwater flowing from a specific source. The movement of the groundwater is influenced by such factors as local groundwater flow patterns, the character of the aquifer in which the groundwater is contained, and the density of contaminants.

Regional Water Quality Control Board (RWQCB): A California agency that maintains water quality standards for a specific geographic jurisdiction and enforces state water quality laws.

Remediation: Cleanup or other methods used to remove or contain a toxic spill or hazardous materials from a site.

Reverse osmosis: A treatment process used in water and wastewater systems by adding pressure to force water through a semi-permeable membrane. Reverse osmosis removes most drinking water contaminants, including salts.

Trivalent Chromium: A form of chromium, a metal naturally found in rocks, soil and the tissue of plants and animals. Trivalent chromium is considered an essential nutrient and is relatively harmless. It does not dissolve in groundwater and tends to bind to soil; thus it does not travel readily in the environment.

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Department of Toxic Substances Control

5796 Corporate Avenue
Cypress, CA 90630
Contact: Julie Johnson (714) 484-5337
Fax: (714) 484-5318
9am – Noon, 1pm – 4pm, Monday – Friday
Must submit written request prior to visit

Needles Library

1111 Bailey Avenue
Needles, CA 92363
Contact: Kristin Mouton (760) 326-9255
10am – 6pm, Monday and Tuesday
10am – 4pm, Wednesday
10am – 5pm, Thursday through Saturday

Chemehuevi Indian Reservation

2000 Chemehuevi Trail
Havasu Lake, CA 92363
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Topock, AZ 86436
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8am – 2pm, Tuesday and Thursday
3pm – 6pm, Wednesday

Lake Havasu City Library

1770 McCulloch Boulevard
Lake Havasu City, AZ 86403
Contact: Sharon Lane (928) 453-0718
9am – 6pm, Monday and Wednesday
9am – 8pm, Tuesday and Thursday
9am – 5pm, Friday and Saturday

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9am – 7pm, Monday – Friday
9am – 2pm, Saturday



Comment and Mailing List Form for PG&E's Topock Compressor Station

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*Preventing
environmental
damage from
hazardous wastes,
and restoring
contaminated sites
for all Californians*



State of California



California
Environmental
Protection Agency

INFORMATIONAL NOTICE – February 2007

NOTICE OF UPCOMING GROUNDWATER INVESTIGATION ACTIVITIES

Upcoming Events

Pacific Gas and Electric Company (PG&E) will install monitoring wells beneath the Colorado River to collect groundwater samples and sediments as part of the ongoing environmental investigation activities near PG&E's Topock Compressor Station, located 12 miles southeast of Needles, California, along the Colorado River. The monitoring well installation is scheduled to begin February 14, 2007 and be complete by the end of March.

The wells will be installed using an "angled" drilling method. Drilling from land at an angle allows the investigation of areas deep below the Colorado River without conducting any work in the river itself. This drilling method eliminates activities and disturbances in the river and reduces the possibility of harmful impacts to the river from this investigation.

A drill rig will be set up on the California shoreline of the river, just south of the Interstate 40 bridge. From this point, the following environmental investigation activities will be conducted:

- Bore holes will be drilled at two different angles to more than 100 feet below the bottom of the river.
- Monitoring wells are planned to be installed inside the bore holes to sample groundwater from beneath the river.
- Samples of groundwater and sediments below the river will be collected for chemical analysis as the bore holes are being drilled.
- Once completed, the wells will allow for regular testing of groundwater.

During the well installation, you may notice an increase in activity and noise near the drilling site. We are working with PG&E to minimize any such disturbances. **Special care will be taken to protect wildlife, their habitats and cultural resources during all phases of this work.**



Typical Drill Rig



Topock Project Slant Drilling Location

Why this Work is Important

PG&E is investigating hexavalent chromium (CrVI) at the Topock site that exists as a result of historical operations at the Topock Compressor Station. CrVI is a form of chromium, a metal, found in nature and also used in industrial products and processes. CrVI is a known carcinogen when inhaled (i.e., through breathing). An extensive network of groundwater monitoring wells has been installed to identify which areas of groundwater are contaminated with CrVI.



The results of this new sampling project will help define the limits of the groundwater contamination, and will provide valuable information for the development and implementation of a final remedy for this site. **Ongoing sampling of Colorado River water, as part of the Topock remediation project, continues to show no detection of hexavalent chromium in the river itself.**

Where to Find More Information

The California Department of Toxic Substances Control (DTSC) has created a Web site for you to learn more about the Topock project. The results of this new sampling will be posted to the project Web site when they are available. Please visit <http://www.dtsc-topock.com>.

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email: jmatsumo@dtsc.ca.gov

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DERRICK ALATORRE
DEPT. OF TOXIC SUBSTANCES CONTROL
5796 CORPORATE AVENUE
CYPRESS, CA 90630

Fact Sheet
August 2004

DTSC is one of six Boards and Departments within the California Environmental Protection Agency. The Department's mission is to restore, protect, and enhance the environment, to ensure public health, environmental quality and economic vitality by regulating hazardous waste, conducting and overseeing cleanups, and developing and promoting pollution prevention.



Department of Toxic
Substances Control
5796 Corporate Avenue
Cypress, CA 90630
714-484-5474



California
Environmental
Protection Agency

E08200401HSAC_topock_08_2004_draft

PACIFIC GAS & ELECTRIC COMPANY
TOPOCK COMPRESSOR STATION
NEEDLES, CALIFORNIA



PG&E's Topock Compressor Station in Needles Directed to Expand Cleanup Operations

Overview

The California Department of Toxic Substances Control (DTSC) has directed Pacific Gas and Electric Company (PG&E) to expand its current cleanup operations of chromium-contaminated **groundwater** in the vicinity of the Topock Compressor Station (Station). The Station is located in eastern San Bernardino County about 15 miles southeast of Needles, California along the Colorado River. Earlier this year, DTSC determined that immediate action was necessary to ensure that groundwater containing chromium does not reach the nearby river. This determination was prompted by detections of **hexavalent chromium** in the floodplain well closest to the river.

Under DTSC's direction, PG&E began pumping contaminated groundwater in March 2004 at a rate of approximately 20 gallons per minute (gpm), and transporting the extracted groundwater by tanker truck to a licensed waste treatment facility in the Los Angeles area. The groundwater pumping operation, known as "**Interim Measures**," was deemed necessary to draw groundwater away from the Colorado River and toward extraction wells located above the river floodplain to the west. The affected groundwater, commonly referred to as "**the plume**," extends northeast from the Station toward the river. Thus far, nearly 3 million gallons of groundwater containing chromium have been removed.

DTSC continues to oversee PG&E in evaluating what is needed to protect

the beneficial uses of the Colorado River. These evaluations have included ongoing weekly, monthly and quarterly monitoring of chromium concentrations in over 35 groundwater wells, as well as modeling of groundwater rates and flow direction. DTSC is assisted in its oversight by a Consultative Workgroup consisting of governmental, public, and community entities who hold a vital stake in the safety of the Colorado River and its environs. The members of the Workgroup include: Arizona Department of Environmental Quality, California Regional Water Quality Control Board - Colorado River Basin, International Boundary and Water Commission, Metropolitan Water District of Southern California (MWD), Mojave County (Arizona) Department of Public Health, California State Water Resources Control Board, Colorado River Board of California, U.S. Bureau of Indian Affairs, U.S. Bureau of Land Management (BLM), U.S. Bureau of Reclamation, U.S. Department of the Interior, U.S. Fish and Wildlife Service, U.S. Geological Survey, and representatives from nearby Indian Tribes. Based on current data, DTSC has determined that it is necessary to expand the current pumping operations.

Pumping Increased to Keep Chromium Plume Away from River

Groundwater levels in floodplain monitoring wells fluctuate as the level of the Colorado River rises and falls. The river level fluctuates several feet, depending on the season and the amount of water released from Davis Dam, approximately 30 miles upstream. Releases from Davis Dam peaked this year in May, resulting in higher river levels, and are expected to decline from June to October. The river is expected to

* Words in **bold** appear in the Glossary of Terms (inside)

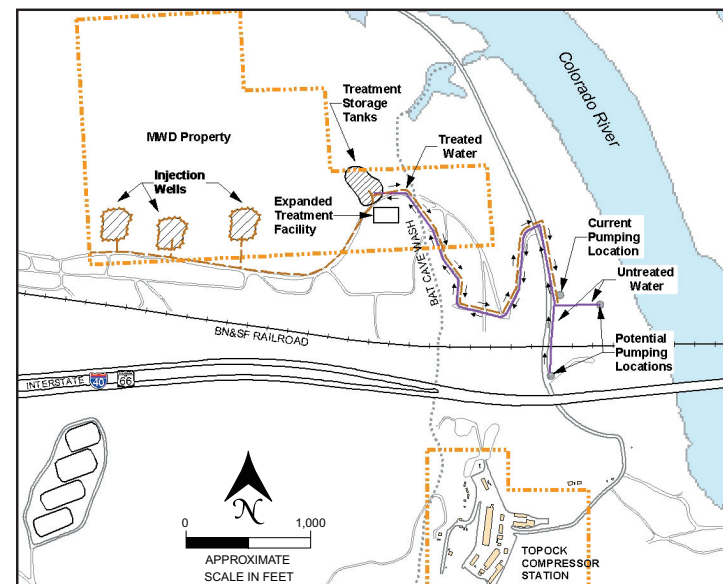
reach its lowest levels from October 2004 through January 2005.

Since pumping began in March, the combined effects of relatively high river levels and pumping at 20 gpm was adequate to provide for groundwater flow away from the river. When river levels are high, the groundwater flows away from the river. However, during the summer and fall, when overall river levels are decreasing, groundwater tends to flow toward the river. To ensure that groundwater containing chromium does not reach the river, PG&E will need to significantly increase pumping rates by winter 2004 (when the river is expected to reach its lowest levels).

The current Interim Measures pumping operation is conducted over the most contaminated part of the plume, located approximately 600 feet from the river, on a level patch of federal land managed by the BLM. PG&E is currently modifying the storage tanks to provide treatment capability that can process up to 40 gallons per minute of extracted groundwater. However, the current pumping site does not have adequate space to accommodate the increased pumping, storage and treatment facilities needed to pump at rates that will ensure groundwater will flow away from the river in the winter months.

Proposal to Expand Treatment Facility

To gain space and to reduce impacts to federal lands, PG&E is proposing to relocate the groundwater treatment operation to adjacent land they are currently seeking to purchase from the Metropolitan Water District of Southern California. The proposed expanded treatment facility would be located approximately 1,500 feet



Proposed location of expanded groundwater extraction and treatment system

northwest of the current pumping and storage site.

Groundwater will continue to be extracted from the current pumping location. If necessary, additional groundwater extraction wells will be installed to maintain control of the plume. The extracted groundwater will be piped underground to the new treatment plant. Piping will be sited along existing roadways to reduce impacts to the natural habitat and to cultural resources such as the Topock Maze. Double-walled piping and a leak detection system will be installed to ensure that contaminated groundwater is contained safely.

The treated groundwater will meet California drinking water standards and will continue to be trucked offsite until evaluation of other water management options is complete. DTSC is currently evaluating reuse and disposal options for the treated water. Reuse or disposal of the treated water will be conducted under appropriate permits; these options include water provision for local commercial uses, re-injection to the aquifer and/or discharge to the Colorado River. Treated groundwater will meet or exceed relevant surface water standards if discharged to Colorado river is utilized as a part of Interim Measures.

Based on the need for immediate action, DTSC has issued a Notice of Exemption (NOE) for the expanded Interim Measures under the **California Environmental Quality Act (CEQA)**. DTSC will be reviewing and approving design documents and workplans. A more detailed fact sheet (published in May 2004), the Interim Measures workplans, the Notice of Exemption, the Interim Measures Conditional Approval letter, and other site-related documents are available in the project repositories listed. DTSC will continue to oversee PG&E in evaluating long-term alternative options for treatment and removal of chromium as part of an ongoing **Corrective Action Process**, and will continue to solicit feedback from the public during this process.

Disposal of the Treated Water

DTSC will continue to oversee PG&E in evaluating various remediation alternatives for the treatment and removal of chromium in the groundwater. At this time, DTSC has not made a final decision on how to dispose of the treated water. DTSC understands and values the importance of continuing to solicit feedback from other agencies, sovereign tribal governments and the public. Before any final decision is made on how to dispose of the treated water, DTSC will continue to consult with all interested stakeholders to understand and consider their concerns.

Glossary of Terms

California Environmental Quality Act (CEQA)

A law mandating environmental impact review of governmental action. It requires that public agencies study the significant environmental effects of proposed activities and that the public be informed and allowed to comment on project decisions.

Corrective Action Process – Is designed to evaluate the nature and extent of a release of a hazardous substance and implement appropriate measures to protect public health and the environment.

Groundwater – Water beneath the earth's surface that flows through soil and rock openings, and often serves as a primary source of drinking water.

Hexavalent chromium (Cr+6) – Hexavalent chromium is a form of chromium, a metal naturally found in rocks, soil and the tissue of plants and animals. Also used in industrial products and processes, hexavalent chromium is a known carcinogen when inhaled (i.e., through breathing).

Interim Measures – Cleanup actions taken to protect public health and the environment while long-term solutions are being developed.

Plume – A body of contaminated groundwater flowing from a specific source.

DTSC Contacts

You can contact DTSC at any time to get more information about this project, be added to the mailing list, or let us know your thoughts. Please call, email or write to:

Norman Shopay
DTSC Project Manager
700 Heintz Ave., Suite 200
Berkeley, CA 94710
510-540-3943, NShopay@dtsc.ca.gov

Derrick Alatorre
DTSC Public Participation Specialist
5796 Corporate Ave.
Cypress, CA 90630
714-484-5474, DAlatorr@dtsc.ca.gov

Jeanne Garcia
DTSC Public Information Officer
1011 N. Grandview Ave.
Glendale, CA 91201
818-551-2176, JGarcia1@dtsc.ca.gov

Site-related Documents are Available at Several Locations:

Department of Toxic Substances Control
5796 Corporate Avenue, Cypress, CA 90630
Julie Johnson: 714-484-5337

Needles Public Library
1111 Bailey Avenue, Needles, CA 92363
Barbara Degidio: 760-326-9255

Chemehuevi Indian Reservation
2000 Chemehuevi Trail, Havasu Lake, CA 92363
Dave Todd: 760-858-1140

Golden Shores/Topock Library Station
13136 Golden Shores Parkway, Topock, AZ 86436
Avis McKinnon: 928-768-2235

Lake Havasu City Library
1770 McCulloch Blvd., Lake Havasu City, AZ 86403
Sharon Lane: 928-453-0718

Colorado River Indian Tribes Public Library
2nd Avenue and Mojave Road, Parker, AZ 85344
Amelia Flores: 928-669-1285

Parker Public Library
1001 Navajo Avenue, Parker, AZ 85344
Jana Ponce: 928-669-2622



DEPARTMENT OF TOXIC
SUBSTANCES CONTROL

*Preventing
environmental
damage from
hazardous wastes,
and restoring
contaminated sites
for all Californians*



State of California



California
Environmental
Protection Agency

FACT SHEET – October 2006

Pacific Gas and Electric Company (PG&E) Topock Project Update

Department of Toxic Substances Control (DTSC) provides oversight of the site investigation and cleanup activities for the Pacific Gas and Electric Company (PG&E) Topock Compressor Station. It is located in San Bernardino County, 15 miles southeast of Needles, California and one half-mile west of the Colorado River.

Below is a brief summary of what is in this fact sheet:

- Summary of current *Interim Measures*,* site investigation activities and water sampling results
- Information about the *Environmental Impact Report (EIR)* process and the EIR consultant
- Future news and updates including public, agency, and tribal outreach for the EIR
- DTSC contacts and Information Repository locations

Need for Action

Water samples taken from the groundwater under and near the PG&E Topock Compressor Station (the Station) were found to be contaminated with *hexavalent chromium*. Under the oversight of DTSC, PG&E is pumping the contaminated *groundwater* away from the Colorado River and into a treatment system located near the Station.

The affected groundwater, commonly referred to as the *plume*, lies approximately 80 to 175 feet below the ground surface. The plume extends north from the Station, approximately 2,400 feet long and 1,300 feet wide. The presence of hexavalent chromium is the result of past waste water disposal activities at the Station – hexavalent chromium has not been used at the Station since 1985.

In early 2004, DTSC determined that immediate action was necessary to ensure that groundwater containing hexavalent chromium did not reach the Colorado River.

Ongoing Project Activities

Interim Measures are being implemented to prevent the plume from spreading while the *Final Remedy* or final cleanup plan is evaluated and selected. Interim Measures are cleanup actions taken to protect public health and the environment while long-term solutions are being developed.

* Items in bold italics are in the glossary.



PG&E Topock Compressor Station Location and Surrounding Communities



In March 2004, groundwater removal and transport for off-site treatment and disposal began. These activities were conducted under Interim Measure No. 2 (IM2). Improvements to the IM2 system over time allowed for increased extraction of groundwater and on-site treatment. The IM2 system operation was discontinued in July 2005 when the Interim Measure No. 3 (IM3) treatment system began operation.

The IM3 system was built to extract and treat more groundwater than the IM2 operations could handle. Current operations of the IM3 system remove and treat approximately 135 gallons per minute (more than 190,000 gallons per day).

More than 100 million gallons of groundwater have been removed and treated by both of the Interim Measures since March 2004. After removing the contaminants, the treated water from the IM3 system is reinjected into the *aquifer* through wells located approximately 2,500 feet west of the Colorado River.

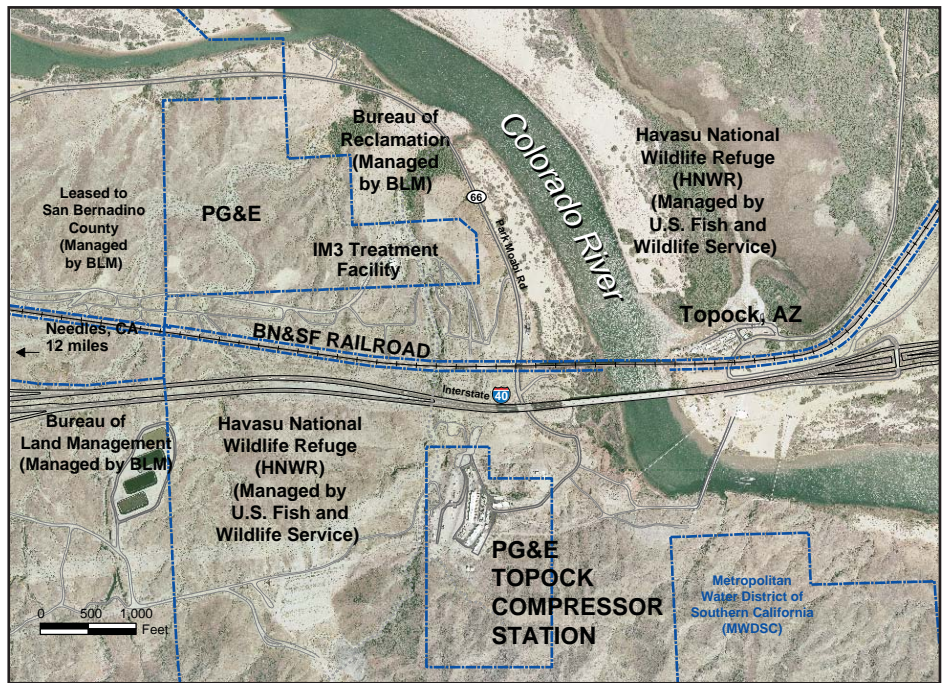
Two new groundwater extraction wells were installed under the IM3 treatment system to allow for the increased pumping rate to 135 gallons per minute.

Colorado River Sampling

Water from the Colorado River has been sampled quarterly since 1997, and monthly since November 2003. Hexavalent chromium has not been detected in any of these samples. In addition, *sediment* samples from the bottom of the Colorado River show no hexavalent chromium. Also, *pore water* samples collected from sediments in the bottom of the Colorado River in January 2006 did not detect any hexavalent chromium.

Environmental Impact Report (EIR)

The *California Environmental Quality Act (CEQA)* is a state law that requires the *lead agency* to consider and disclose the environmental effects of the project cleanup activities before taking action on those projects. As the lead agency for the PG&E Topock Compressor Station environmental investigation



Topock Project Site and Surroundings

and cleanup project, DTSC made a determination that an EIR will be prepared to assess the potential environmental effects of cleanup alternatives, prior to the selection of the final remedy.

DTSC and PG&E entered into a Memorandum of Understanding (MOU) for the preparation of the EIR through an independent consultant under the direction of DTSC. DTSC retains approval authority over the content and conclusions in the EIR.

About the EIR Independent Consultant

EDAW has been selected as the EIR consultant. The company is a provider of comprehensive planning, environmental, design and information technology consulting services for public and private clients. EDAW's PG&E Topock Compressor Station EIR project team will be introduced at public scoping meetings to be held later this year. You can find more information about EDAW on their website at: www.edaw.com.

What EDAW Will Be Doing

To complete the EIR, EDAW will assist in:

- Preparing a *Notice of Preparation (NOP)* to be sent by DTSC to notify the public, government agencies, and tribal governments that the EIR is being prepared, and to invite comments on the scope and content of the EIR.

- **Coordinating scoping meetings** to obtain input from the public, government agencies, and tribal governments about the project design, selection of proposed cleanup activities, and on the scope and content of the EIR.
- **Preparing a Draft EIR** that assesses potential environmental impacts from the remedies proposed. The goal of the final cleanup plan evaluation in the EIR is to substantially reduce or avoid any significant environmental impacts. The EIR will present *mitigation measures* to meet this goal.
- **Coordinating public meetings and hearings** during the Draft EIR public comment period to obtain input from community members, government agencies, and tribal governments.
- **Preparing** written response to comments received during public hearings and public comment periods.
- **Preparing and publishing** the Final EIR.

Community Outreach for the EIR

DTSC will continue to keep you informed as the EIR proceeds. We will hold public scoping meetings to get input from the public, government agencies and tribal governments about the various remedy alternatives. Once the Draft EIR has been prepared, DTSC will hold a public hearing to get input from the public and government agencies about the Draft EIR. The meeting locations, dates and times will be announced.

Future News and Updates

Coming Soon! DTSC will be releasing a Public Participation Plan (Plan) for the PG&E Topock site. The Plan documents community concerns about the PG&E Topock Project and identifies outreach activities to ensure that the community and stakeholders are involved in the decision-making process during the environmental cleanup of the Station. Look for it online and in the repositories soon. DTSC is also working on government to government plans for tribal outreach.

Find us on the Internet! Our new Topock Web site went live to the public in May 2006. The new Web site is an easy way to get information about the PG&E Topock Compressor Station environmental investigation and cleanup project. You can find the Web site at: www.dtsc-topock.com. Project information can also be found at DTSC's main Web site: www.dtsc.ca.gov.

Past Topock Site Fact Sheets

DTSC continues to provide information to community members and other interested people. Below is a list of DTSC fact sheets about the Topock project.

July 2005 – *Topock Project Begins Interim Measure No. 3 Treatment Operations*

August 2004 – *Topock Compressor Station Directed to Expand Cleanup Operations*

May 2004 – *Interim Measures at the PG&E Topock Compressor Station*

September 1999 – *Environmental Investigation Results*

March 1998 – *Hazardous Waste Investigation*

Copies of all of the DTSC fact sheets can be found on the websites previously listed.

Glossary of Terms

Aquifer: A water-bearing layer of rock or sediment that is capable of yielding useable amounts of water.

California Environmental Quality Act (CEQA): Enacted in 1970 to provide long-term environmental protection, this law requires that governmental decision-makers and public agencies study the environmental effects of proposed activities, and that significant adverse effects be avoided or reduced where feasible.

Environmental Impact Report (EIR): A report designed to examine the potential environmental impacts of proposed activities.

Final Remedy: The final cleanup action proposed for dealing with contaminants at a site.

Groundwater: Water beneath the earth's surface that flows through soil and rock openings.

Hexavalent Chromium: A form of chromium, a metal naturally found in rocks, soil and the tissue of plants and animals. Also used in industrial products and processes, hexavalent chromium is a known carcinogen when inhaled (i.e., through breathing).

Interim Measures: Cleanup actions taken to protect public health and the environment while long-term solutions are being developed.

Lead Agency: A public agency with the principal responsibility for ordering and overseeing site investigation and cleanup.

Mitigation Measures: Actions designed to minimize significant impacts from activities.

Notice of Preparation (NOP): CEQA document to be sent by the lead agency to notify the public, responsible agencies, trustee agencies and involved federal agencies that the EIR is being prepared.

Pore Water: Pore water is characterized as water located within pore spaces between the grains of sediment beneath the bottom of the river.

Plume: A body of contaminated groundwater. The movement of a plume in groundwater can be influenced by such factors as local groundwater flow patterns, the character of the aquifer in which the groundwater is contained, and the density of contaminants.

Scoping Meeting: Meeting to gain input from the public, the local community, government agencies, and tribal government agencies regarding selection of the Final Remedy.

Sediments: The soil, sand and minerals at the bottom of surface waters, such as streams, lakes and rivers. The term may also refer to solids that settle out of any liquid.

Department Contacts

DTSC welcomes your feedback. There are several ways to contact us.

Aaron Yue

DTSC Project Manager

5796 Corporate Avenue
Cypress, CA 90630
(714) 484-5439
ayue@dtsc.ca.gov

Jeanne Matsumoto

DTSC Public Participation Specialist

5796 Corporate Avenue
Cypress, CA 90630
(714) 484-5338
Toll Free: (866) 495-5651
JMatsumo@dtsc.ca.gov

For media inquiries, please call:

Jeanne Garcia

DTSC Public Information Officer

(818) 551-2176
Email: JGarcia1@dtsc.ca.gov

TDD: Call 1-888-877-5378, and ask to contact Jeanne Matsumoto at 714-484-5338

Web sites: www.dtsc-topock.com
www.dtsc.ca.gov

Information Repository Locations

Project reports, fact sheets, and other project documents can be found in the Information Repositories listed below:

On the Internet:

www.dtsc-topock.com
www.dtsc.ca.gov

Needles Library

1111 Bailey Avenue
Needles, CA 92363
Contact: Kristin Mouton (760) 326-9255
10am – 6pm, Monday and Tuesday
10am – 4pm, Wednesday
10am – 5pm, Thursday through Saturday

Chemehuevi Indian Reservation

Environmental Protection Office
2000 Chemehuevi Trail
Havasus Lake, CA 92363
Contact: Dave Todd (760) 858-1140
8:00am – 4pm, Monday – Friday

Golden Shores/Topock Station Library

13136 S. Golden Shores Parkway
Topock, AZ 86436
Contact: Avis McKinnon (928) 768-2235
8am – 2pm, Tuesday and Thursday
3pm – 6pm, Wednesday

Lake Havasu City Library

1770 McCulloch Boulevard
Lake Havasu City, AZ 86403
Contact: Sharon Lane (928) 453-0718
9am – 6pm, Monday and Wednesday
9am – 8pm, Tuesday and Thursday
9am – 5pm, Friday and Saturday

Colorado River Indian Tribes Public Library

2nd Avenue and Mohave Road
Parker, AZ 85344
Contact: Amelia Flores (928) 669-1285
8am – Noon, 1pm – 5pm, Monday – Friday

Parker Public Library

1001 Navajo Avenue
Parker, AZ 85344
Contact: Jana Ponce (928) 669-2622
9am – 7pm, Monday – Friday
9am – 2pm, Saturday

Department of Toxic Substances Control

5796 Corporate Avenue
Cypress, CA 90630
Contact: Julie Johnson (714) 484-5337
9am – Noon, 1pm – 4pm, Monday – Friday
Please call for an appointment.



Comment and Mailing List Form for PG&E's Topock Compressor Station

If you would like to be added to or taken off the distribution list for mail related to the site, or to submit questions or comments, please fill out this form and return to DTSC. Please address all mailings to Jeanne Matsumoto, Department of Toxic Substances Control, External Affairs/Public Participation, 5796 Corporate Avenue, Cypress, CA 90630, or by email to JMatsumo@dtsc.ca.gov.

Name: _____

Address: _____

City/State/Zip: _____

Phone/Email: _____

Affiliation (if any): _____

Comments/Questions: _____

DTSC mailings are solely for the purpose of keeping persons informed of DTSC activities. Mailing lists are not routinely released to outside parties. However, they are considered public records and, if requested, may be subject to release.

COMMENT CARD
TARJETA DE COMMENTARIO

FACILITY NAME _____ LOCATION _____

NOMBRE DE LA FACILIDAD _____ LOCALIZACIÓN _____

If you plan to make oral comments or ask a question regarding the proposed project at this meeting, please fill in the information below and submit the card when requested to do so.

Si usted tiene intención de comentar o hacer una pregunta oral con respecto al proyecto propuesto durante esta reunión pública, por favor, complete la información siguiente y entregue la tarjeta cuando se le indique.

Name/Nombre: _____

Affiliation/Afiliación: _____

Address/Domicilio: _____

City/Ciudad: _____ State/Estado: _____ Zip Code/Código Postal: _____

Telephone/Teléfono: _____

**Cards will be collected at meeting or Mail/Estas tarjetas se juntaran durante la reunión o enviarla por correo al:
Department of Toxic Substances Control, Attn: Jeanne Matsumoto, 5796 Corporate Avenue, Cypress, CA 90630 – FAX: (714) 484-5338**

COMMENT CARD
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Department of Toxic Substances Control, Attn: Jeanne Matsumoto, 5796 Corporate Avenue, Cypress, CA 90630 – FAX: (714) 484-5338**

APPENDIX I
SCOPING MEETING TRANSCRIPTS

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
DEPARTMENT OF TOXIC SUBSTANCES CONTROL
PUBLIC SCOPING MEETING
FOR THE PG&E TOPOCK COMPRESSOR STATION
NOTICE OF PREPARATION
FOR THE DRAFT ENVIRONMENTAL IMPACT REPORT

Tuesday, May 27, 2008

City of Palm Desert
City Council Chamber
Palm Desert, CA 92260

Transcribed by
Statewide Transcription Services
On Behalf of
EDAW

REPRESENTATIVES PRESENT:

1 KATHIE SCHIEVELBEIN - DTSC
2 WILLIAM BECKMAN - DTSC
3 AARON YUE - DTSC
4 JEANNE MATSUMOTO - DTSC
5 BOBBETTE BIDDULPH - EDAW
6 LESLIE REDFORD - EDAW
7 LEAHA MURPHY - EDAW
8 NANCY GRAHAM - EDAW

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P R O C E E D I N G S

1
2 **MS. MATSUMOTO:** Welcome. First of all, thank you for being
3 here and I guess we owe a thanks to the Chamber for
4 letting us use their beautiful room. My name is
5 Jeanne Matsumoto. I work for the Department of Toxic
6 Substances Control, the State of California, and I'm a
7 Public Participation Specialist. The Department of
8 Toxic Substances Control is a department within the
9 California Environmental Protection Agency and it is
10 the lead regulatory agency for the environmental
11 investigation and clean-up of the PG&E Topock
12 Compressor Station. Why are we here? DTSC is
13 conducting public scoping meetings as part of the
14 preparation for the Environmental Impact Report for
15 the Topock Compressor Station and it's our intention
16 to gather input from agencies, tribal representatives
17 and members, stakeholders, and the public. Let's see.
18 The information provided in your comments will be used
19 to develop the EIR. We will not be responding to your
20 comments today. The comments are used to determine
21 what information will be included in the EIR. Because
22 this goes along with the California Environmental
23 Quality Act, this has a very specific protocol for the
24 comments and we're looking for comments and input in
25 specific subjects. Let's see. Good thing there's

1 only two people here.

2 **FEMALE:** Are you missing some pages?

3 **MS. MATSUMOTO:** No, I'm missing a little bit of rehearsal.

4 Well, we want input regarding environmental issues to
5 be analyzed and possible clean-up alternatives. Now,
6 the process we're going to go through with comments,
7 we're going to skip today. We won't have cards. We
8 will need you to state your name for conversational
9 purposes, if you plan to give a comment, a verbal
10 comment, today. Your name will not be recorded. It
11 won't be entered into the actual administrative
12 record. If you are uncomfortable standing up and
13 giving a comment, we welcome you to provide a written
14 comment to us. You can leave it here or you can send
15 it to the contact information that will be up on the
16 screen in a little bit. We are making a digital
17 recording of comments and we will also do a graphic
18 reporting of comments on the wall. Agenda, if you
19 picked up a packet out front, you should have an
20 agenda, a copy of the presentation. There's also a
21 green paper which is a meeting evaluation form. This
22 helps me. If you fill this out and leave it on the
23 table as you leave, this will help me perfect the
24 meetings and I need help. I appreciate input. So, we
25 start with the introductions. We'll have a project

1 background. There will be someone discussing the EIR
2 process, then we will actually take formal comments.
3 There will be conclusion of the formal comments and
4 then we'll all be here for question and answers.
5 There's several people to introduce. We have a DTSC
6 Project Team which is headed by Watson, he's not here
7 today, and Karen, she's not here today. Our Project
8 Manager, Aaron Yue, is here today and I'm here. From
9 our office of environmental planning and environmental
10 analysis, we have Kathie and Bill at the back of the
11 room. Now, EDAW is an independent consulting firm
12 that's helping to prepare the EIR and we have
13 Bobbette, Jamie -- I haven't seen Jamie --

14 **MS. MURPHY:** Jamie's not here today.

15 **MS. MATSUMOTO:** -- Leaha, Leslie, and Nancy --

16 **MS. GRAHAM:** At the table.

17 **MS. MATSUMOTO:** -- at the table. All right. And Stev, I
18 haven't seen Steve either. And now I'd like to turn
19 the meeting over to Aaron Yue, the project manager
20 from DTSC. He will be discussing project background.

21 **MR. YUE:** Thank you, Jeanne. Okay. I'm going to just
22 stand behind the table here. Again, my name is Aaron
23 Yue. My title is actually the Senior Hazardous
24 Substances Engineer. I am the Project Manager for the
25 PG&E Topock site. You have my contact information in

1 this particular slide as well on the fact sheet and
2 also in any of the mail-outs that you've received.
3 Today what I wanted to do is to go over the project
4 background, just so I do be informed of what's been
5 happening out at the site and also where we've been in
6 terms of investigation, as well as talk a little bit
7 about the clean-up process. The project background,
8 PG&E Topock Compression Station is actually located
9 about 15 miles southeast of Needles, California.
10 You'll see an aerial photo which is displayed on that
11 table to the left-hand side there, the aerial really
12 has a lot of significant cultural and spiritual
13 importance to the Native American people. The station
14 is also surrounded by federally owned lands and that
15 includes also land owned by the Bureau of Reclamation
16 and managed by the Havasu National Wildlife Refuge.
17 And here is a general map. You can see the station
18 right up here and this is I-40 coming down. This is a
19 little hard to see but you should have that in your
20 handout. Operational history, what does PG&E do at
21 the site? PG&E essentially has owned and operated the
22 compression station since 1951 and the main purpose
23 for the station is to compress natural gas for
24 delivery to its customers in the Northern and Central
25 California areas. The gas that is being compressed is

1 basically your standard household gas that you use for
2 cooking and heating. This is an older aerial photo of
3 the PG&E compressor station. Essentially gas comes in
4 and PG&E add pressure to the line and shoots the gas
5 off to its customers in Northern and Central
6 California. In the process of doing that, heat's
7 generated when you compress gas. And so, what PG&E
8 needs to do is to use cooling power, such as this new
9 cooling power that they've replaced. They've
10 basically put water into heater parts of the station,
11 the compressor engine, and cool it down. If you can
12 think of the analogy of an automobile engine, you have
13 coolant that cools down the engine as it runs, and
14 likewise PG&E is doing the same thing out at the
15 compressor station. Hexavalent chromium has actually
16 been used since 1951 to 1985 and that is the subject,
17 or at least that as the predominant chemical concern,
18 at this particular site. Between 1951 and all the way
19 to 1976, PG&E had used Cr6 as a chemical to prohibit
20 corrosion. And as part of the process, they put that
21 chromium into the cooling water and when it's spent
22 they discharge it to a dry wash and it's called Bat
23 Cave Wash and we'll see that in the next slide. And
24 eventually, the chromium actually seeped through the
25 soil and entered the ground water. And as part of

1 that process, unfortunately, it created a Cr6 ground
2 water plume extending towards the Colorado River.
3 Here is an overhead projection of what the current
4 plume boundary looks like, that we know of. Again,
5 this is the compressor station and here's the dry
6 wash, the Bat Cave Wash that leads out. And at
7 present, this is the chromium plume. Now, one thing
8 to note is that this projection, it's a vertical
9 projection, and what we've done is essentially looked
10 at the site where many wells, groundwater monitoring
11 wells should be picked as the plumes three dimensional
12 nature underground. What you see in green represents
13 the hexavalent chromium, that's within groundwater,
14 and the blue is clean groundwater actually, and this
15 dark blue is really where the Colorado River is at.
16 So, if you'd note, the plume, even though in the
17 previous slide suggests that there is chromium
18 potentially in the river, actually what is happening
19 is that there is a little bit of the plume, what we
20 can ascertain is that it's beneath the river and about
21 80 feet beneath the river itself. Okay. The
22 investigation and clean-up process; where we're at in
23 terms of the site. First of all, in order for me to
24 elaborate of where we've been or where we're going,
25 you have to understand how the clean-up process works.

1 Essentially, there are three major steps. The first
2 step is clearly to figure out how bad is the
3 situation. The second step is how should we clean it
4 up. And then, finally, clean up the plume. There are
5 regulatory terms for step one. Step one is being done
6 under the Resource Conservation and Recovery Act. The
7 document that supports that is the RCRA facility
8 investigation report. The second step, how should we
9 clean it up, is evaluated under the corrective measure
10 study itself, or the feasibility study. And in the
11 final step, cleaning it up, is the implementation of
12 the final remedy after it's selected. So, how bad is
13 the site? What we've done substantial amount plume
14 investigation, specifically for groundwater, because
15 it is due to the close proximity of the plume to the
16 Colorado River, that is given priority over the soil
17 investigation. Nevertheless, we will do both soil and
18 groundwater investigation to determine the full extent
19 of contamination. PG&E, since signing a consent
20 agreement with the Department of Toxic Substances
21 Control in 1996, has installed and actively monitoring
22 over 150 groundwater wells at the site. The Colorado
23 River is also sampled. The river water itself is also
24 sampled at a quarterly interval as well. It's monthly
25 intervals when the river water level drops and the

1 river water level actually is predominately controlled
2 by the release of water up at the Davis Dam. At this
3 point, the groundwater investigation is almost
4 complete. We do know the extent of the chromium
5 groundwater contamination at the site and what we do
6 know is that the Colorado River, at the present, is
7 not impacted by the Cr6. In 2004, there was
8 contamination discovered near the river from a new
9 well that was put in by PG&E. As a result, the
10 Department required PG&E to begin immediate extraction
11 of some of the groundwater plume and they've also
12 constructed a treatment system to handle the water
13 that's being extracted from the ground. Today they've
14 extracted approximately 200 million gallons of
15 contaminated groundwater and recovered over 4,700
16 pounds of chromium since 2004. Again, we place the
17 emphasis on the groundwater, or the priority is to the
18 groundwater, but then there's still the soil
19 component. PG&E has actually identified 29 areas to
20 investigate for contamination. That investigation is
21 to come. PG&E has also drafted the soil sampling work
22 plans to guide in the investigation and those
23 particular work plans are still pending regulatory
24 approval and implementation. So, finally, how should
25 we clean it up? The final groundwater and soil clean-

1 up technologies will really evaluated in one large
2 document that's going to be coming up and it's called
3 Correct Measure Study or the Feasibility Study, that's
4 used by the federal regulators, and also some of the
5 evaluations will be done under the Environmental
6 Impact Report and under the Environmental Impact
7 Report, it will evaluate potential impacts of the
8 technology to the project area. Finally, once we've
9 selected a remedy and we anticipate a selecting of
10 remedy only after we get public input and evaluate all
11 the alternatives, then the remedy will be implemented.
12 I think the timeline as to when the Corrective Measure
13 Study and the final remedy implementation is going to
14 take place that we've talked about by Bobbette. Right
15 now, I'll turn the floor over to Bobbette.

16 **MS. BIDDULPH:** Thanks, Aaron. So, before I jump into my
17 presentation, I guess the thing that I'd really like
18 to emphasize tonight is that this is really the
19 beginning of the environmental review process under
20 the California Environmental Quality Act and the real
21 purpose of this meeting is to get public input, to get
22 your ideas and thoughts and concerns so that we can do
23 the best job possible in addressing those comments and
24 issues in that environmental analysis. We're just
25 beginning. We're just starting to develop our

1 analysis and gather information and so we're not going
2 to have all the answers tonight. We're really looking
3 to get input on those answers so that we can answer
4 them later on as we do our work. A little bit of
5 definition of what an Environmental Impact Report is,
6 an Environmental Impact Report is required for this
7 remediation project, for the clean-up project and that
8 is a requirement under the California Environmental
9 Quality Act. DTSC, as a public agency, must prepare
10 an EIR for any project that it purposes to carry out
11 that could potentially have a significant impact on
12 the environment. Now, our project under review in
13 this particular case is the clean-up of both the
14 contamination of the groundwater, as well as Aaron
15 mentioned that there is some contamination of the
16 soils. There's clearly more focus on the groundwater
17 because of the concern of it being close to the
18 Colorado River and so there's going to be more focus
19 on that as a priority for clean-up. As Aaron also
20 described, the different approaches to cleaning up
21 this groundwater and the different technologies that
22 would be available to do that, are going to be
23 described in this document called the Corrective
24 Measure Study, Feasibility Study. So, the
25 Environmental Impact Report, or the EIR, for this

1 project will be what we call a Program EIR and that's
2 because of these two levels of analysis for both the
3 ground water and the soils contamination. The EIR is
4 going to have more detail about the groundwater clean-
5 up because of the prioritization on that clean-up and
6 then a broader approach is going to be used for the
7 soils clean-up. As more information is developed
8 about the exact location and parameters of the soil
9 impacts, future environmental analysis will basically
10 tier, is the technical term, off of this Program EIR
11 and study that soil clean-up in more detail. This is
12 just really a laundry list of the different topics
13 that are going to be addressed in the Environmental
14 Impact Report. This Environmental Impact Report is
15 going to be what we call a Full Scope Environmental
16 Impact Report. We're basically going to be looking at
17 all of the different environmental issue areas. So,
18 we already know that we're going to have a chapter or
19 a section in our document on each of these independent
20 issue areas, but it might trigger some thoughts in
21 your mind for air quality, let's particularly think
22 about this issue. So, those are the kinds of comments
23 that we'd like to hear from you. In addition, in the
24 EIR, the California Environmental Quality Act requires
25 that we look at some others types of analysis. One

1 will be alternatives to the proposed projects, so
2 we're going to be looking at different approaches to
3 clean-up and what are the comparative environmental
4 impacts or effects related to those different
5 approaches, which one would result in less
6 environmental impact or which one results in the most
7 environmental impacts and weighing that against the
8 objectives of the project. As well, the document will
9 talk about impacts that have been found to not be
10 significant and provide the substantiation or the
11 information that shows clearly why those impacts were
12 concluded to not be significant. As well, if there
13 are unavoidable impacts that would result from
14 cleaning up this property that can't be avoided with
15 any type of mitigation measure or alternative
16 approach, the document will summarize those, as well
17 as significant irreversible changes. Growth-inducing
18 impacts probably won't be an issue in this one but we
19 still need to address it. The growth-inducing impacts
20 are questions of whether or not a project would cause
21 additional population growth or additional housing
22 demands. So, we'll take a look at that. And then, as
23 well, the document will include a discussion of
24 cumulative impacts and what cumulative impacts are is
25 a consideration of what the actions related to our

1 project would cause in combination with other projects
2 that might be happening in the area. One of the
3 issues that is becoming more and more prevalent in
4 this section is climate change and global warming.
5 So, we will be taking a look at that. Now, throughout
6 our environmental review process, as I mentioned,
7 we're just in the beginning but as we kick this off,
8 we're going to be gathering information from a variety
9 of sources that will include published reports, the
10 monitoring efforts that Aaron talked about. We'll be
11 outreaching to agencies and getting input from the
12 agencies about what might be of concern, as well as
13 conducting tribal outreach and communication which
14 will have confidentiality associated with it but
15 trying to get input from the tribes because of the
16 cultural importance of this area to the tribes. And
17 as well, where necessary, we'll be doing site specific
18 resource studies. For instance, we might need to go
19 out and do some additional biological resource studies
20 at the property. Now, this is a little washed out but
21 it is in your handouts and we have a graphic over
22 posted in the entryway, this gives a generalized
23 schedule of what we're looking at for the
24 environmental analysis and basically the top row there
25 are when we'll have fact sheets. We'll have

1 additional public meetings just like this one tonight,
2 as well as providing information in our information
3 repositories. We're basically in this first column
4 where we're releasing the Notice of Preparation that
5 says we're starting this environmental review process.
6 Then we'll be doing those environmental analyses I
7 talked about and we will likely complete the draft EIR
8 in the Fall of 2009 or Winter of 2010 and at that time
9 we'll have public meetings and fact sheets again
10 similar to how we've provided information at this go-
11 round. Now, after we gather comments on that draft
12 EIR, what happens is we circulate the draft EIR that
13 includes all of the analysis and it's going to be
14 circulated for 60 days and during that 60 day period
15 anybody can comment on the contents of that
16 environmental analysis, and that's another opportunity
17 for the public to, and for you, to review our analysis
18 and provide additional input. At the end of that 60
19 days, we're basically in that Winter/Spring 2010
20 preparation of response to comments. Once we receive
21 the public's comments and agency comments on that
22 draft environmental analysis, we actually then go
23 through the process of responding to any of those
24 comments and those responses to comments will actually
25 be published in the final EIR, at which time we will

1 have another public meeting and that process is
2 looking to be concluded in the Spring of 2010. Now,
3 as Jeanne mentioned, and I just want to reiterate, the
4 purpose of this meeting is to gather input on the
5 environmental analysis. Some questions to think about
6 when thinking about what input to provide, if you have
7 such input, is what environmental effects should be
8 addressed in the environmental analysis, in the EIR.
9 Do you have ideas for potential alternatives or
10 mitigation measures that might create the least impact
11 or might be creative approaches to the clean-up at the
12 site? Or in addition, if you have project related
13 questions, because obviously DTSC and PG&E are still
14 working on the details of how to clean-up the
15 property, if there are project related questions we
16 can take that in too and make sure that those
17 questions are addressed in the environmental analysis.
18 So, tonight's meeting is the first in a series of five
19 scoping meetings. We'll also be in Yuma, Arizona;
20 Needles, California; Lake Havasu City and Big River,
21 California. So, those are some other opportunities
22 for input and there are a varieties ways to also
23 provide your input. Verbally if you're comfortable,
24 it's great to hear your input that way. You can also
25 provide your comments in writing. We have comment

1 forms which you can just fill out in hand or if you're
2 more comfortable going home and typing a letter on
3 your computer then you can do that also and send it to
4 the mailing address that's in the information we've
5 handing out tonight. Also, email works, but just a
6 note that it would be really helpful and we'd really
7 need you to get your input to us before July 1st in
8 order for us to make sure that we have it in time to
9 basically kick off that environmental process. Okay.
10 So, Jeanne, turn it over to you.

11 **MS. MATSUMOTO:** Okay. Just a few more slides. For more
12 information about the project, we have DTSC contacts,
13 of course, Aaron, the project manager, myself, and
14 media inquiries, you will find these listed in your
15 packet today, and our information repositories.
16 Repositories are files and they're located near people
17 and the project. So, this project, because of the
18 river and the way it travels, we have several
19 repositories. We have one at the Needles Public
20 Library, one in the Chemehuevi Indian Reservation,
21 Golden Shores, the Topock Library, Lake Havasu City
22 Library, the Colorado River Indian Tribes Public
23 Library, and the Parker Public Library. In addition
24 to that, the administrative record is at the DTSC
25 Cypress Office and people can visit and access the

1 files there. And we have a website for the project,
2 which I highly recommend, that's kept up to date and
3 it's very informative. Okay. At this time, we would
4 like to formally accept verbal comments, if there are
5 any.

6 **FEMALE:** I do have one. In fact, I didn't know about this
7 meeting today. I am so glad. I feel very strongly
8 that everything happens for a reason. For the
9 visitors that are here, open this up,
10 www.cleargold.org. I just have a crew coming back
11 from Germany for the financing of this water
12 desalinization and in fact I didn't even know I had
13 this. I'm really glad I brought this. This is a
14 little bit about the website, Aaron, where they take
15 sewage water, any kind of water, break it down. In
16 fact, they're looking at the Salton Sea for the water
17 desalinization to clean up the salt water. They have
18 orders from all over the country, not just in the
19 United States but we're talking about Iraq. This is
20 bigger than you can possible imagine, and that's about
21 to open the door any day now. It will give you the
22 names of the people involved with this clean-up. They
23 will take bath water, sewage water, (inaudible) water,
24 and turn it out into drinking water five years on the
25 shelf. Here is a little bit of information on it.

1 This is a home unit that they're talking about but
2 they are going to be working with the environmental
3 clean-ups too with the Navy Corps of Engineers,
4 they're working with them on oil spills. They'll be
5 able to take and use everything (inaudible) where they
6 electronically take it in and clean it up, and within
7 just a week, they'll take an oil spill and have it all
8 gone. Now, that's going to be a real asset for the
9 environment. My name is --, if you have any questions
10 after you pull this up and you need to get in touch
11 with one of these guys. They'll real busy right now,
12 so emailing them would probably be the way to go.
13 David Jones is the CEO. He is the head of this. We
14 have two Canadians that are scientists that have been
15 working on this for a long time that just now got this
16 where they've got the financing from the Germans for
17 this project. The factory will be in Port Roberts,
18 Washington, and once they start making the units it
19 will be out to the public too for housing units so
20 that in the event of any disaster they'll be able to
21 sell that drinking water. Thank you.

22 **MS. MATSUMOTO:** Thank you for sharing.

23 **FEMALE:** And I forgot to give you my phone number, 760-578-
24 7274.

25 **MS. MATSUMOTO:** And are there any other comments regarding

1 the EIR for the Topock Compressor Station? This will
2 conclude the formal comment portion of the meeting and
3 we will be here to answer questions about the project
4 so you are welcome to stay --

5 **FEMALE:** It's dot org, not dot com. Did I say dot com?
6 It's dot org, O-R-G. I'm sorry. I did not mean to
7 interrupt you.

8 **MS. MATSUMOTO:** Okay. Thank you. That adjourns this
9 meeting. We are here to answer questions, though.

10 **MR. YUE:** Thank you.

11 **MS. MATSUMOTO:** Thank you.

12 --oOo--

13 - MEETING ADJOURNED -
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TRANSCRIBER'S CERTIFICATION

This is to certify that I, Kelli Wells,
transcribed the digitally-recorded public meeting of the
California Environmental Protection Agency, Department of
Toxic Substances Control, dated May 27, 2008; that the
pages numbered 1 through 22 constitute said transcript;
that the same is a complete and accurate transcription of
the aforesaid to the best of my ability.

Dated June 25, 2008.



Kelli Wells, Transcriber
Statewide Transcription Services

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
DEPARTMENT OF TOXIC SUBSTANCES CONTROL

PUBLIC SCOPING MEETING
FOR THE PG&E TOPOCK COMPRESSOR STATION

NOTICE OF PREPARATION
FOR THE DRAFT ENVIRONMENTAL IMPACT REPORT

Gila Ridge High School Auditorium
7150 E. 24th Street
Yuma, AZ 85365

Wednesday, May 28, 2008
1:30-4:30 p.m.

Transcribed by
Statewide Transcription Services
On Behalf of
EDAW

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REPRESENTATIVES PRESENT:

- KATHIE SCHIEVELBEIN - DTSC
- WILLIAM BECKMAN - DTSC
- AARON YUE - DTSC
- JEANNE MATSUMOTO - DTSC
- BOBBETTE BIDDULPH - EDAW
- LESLIE REDFORD - EDAW
- LEAHA MURPHY - EDAW
- NANCY GRAHAM - EDAW

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P R O C E E D I N G S

1
2 **MS. MATSUMOTO:** Thank you for being here and I'm really
3 appreciative for this beautiful auditorium, so thank
4 you, Gila Ridge High School. My name is Jeanne
5 Matsumoto and I'm a Public Participation Specialist
6 with DTSC, the Department of Toxic Substances Control
7 for the State of California. The Department is one of
8 the departments under California Environmental
9 Protection Agency. It's also the lead regulatory
10 agency for the PG&E Topock Compressor Station,
11 environmental investigation meeting. We have a packet
12 of information with the agenda, a copy of the
13 presentation, an evaluation form, in green, and please
14 fill one out, I welcome suggestions. I always need to
15 improve. We also have additional comment forms
16 because not everyone wants to stand up and speak at a
17 meeting, a large meeting, and we encourage you to turn
18 in a comment. You can leave it with us if it's
19 written, if you chose not to do a verbal one today, or
20 you can mail it. We'll have contact information up on
21 the screen in a little bit. The purpose of the
22 meeting or why we're here, DTSC is gathering input on
23 what should be in the Environmental Impact Report.
24 That's what this scoping meeting is all about. We're
25 specifically looking for environmental issues to be

1 analyzed and possible alternatives or mitigation
2 members. It's our intention to gather input from
3 agencies, tribal reps and tribal members,
4 stakeholders, and the public. We will not be
5 responding directly to comments received today and we
6 will stay after to answer any questions. Once we've
7 completed the formal scoping process, then we would
8 love to have questions so we'll be around for all of
9 you to answer questions. The process that we're going
10 to go through for a Notice of Preparation comment is
11 if you have a comment, stand and state your name for
12 conversation purposes. We won't be recording your
13 name and it won't go into the administrative record,
14 we just would like to be able to converse with anyone
15 who comments. There's two ways we'll be recording
16 comments today. One is a digital recorder and the
17 other will be a graphic recording, which is really
18 fun. The agenda, we'll start with introductions then
19 Aaron, the Project Manager, will give you a project
20 background overview. We'll have the EIR process then
21 we'll take formal comments and we'll stick around or
22 we will stay after for questions and answers. The
23 DTSC Team includes Watson Gin, Karen Baker, Aaron Yue,
24 the Project Manager, and myself. The office of
25 planning and environmental analysis includes Kathie,

1 Bill, who's sneaking away, and Susan Wilcox. The EDAW
2 Team, and EDAW is an independent consulting firm
3 helping prepare the EIR. The EDAW Team includes
4 Bobbette, who will be discussing the EIR in a few
5 minutes, Jamie, Leaha, who is busy and working
6 probably out at the front table, Leslie, who's busy
7 out at the front table, Nancy, graphic recorder, and
8 Stev. And at this time, I'd like to turn the big
9 clicker over to Aaron Yue, the Project Manager.

10 **MR. YUE:** Thank you, Jeanne. Good afternoon. What I'm
11 going to do is basically give you a quick overview of
12 the project and what has transpired in the past.
13 Again, my name is Aaron Yue, that information is in
14 your packet and it's also in the fact sheet and any
15 information you've received. My official title is the
16 Senior Hazardous Substances Engineer, but I am the
17 lead Project Manager for the site. What I'll be
18 covering today, I'll be covering basically the project
19 background, what the project is about, and also a
20 brief history of the investigation and the clean-up
21 process. The project background, PG&E Topock
22 Compression Station, Pacific Gas and Electric Company,
23 is located about 15 miles southeast of Needles,
24 California, approximately an hour and a half from
25 here, I think. The area does have cultural and

1 spiritual importance to the Native tribal people. The
2 station is also surrounded by land that's managed by
3 the Bureau of Reclamation and managed by the Havasu
4 National Wildlife Refuge. And this is a big map of
5 where the site is at. Needles is right there, the
6 Topock Compressor Station is right over here. And I
7 know this map is a little harder to see. We actually
8 have a larger aerial of the site so you can look at
9 it. Operational history, PG&E has owned and operated
10 the station since 1951 and the station compresses
11 natural gas. What they do is they bring in gas of
12 other mid-west states and as the gas travels through
13 the pipeline there are pressure losses and so PG&E
14 essentially has a compression station to add pressure
15 to (inaudible) to keep moving the natural gas to its
16 customers in Northern and Central California. They
17 don't do any processing of natural gas at the site.
18 The natural gas is exactly the type of gas that you
19 use at home cooking and heating. Here's an older
20 aerial photo of what the compressor station looked
21 like. I don't remember the year of that, but
22 essentially again, natural gas comes in, these are
23 compressor engines, and as the gas is compressed it's
24 moved along the pipeline up north. These two are the
25 old cooling towers and I'll be talking a little bit

1 about that. The picture here is actually a
2 replacement cooling tower; these are the new cooling
3 towers. What transpired in the past is between 1951
4 and 1985, pretty typical of (inaudible) industries,
5 they used a lot of hexavalent chromium as an additive
6 to the cooling tower water to keep corrosion down and
7 also to keep the (inaudible) away from the pipes. And
8 as part of the process, when the cooling water is
9 spent or when it's used to a certain degree, they have
10 to get rid of the cooling water and what they've done
11 in the past is they essentially discharged the cooling
12 water to a dry wash, called the Bat Cave Wash, and
13 eventually, over time, the water seeped through the
14 ground, seeped through the soil and entered into the
15 groundwater. So, currently there is a hexavalent
16 chromium plume that is extending towards the Colorado
17 River, approximately 2300 by (inaudible). And here is
18 the general projection, a vertical projection, of
19 where the plume is at in relation to the compressor
20 station. This is the Bat Cave Wash that discharged.
21 Currently PG&E has switched over to a phosphate-base.
22 What I mean by projection is that it's looking
23 straight down at it and what we've found over time
24 with investigation is that the green area here
25 represents, if you take a cut into the ground

1 vertically in this direction, what you'll see is that
2 this is the location of hexavalent chromium, this is a
3 floodplain. The blue represents the groundwater and
4 actually the darker blue here is the Colorado River
5 itself. So, in this particular aerial photo, it
6 looked as if the hexavalent chromium has actually
7 reached the Colorado River. What we've essentially
8 found is there is a bit of the plume directly under
9 the river, but it's about 80 feet below the bottom of
10 the river. So, what have we found up to now? In the
11 clean-up process, essentially, there are three major
12 steps. One is to try and figure out how bad is the
13 situation. The second step is how do we clean up the
14 (inaudible). And the third step is obviously how do
15 we clean up the plume. Under step one, for the State
16 of California, PG&E is under consent agreement to
17 follow the Resource Conservation and Recovery Act.
18 Under RCRA, the first phase or the first step is
19 outlined and the information can be found in the RCRA
20 facility investigation report. The second step will
21 be detailed in the upcoming document called the
22 Corrective Measure Study Report or the Feasibility
23 Study. And then finally, of course, the third step is
24 (inaudible). So, what have we learned so far? At
25 this particular point, because the hexavalent chromium

1 plume is so close to the Colorado River, the
2 Department of Toxic Substances Control has decided to
3 put the priority to the groundwater investigation and
4 clean-up over the soil contamination. Investigation
5 for the soil is still upcoming and we're (inaudible)
6 to determine the nature and extent of contamination.
7 For the groundwater, PG&E, since signing a consent
8 agreement back in 1996, has installed and actively
9 monitoring over 150 groundwater wells and they are
10 actively monitoring those wells. What we've also done
11 is to sample the Colorado River quarterly. And
12 through the low river water's down, you have to
13 (inaudible). What we've found is that the Colorado
14 River is not impacted by the hexavalent chromium.
15 What we do know right now is that the groundwater
16 investigations (inaudible) left to do. So, we know
17 enough information to actually (inaudible). As part
18 of the investigation, in fact in 2004, PG&E put in a
19 new well next to the river and we saw that there was
20 contamination at a location that's 60 or 70 feet away
21 from the river. So, we required PG&E immediately
22 begin extraction of the groundwater to keep the water
23 from the plume, so there is a reversal (inaudible) and
24 (inaudible) measure. As part of that active
25 extraction, since 2004, PG&E has actually removed over

1 200 million gallons of contaminated groundwater and
2 recovered over 4,700 pounds of chromium from the
3 (inaudible). As far as the soil investigation, as I
4 mentioned earlier, our priority right now is to
5 control the contamination of the groundwater and to
6 find a remedy for that. The soil, nevertheless, will
7 still need to be investigated. PG&E had identified 29
8 areas to investigate the extent of the contamination
9 because some soils have surfaced contamination. PG&E
10 has also, as part of that investigation, drafted the
11 soil sampling work plans and those work plans right
12 now are being reviewed (inaudible) agencies and the
13 Bureau of Reclamation is actually actively looking at
14 that as well. The second step is to determine how we
15 should clean-up the contamination that we've found so
16 far and what we're doing, and that's part of this
17 particular process, is trying to identify the final
18 groundwater and soil clean-up technologies that will
19 be used and really evaluated in the upcoming
20 documents, in particular the Correct Measure Study and
21 the Feasibility Study that I've mentioned earlier.
22 And some of the environmental impact effects analysis
23 will be conducted in the final report (inaudible)
24 Environmental Impact Report, (inaudible) comments from
25 stakeholders, agencies, some of their concerns. And

1 then, of course, at the end of the Environmental
2 Impact Report process, and once we have that
3 certified, we'll select a final remedy and we will go
4 ahead and (inaudible) final remedy. We will only
5 select the final remedy after we have public input
6 from stakeholders. So, that pretty much concludes
7 mine, and right now I'd like to turn presentation over
8 to Bobbette.

9 **MS. BIDDULPH:** Thank you, Aaron. I guess the first thing
10 that I really express at this meeting is that this is
11 really the first step of the environmental review
12 process, and that's getting from stakeholders, from
13 you, agency members, to really scope out the
14 environmental issues that we need to address in the
15 environmental analysis. We haven't really started our
16 technical analysis yet. We're just beginning. This
17 is the first opportunity to provide that input to us,
18 ask us questions, so that we are sure that we are
19 addressing all those questions and those ideas in that
20 environmental analysis as we move forward. Now, just
21 a few basics, if you will, an Environmental Impact
22 Report is required for the Topock remediation project.
23 Under the California Environmental Quality Act, DTSC
24 must prepare an EIR for any project that it proposes
25 to carry out that may cause a significant effect on

1 the environment. As Aaron described, the project
2 under review in this case is the clean-up of this
3 groundwater plume, as well as some of the soils
4 contamination that has occurred at the Topock
5 Compressor Station. These two issues, the groundwater
6 and the soils, are going to actually be analyzed in a
7 different level of detail in that environmental
8 document, and for that reason it's a Program
9 Environmental Impact Report. There will be more
10 detail on the clean-up of the groundwater plume
11 because we have more detail on how that's going to be
12 implemented and we will have more detail on that. As
13 for soils, some of those studies are still going to be
14 underway when the EIR gets published. So, we're going
15 to do our best job to project what those likely
16 effects will be, but it's anticipated that there will
17 be follow on environmental analysis that will actually
18 tier off this Program EIR to address the soils
19 contamination. And I actually jumped ahead a little
20 bit. I wanted to reiterate, as Aaron describes, that
21 the different approaches to clean-up both the soil and
22 the groundwater will be addressed in this study called
23 the Corrective Measure Study, Feasibility Study.
24 There will be one for groundwater and one for soils.
25 This slide actually talks a little bit about what I

1 just described about this concept of this being a
2 Program EIR and us having more detail on the
3 groundwater clean-up than we will have initially on
4 the soils clean-up. Now, this slide here provides
5 just a real laundry list of the issues that we're
6 going to be addressing in the Environmental Impact
7 Report. This is what we commonly refer to as a Full
8 Scope EIR, meaning we're going to be addressing all of
9 the potential environmental effects that the clean-up
10 project could potentially cause. And this is really
11 just a laundry listing of those topics and today we're
12 interested in hearing about any specific issues of
13 questions or ideas about the analysis that should be
14 conduct for any of these topical areas, or perhaps
15 we've missed one. As well, under the California
16 Environmental Quality Act there's a series of other
17 topics that are addressed in the CEQA document. The
18 first in this listing is alternatives to the proposed
19 projects, so what are the different ways that we could
20 clean-up this site of the groundwater and the soils,
21 and then comparing those alternatives. Maybe one
22 alternative has fewer environmental effects than
23 another. Really providing that information to flush
24 out what are the best approaches for the environmental
25 standpoint. As well, the document will summarize

1 those effects, those impacts that have been found to
2 be less than significant where there's really not
3 concern, but those conclusions will be substantiated.
4 We'll discuss how we got to that conclusion. If there
5 are any significant and unavoidable impacts, and
6 that's basically an impact for which there's no
7 feasible mitigation, those will be summarized and
8 there will be a description as to why feasible
9 mitigation is not possible, but of course the goal is
10 to identify mitigation approaches. As well, the
11 document will address irreversible changes, growth-
12 inducing impacts, and cumulative impacts. And
13 cumulative impacts are those impacts that you look at
14 other projects that are occurring in the area or in
15 the region and consider what your project, the clean-
16 up of this site, in combination with those other
17 projects, considering these impacts together and
18 whether or not those effects might be detrimental.
19 So, as I mentioned, we're really at the beginning
20 stages here. There have been a lot of investigations
21 with hazardous materials and the contamination, but
22 we're just getting underway in terms of addressing
23 what the environmental effects of the clean-up actions
24 could be. And in order for us to conduct those
25 analyses, we're going to be looking to a variety of

1 resources, published reports, outreach to agencies.
2 We're also going to be contacting tribal members and
3 getting input from them and that input is confidential
4 to respect that requirement. As well, where we need
5 to, we'll be doing site specific studies to supplement
6 this (inaudible) information. So, perhaps going out
7 and doing some additional biological resource work on
8 the site or other sites (inaudible) to get the level
9 of detail that we need for analysis. Now, this chart
10 just provides a very simple graphic representation of
11 the process that is in front of us and it basically
12 shows the different ways that we're outreaching to
13 agencies and stakeholders in the community in terms of
14 fact sheets, which are the orange boxes, public
15 meetings as well as providing information in
16 information repositories, places people can go for the
17 information. So, the first column is where we're at
18 today. There will be other opportunities for input
19 during the Draft EIR review period and the Final EIR
20 review period. This schedule that we're on is for
21 these studies to be completed in the Spring of 2010
22 with those different opportunities for input
23 throughout the way. So, as we've mentioned several
24 times, the purpose of today's meeting is to gather
25 input on the EIR so we can move forward and conduct

1 that work with the benefit of that input. We're
2 interested in, for instance, hearing about what types
3 of environmental effects should be studied in the EIR,
4 whether you have potential ideas for alternative
5 approaches or mitigation measures that might reduce or
6 eliminate potential environmental impacts, or if you
7 also have project related questions. As you probably
8 gather today, we don't necessarily have all of the
9 details about how the remediation or the clean-up is
10 going to take place but there's different alternatives
11 that are being considered, and so answers to those
12 project related questions are also something that we
13 can take that input and find those answers throughout
14 this process. This slide summarizes the different
15 opportunities that we have during this public input
16 phase for providing that input and we're actually in
17 the second series of five public meetings. We'll be
18 having three more through this week and next. And
19 there really are a variety of ways in which you can
20 provide your input to us. Today, providing that input
21 verbally, as we are recording information digitally.
22 In addition, providing comments in writing, it's a
23 really good way to make sure that your input is
24 accurate. We can get that via a form that we passed
25 out today or a formal letter can be written. But

1 what's really important is that we get that input by
2 July 1st in order for us to kick off that environmental
3 review process.

4 **MS. MATSUMOTO:** For more information about the project, of
5 course, you can contact Aaron, myself. We also have a
6 media, public information, is up there in case the
7 media would like to get a hold of someone. We have
8 information repositories and what they are, are files
9 that keep the project documents in areas close to
10 where the public can access them. They all seem to be
11 a bit of a drive from Yuma, so I would recommend, in
12 addition to the administrative record in California,
13 the Topock website. All the documents are posted on
14 the website, as well as up-to-date information and I
15 think it's a very nice resource if you have access to
16 a computer. At this time, we would like to comments.
17 And if you have a comment, you would stand and tell us
18 your first name for conversational purposes. Let the
19 record note that there are no comments today and that
20 will officially end our comment portion, and if you
21 would like to ask any questions, we're open for
22 question and answer now. Okay. That's it. The
23 meeting is adjourned. Thank you.

24 --oOo--

25 - MEETING ADJOURNED -

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TRANSCRIBER'S CERTIFICATION

This is to certify that I, Kelli Wells,
transcribed the digitally-recorded public meeting of the
California Environmental Protection Agency, Department of
Toxic Substances Control, dated May 28, 2008; that the
pages numbered 1 through 18 constitute said transcript;
that the same is a complete and accurate transcription of
the aforesaid to the best of my ability.

Dated June 26, 2008.



Kelli Wells, Transcriber
Statewide Transcription Services

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
DEPARTMENT OF TOXIC SUBSTANCES CONTROL
PUBLIC SCOPING MEETING
FOR THE PG&E TOPOCK COMPRESSOR STATION
NOTICE OF PREPARATION
FOR THE DRAFT ENVIRONMENTAL IMPACT REPORT

Thursday, May 29, 2008

5:30-8:30 P.M.

Needles Elks Lodge
1000 Lillyhill Drive
Needles, CA 92363

REPRESENTATIVES

KAREN BAKI

SUSAN WILCOX - DTSC

Transcribed by
Statewide Transcription Services
On Behalf of
EDAW

1 JEANNE MATSUMOTO - DTSC
2 BOBBETTE BIDDULPH - EDAW
3 LESLIE REDFORD - EDAW
4 LEAHA MURPHY - EDAW
5 NANCY GRAHAM - EDAW
6 JAMIE CLELAND - EDAW
7 STEV WEIDLICH - EDAW

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P R O C E E D I N G S

1
2 **MS. MATSUMOTO:** Welcome. Again, I'm with the State of
3 California Department of Toxic Substances Control. It
4 is a department within the California Environmental
5 Protection Agency and it is the lead regulatory agency
6 for the environmental investigation and clean-up of
7 the PG&E Topock Compressor Station. So, before we
8 start, I would like to make sure that everyone has the
9 handouts. You should have an agenda, a copy of
10 tonight's slide presentation. There is also a meeting
11 evaluation form and if you fill this one out, leave it
12 on the back table, this will be very helpful for me to
13 improve the meetings. This project will have more
14 meetings as we go further into the Environmental
15 Impact Report, so all feedback is welcomed. Also,
16 there is a comment card. If you plan to make a
17 comment, please fill one of these out and we will
18 collect them when it's time for comments that way
19 everyone will have a chance to make a comment and we
20 ask you, if it gets crowded, that you keep your
21 comment to five minutes or less. The purpose of the
22 meeting; why are we here? DTSC is preparing to
23 develop the Environmental Impact Report and we're
24 looking for input. Specifically, we are looking for
25 input from agencies, tribal reps, tribal government,

1 tribal members, stakeholders, and the public. We're
2 looking for input on environmental issues to be
3 analyzed and the potential solutions, the remedies for
4 the environmental concerns. Tonight for comments,
5 because we're using those to develop the EIR, your
6 comments are very important to us. Again, I discussed
7 the comment cards. When you do make a comment, please
8 stand and state your name for conversational purposes
9 only. Your names will not be part of the record, so
10 if you want to use just a first name or any name,
11 that's fine. It's just so that we can converse with
12 you. We will be recording your comments by two
13 methods. One is a very small digital recorder, that's
14 on right now, and the other is a graphic recording.
15 We'll have one of the EDAW members up here taking
16 notes that way we're sure we get them all. If you
17 have questions, we would like you to save those until
18 the end. After we take comments, we will not be
19 responding to the comments tonight. We want your
20 input. The, we will official close the comment
21 portion of the meeting and we will stay here for as
22 long as it takes to answer questions. I know the team
23 I work with loves questions, so please stay if you
24 have any. The agenda tonight, an introduction which
25 I'll do in a moment, we'll have background information

1 on the project history. We'll also have a segment on
2 the EIR process, then come the comments, after the
3 comments, we'll close that segment officially and
4 question and answers. Introductions, the DTSC Project
5 Team, we have Watson, who is not with us tonight,
6 Karen, who is with us and will be doing project
7 background, Aaron Yue, he's not with us tonight. His
8 daughter was reading a poem at school, was my
9 understanding, so he was not able to attend, and
10 myself. The office of planning and environmental
11 analysis, that team would include Kathie and Bill,
12 they're not with us, but Susan Wilcox is here tonight.
13 And the EDAW Team, EDAW is an independent consulting
14 firm that's helping prepare the EIR. And their team
15 includes Bobbette, Jamie, Leaha, Leslie, Nancy, and
16 Stev. And at this time, I would like to introduce
17 Karen Baker who will be doing project background and
18 history.

19 **MS. BAKER:** And obviously I'm not Aaron. Aaron will be out
20 but the contact information for Aaron is in your
21 handouts today. So, I want to cover a little bit
22 about the project background and our investigation and
23 clean-up process tonight. And I know some of you in
24 the room, like (inaudible), are very familiar with the
25 project background but we wanted to provide a little

1 bit of background for those who are not as familiar
2 with the project. The Compressor Station is 15 miles
3 southeast of Needles. It's right along the Colorado
4 River. The area, which many of you in the room know,
5 has a lot of cultural and spiritual significance to
6 Native American people in the area. It's also
7 surrounded by federal lands, including the Havasu
8 National Wildlife Refuge which is the habitat for
9 quite a few federally protected species. Here's a
10 nice map showing Needles. Can you guys see this back
11 there? It's in your handout if you can't. And then,
12 the Compressor Station is right here, right next to
13 where the I-40 bridge goes over the river. PG&E has
14 owned and operated the Compressor Station since 1951.
15 The function of the Compressor Station is to compress
16 the compresses the natural gas and then it's delivered
17 in Northern and Central California. This is a view of
18 the Compressor Station. You can see its relationship
19 here to the river, to Interstate 40, and something
20 I'll talk about a little further on in the
21 presentation is Bat Cave Wash. One of the cooling
22 towers, the source of the hex-chrome in groundwater
23 was the cooling towers, there's a lot of heat
24 generated in the compression of natural gas and they
25 use the cooling tower to dissipate the heat and in the

1 water they would use hexavalent chromium to inhibit
2 corrosion. So, in the past, the water from the
3 cooling towers was then discharged to Bat Cave Wash.
4 They had some percolation ponds in the bottom of the
5 wash and the water would then seep in slowly into the
6 ground and then down to the water table. Once the
7 plume hit the water, it's migrated slowly towards to
8 the Colorado River. This is an air photo showing the
9 compressor station here, Bat Cave Wash, and then this
10 purple area, if you could see down through the soils
11 to where the plume was in the water, that's where the
12 plume is, this purple area. So, it's not that the
13 soil is contaminated; it's the water down below.
14 That's an important distinction. And then, I'm going
15 to use this slide to kind of set up the next slide,
16 which is something a geologist would call cross-
17 section, and if you were to think of this as a layer
18 cake, right now the purple area as you're looking down
19 at the top of layer cake, if you're going to take a
20 slice of the cake and be able to look at the layers,
21 that's what the next slide is. You can see through
22 the earth. We're going to focus on this area right
23 here where the plume comes closest to the river. So,
24 this area is the floodplain of the river and then you
25 go up across here, there's National Trails Highway and

1 it's a little bluff above the river. So, we're going
2 to focus on that area. So, this is that slice, so
3 think if you just cut the earth in half and now you're
4 looking at the side of it. Here is that bluff with
5 National Trails Highway and then the floodplain of the
6 river and then the Colorado River's here. Down below,
7 you have hard rock where you're not going to find
8 groundwater and this zone in-between is the
9 groundwater and that's the part we're most concerned
10 about right now in this project. So, if you see this
11 green area that represents the area where there's
12 hexavalent chromium in the water and the darker the
13 green the higher concentration of hexavalent chromium
14 on this map. And then the blue area, as you move out
15 over the floodplain, is the water that does not have
16 hexavalent chromium in it. So, you can see there's
17 this little sort of tongue that stick out and PG&E
18 recently finished installing wells on the Arizona side
19 of the river. We know those are clean. Next we'll
20 talk about our investigation and clean-up process.
21 There are really three main steps in this. The
22 questions are how bad is it, how should we clean it
23 up, let's clean it up. Right now, a lot of the
24 activities that have been occurring out at the
25 Compressor Station the last few years, our focus on

1 the this question of how bad is it, where is the
2 contamination, what kind of contamination, where do we
3 find it in soil and water. And we're doing this
4 project backwards from a lot of projects. Normally
5 you might look at soil first and then look at
6 groundwater, but because of the proximity to the
7 river, we wanted to focus on the water here first.
8 So, PG&E has installed over 150 wells to help us
9 understand where is the plume and how is it migrating.
10 Here's a picture of some monitoring wells, if you want
11 to know what they look like. Sometimes they can also
12 be flush with the ground. These are a little easier
13 to see and protect if they're sticking up. PG&E also
14 samples the Colorado River water in nine locations,
15 including upriver from the Compressor Station, across
16 from it and then downriver. We believe that the
17 groundwater investigation for the release, the Bat
18 Cave Wash, that that's done now and PG&E's writing a
19 report about that. We also know from many years of
20 sampling, that we've never found hexavalent chromium
21 in the water in the river. Some of the other
22 activities that have been going on up there are
23 something we call interim measures. So, in 2004, PG&E
24 installed that well we call Monitoring Well 34-100,
25 that one 165 feet from the river, and we found

1 hexavalent chromium in that well. So, the State
2 directed PG&E to begin extracting the groundwater,
3 treating it, so that we could pull the contamination
4 back away from the river. And since 2004, they've
5 treated over 2 million gallons of water. And from
6 that 2 million gallons of water, they've removed 4,700
7 pounds of hexavalent chromium. I think that's just
8 co-chromium, not hexavalent chromium. PG&E has also
9 identified 29 areas where they need to investigate
10 soil contamination. They have submitted a work plan
11 to begin additional soil investigation offsite and
12 that's awaiting the agency approvals. The next
13 question is how should we clean it up and that's sort
14 of the third component of what PG&E's been doing out
15 there the last few years is looking at data from the
16 field about how different technologies can clean-up
17 the contamination out there, how will they function,
18 can they clean it up, how fast can they clean it up.
19 This kind of information will be in something called
20 the Correct Measure Study or Feasibility Study, it
21 will have two titles, and then the Environmental
22 Impact Report. We'll look at what are the impacts if
23 we should actually implement one of those remedies.
24 And then, the last part, clean it up. The Department
25 will actually be public noticing what we think is the

1 best way to clean up the plume, along with the draft
2 Environmental Impact Report. We will accept public
3 comments on those documents and then make a decision
4 on the clean-up for the site. And after that, then
5 they will be implementing the clean-up. So, with
6 that, I actually would like to introduce Bobbette
7 Biddulph from EDAW.

8 **MS. BIDDULPH:** Thank you, Karen. Thank you. I guess
9 before I kind of jump into the presentation, one of
10 the things I want to be very clear about tonight and
11 tell you all is that we really see this as the
12 beginning of the environmental review process and
13 getting you input on comments at the beginning of this
14 process will help us do our job in analyzing and
15 considering those environmental impacts. Obviously
16 DTSC and PG&E have been doing a lot of work at the
17 site focused on the groundwater plume and the
18 hazardous materials and other resource considerations
19 at the site. But we're really just kicking off this
20 process of considering what the effects of the final
21 clean-up of that groundwater and soils could be. So,
22 this is really just the start and just the beginning
23 of getting input from you on what those effects could
24 be and what we should consider in those studies. Just
25 giving a little bit of further description of why

1 we're here, an Environmental Impact Report is required
2 before DTSC implements the final clean-up of the
3 groundwater and the soils and that's actually required
4 under the California Environmental Quality Act.
5 Basically for any project that DTSC implements that
6 may cause an environmental effect or may cause a
7 significant effect on the environment, an
8 environmental analysis or an EIR is required and
9 that's what we're kicking off tonight. What we're
10 going to be considering in that EIR, in that
11 environmental analysis, is what affect the clean-up of
12 the plume, the groundwater, and the clean-up of the
13 soils at the property, what environmental effect those
14 activities could cause. We're going to be looking at
15 both, as I mentioned, the groundwater and the soils
16 clean-up activities associated with those actions.
17 And Karen also mention the report that is currently
18 underway that is called the Corrective Measures Study
19 or Feasibility Study, and what that document does is
20 it's a parallel effort that is really looking at the
21 different ways in which that clean-up could occur.
22 So, the CMSFS will talk about those different
23 approaches and then our Environmental Impact Report
24 will expand upon that and say what could be the
25 impacts to the environment that could occur if those

1 approaches or those actions were actually implemented.
2 Now, Karen mentioned that in this particular case,
3 because of the concern with the groundwater, that
4 we're doing it a little bit different than has been
5 done on previous efforts because of the concern about
6 the groundwater contamination. So, we actually will
7 know more about the level of detail and about how the
8 clean-up of the groundwater will or could occur. So,
9 the EIR is going to have more detail on those proposed
10 actions. The soils will be addressed in the
11 Environmental Impact Report in a broader sense and it
12 very well could be that future environmental analysis
13 might need to be undertaken prior to the actual clean-
14 up of the soils. So, the EIR is going to have more
15 detail on the groundwater clean-up and as much detail
16 as we have on the soils clean-up, and to the extent
17 that we need to, after that EIR is completed, it may
18 be supplemented by additional studies to address that
19 soil clean-up. Now, this is kind of a laundry list of
20 the environmental topics that are going to be covered
21 in the EIR, and this is what we call a Full Scope
22 Environmental Impact Report. So, what that means is
23 we'll be addressing everything that we can think of in
24 the EIR and we really encourage you to test us on that
25 or to provide additional input on that because we want

1 to make sure that we are addressing all of the
2 questions and the issues that could be of concern that
3 may result from these clean-up activities. So, this
4 is really a laundry list of those activities and as I
5 mentioned, and Karen and Jeanne have mentioned, we're
6 really looking for specific input on these topics or
7 any other topics that you might think of. In addition
8 to the broad listing of topics in the previous slide,
9 the Environmental Impact Report is also required to
10 think about other types of environmental effects and
11 considerations. Probably one of the more important
12 ones for this project is alternatives and what that is
13 is consideration of different approaches. So, we're
14 not only going to be looking at one possible approach
15 to clean-up of the groundwater but a range of
16 alternatives to cleaning up the groundwater. And the
17 reason we do that is we want to look at the
18 comparative differences of those alternatives, which
19 alternative results in the least environmental effect
20 and what are the pros and cons of the alternatives.
21 Maybe one alternative would result in clean-up sooner
22 than another or maybe one alternative wouldn't clean-
23 up the groundwater as well as another alternative.
24 So, those relative pros and cons of the different
25 alternatives will be studied in the EIR. As well,

1 we'll talk about impacts that have been found to not
2 be significant but we're not just going to list those
3 impacts. If we say that an impact is not significant,
4 we're going to describe why and provide substantiation
5 as to why we've made that conclusion. As well, if
6 there are impacts that we just can't avoid and we
7 can't think of any mitigation measures or alternatives
8 that would avoid those particular impacts, we will
9 disclose that. We'll tell you about that and explain
10 why we haven't thought of alternatives or different
11 approaches that could avoid those impacts. Similarly,
12 if there significant irreversible changes that can't
13 be avoided with implementation of the clean-up of the
14 groundwater for the various alternatives, we'll
15 describe those. Another effect, probably not a big
16 focus in this one but we'll still talk about, is
17 growth-inducing impacts. That's often the case for a
18 development project where it might result in
19 additional growth or population of housing, we'll talk
20 about; it's a requirement under the California
21 Environmental Quality Act. And then cumulative
22 effects are something that we will also describe in
23 the EIR. And cumulative effects are those effects
24 that you think of when you think of your project, the
25 clean-up project, as well as other activities that

1 might be happening in the are that if you combine all
2 those activities together maybe those impacts will be
3 greater than if you just thought of your projects by
4 itself. So, we'll be thinking about that too in our
5 analysis. Now, as I mentioned before, we're really at
6 the beginning here and we're going to be gathering our
7 information and the basis of our analysis through a
8 whole variety of ways, really hopefully everything
9 that we can think of. We're going to be using
10 published information and reports. Obviously PG&E has
11 done a lot of monitoring efforts and so we're going to
12 be using that information, as well as outreaching to
13 agencies and getting input for them on what their
14 issues and questions might be, and as I'm sure many of
15 you are interested in hearing, we definitely want to
16 get additional input from the tribes and we'll be
17 gathering information throughout the process as we
18 move forward through having conversations with you and
19 of course there's confidentiality related to those
20 conversations. In addition, where we need to and
21 where we don't have all the information that we feel
22 like is important in order to analyze these effects,
23 we'll be doing additional site specific studies to
24 supplement existing information. This graph, I know
25 you're probably not going to be able to read it, but

1 basically what it shows is the different times at
2 which we're going to be officially looking for public
3 input and public comment. That's not to say we're not
4 going to be gathering that input throughout the
5 process, but this graphic shows when we're having
6 formal meetings, like this meeting tonight, or when
7 we're publishing fact sheets or official publications.
8 We're basically right here at the beginning of the
9 process and as we move forward and as we develop our
10 analyses, we're going to continue to have meetings
11 like this and look for your input on what we found and
12 on those analyses. So, the top row is when we're
13 publishing information, called fact sheets, and there
14 are some examples of what DTSC has done for fact
15 sheets in the past, as well as our recent fact sheet.
16 The blue diamonds are when we're looking to have
17 public meetings, like this one, and then we're also
18 going to be providing information in the information
19 repositories, mostly libraries, and Jeanne's going to
20 talk about the locations of those repositories in a
21 bit. But again, just emphasizing that we're kind of
22 at the beginning here of this process. This isn't the
23 last meeting we're planning on having or the last
24 opportunity for input, and we're looking to basically
25 complete a draft of our analysis in the Winter of

1 2010, that's in the beginning of 2010. And then, once
2 we get comment and respond to those comments, then the
3 final environmental analysis will be published, and
4 once again we'll be looking for input at that time and
5 that's projected to be in the Spring of 2010. So,
6 we've kind of talked about this previously, but I want
7 to reiterate that the purpose of tonight's meeting is
8 to really get that input from you. We're interested
9 in hearing what environmental effects should be
10 studied in the EIR. They can be general input or if
11 you have very specific concerns of things that we need
12 to address and think about. We'd like to hear that.
13 Also, if you have ideas for alternatives, alternative
14 ways to address the groundwater contamination, as well
15 as the soils contamination, we'd love to hear those
16 ideas, as well as ways to mitigate or to avoid impacts
17 during or after the clean-up activities are happening.
18 And as well, if you have project related questions, I
19 think you've probably gathered that we don't know the
20 exact occur. DTSC and PG&E are currently working on
21 those alternatives. So, I really think that getting
22 questions on the nature of the project will help us
23 answer those questions as we develop the exact
24 proposed remedy. And really, the EIR, the
25 Environmental Impact Report, we look at it as the

1 answer to those questions. So, you asking the
2 questions now or providing the input now, allows us to
3 ensure that we're doing a good job and a thorough job
4 in providing that analysis. This is too small of
5 print to read, but it's simply a listing of the
6 different meetings, like this one, that we're having.
7 This is our third meeting and we're going to have two
8 additional meetings. On Monday we'll be in Lake
9 Havasu City and that is at 2:00 and the location is in
10 your packet if you'd like to come again or invite some
11 folks, other friends. And then Big River is also
12 going to be occurring next week and that will be on
13 Thursday at 5:00. So, ways to provide comment; you
14 don't have to necessarily have to stand up tonight and
15 provide a verbal comment although it's encouraged, but
16 that's not the only way. And all comments will be
17 taken equally. So, you can tonight speak verbally,
18 and we'll take those comments in that way or you can
19 provide your comments in written form. There are some
20 comment sheets that have a space to write your
21 comments in. Or maybe that's not enough space to
22 write all your comments. If that's the case, feel
23 free to go home and write out a letter or type out a
24 letter on your computer and those can be mailed in to
25 DTSC. But it would be really great, it's really

1 important that you get those comments in to us by July
2 1st, that way we kind of will know that we have our
3 package of comments to kick off our environmental
4 review process. But as I mentioned, we are also going
5 to be looking for additional input from the tribes as
6 we move forward with out analysis. Okay. So, Jeanne,
7 I'll turn it over to you.

8 **MS. MATSUMOTO:** For more information about the project, you
9 can contact Aaron Yue, the Project Manager. His
10 contact information is also in the fact sheet and you
11 have a copy of it in your presentation packet tonight.
12 Myself, I'm usually available to answer questions.
13 And for media contacts, we have a PIO, a Public
14 Information Officer, her name is Jeanne Garcia. Also,
15 we have our information repositories for this project.
16 Because this is such a unique project and it involves
17 the Colorado River, we have several information
18 repositories. We have one in the Needles Public
19 Library, and I did go there today to verify that the
20 current information is in there, Chemehuevi Indian
21 Reservation, Golden Shores, Topock Library, I was
22 there today, Lake Havasu City Library, the Colorado
23 River Indian Tribes Public Library, and Parker Public
24 Library. In addition, the administrative record is
25 located in Orange County, Cypress, California, the

1 Region 4 office, also the Topock website,
2 dtsc-topock.com, that is very current and kept up-to-
3 date and documents are uploaded regularly. We also
4 have been talking about videotaping this presentation
5 and uploading it. So, people in the audience are
6 ahead of us. Now, we will start taking comments but I
7 need to talk to you about how we should do this. My
8 general rule is if there are more than ten people
9 giving comments then I ask you to fill out a little
10 half-piece of paper. If there are less than ten
11 people, we go around the room accepting comments. So,
12 does anyone have a preference? It can go either way.
13 So, let's save the paper. If it doesn't work out,
14 it's my decision. And we'll start on this side of the
15 room. Anyone in the first row? No, I don't think so.
16 Anyone in the second row would like to make a comment?
17 If you do, if you'd please stand, give your first name
18 for conversation purposes. Again, the names will not
19 be part of the record. If you don't want to make a
20 comment, that's fine too. I, myself, would not want
21 to stand for the meeting and make a comment. I don't
22 do those things, but that's why we have extra forms
23 for you to fill out. Anyone in the second row?
24 Please stand.

25 **FEMALE:** My name is --. I'm a member of the Fort Mojave

1 Indian Tribe. I'm a member of the Fort Mojave Tribal
2 Council, as well as the (inaudible) Culture Society.
3 We have prepared a statement on behalf of the Fort
4 Mojave Tribe to have been read by the Chairman,
5 Chairman Williams. He's not able to make it tonight.
6 We talked with his earlier and we'd like for the
7 statement as part of the record of the EIR meeting
8 this evening. So, I will read that statement that
9 would have been read by him as part of the record.
10 "Statement of Mr. Timothy Williams, Chairman of the
11 Fort Mojave Indian Tribe, Environmental Impact Report,
12 Public Scoping Meeting, May 29th, 2008, Needles Elks
13 Lodge, Needles, California. As the elected leader of
14 the Fort Mojave Indians Tribe, I am here to express
15 deep concern for the area which you intend to evaluate
16 the environmental impacts of this project as part of
17 the approval process to select a final clean-up
18 remedy. First of all, the Fort Mojave Indian Tribe
19 has been a part of this area since time and memorial.
20 We are the Aha Macav, the people along the river. We
21 are a living culture and a caretaker of this land
22 given by the creator, Mutavilya. For many
23 generations, these oral traditions were handed down
24 and passed on to the leadership of the different clans
25 that make up the Aha Macav. During the early years

1 before the white man came, we were an intricate part of
2 this region, extending from north of Las Vegas to the
3 south to the Phoenix area and east into the Kingman,
4 as far as west as Santa Barbara. This was our
5 territory and traditional homeland. Today, most of
6 that tribal area has been reduced to what we have
7 today, 48,000 acres located on three states,
8 California, Arizona, and Nevada. We have many areas
9 of cultural and spiritual connections, all up and down
10 this valley. Much of the land is now owned or managed
11 by federal agencies, state and individual land owners.
12 Many historic and prehistoric places exist within the
13 area you are talking about for this particular clean-
14 up to be occurring. Our beliefs define who we are and
15 how we continue to exist as a people. Our affiliation
16 with the land, the air, and most importantly the
17 water, know to the many as the mighty Colorado River,
18 is the lifeline to millions who depend on this water
19 to exist. We are here today to state the protection
20 of the river is first the number one concern to our
21 tribe and many tribes downstream of the area mentioned
22 in the clean-up of Topock. From what we understand,
23 chromium six has not been detected in the river by the
24 monitoring agencies. The EIR and the scoping meetings
25 should make this clear. Second, the area is sacred to

1 the Mohave people and other tribes and cabinet and
2 infinite and content connection to this sacred area
3 also. We must ensure that EIR includes a thorough
4 cultural resource technical report and epigraphic
5 study. Our tribe is willing to contribute to the
6 drafting and technical view of those reports. This
7 will help to disclose the level of total impacts to
8 the Mojave's cultural resources and protect the area
9 from further desecration. If you'd looked on a map,
10 you would see the areas of cultural and sacred sites
11 significant to our people. This area is critical to
12 our beliefs, especially when we pass from this world
13 to the afterlife. This area should be treated with
14 respect and acknowledged for what it is, sacred in its
15 entirety, not picked apart as how most archeologists
16 see things or when an area has been experienced by
17 some fire disturbances. The Fort Mojave Tribe has
18 been a participant in this process since first
19 contacted in July of 2004 by the Bureau of Land
20 Management. We were informed of actions which were
21 never previously brought to our attention, in light of
22 the fact that DTSC and DOI were exempting their
23 activities from State and Federal environmental laws
24 as alleged emergency actions. Since that first
25 notification and meeting with the affected tribal

1 governments, we attempted understate federal law to
2 consult with the regulatory agencies to find out what
3 was going on out there and to get up to speed with
4 this complex process. We were never brought in or
5 advised of the actions taking place. We were viewed
6 more as a hindrance instead of tribal governments with
7 equal responsibility to be consulted on a government
8 to government relational basis. We welcome that an
9 Environmental Impact Report is finally being prepared
10 for the clean-up. We expect that at last an honest
11 assessment of the cumulative past, current, and
12 planned impacts to the sacred area, a cultural and
13 epigraphic landscape will finally occur. Without this
14 component, the document will be seriously flawed. The
15 federal agencies who are involved, Bureau of Land
16 Management, U.S. Fish and Wildlife, Bureau of Indian
17 Affairs, Bureau of Reclamation, and the Environmental
18 Protection Agency are equally responsible to our
19 tribal governments based on their obligations as our
20 trustee to uphold and protect the tribal interest.
21 The prior notice of exemption justified a water
22 treatment facility that was constructed directly in an
23 area of cultural and sacred sites. The federal
24 governments trust responsibility to see that the
25 concern and interests of the tribes involved are

1 protected and are managed with proper consultation,
2 are still in our estimation nonexistent and a reminder
3 of injustice of the past. If this clean-up is to take
4 place, this tribe and other tribes along the Colorado
5 River have to have a seat at the table, one of respect
6 and community and of true consultation based on our
7 concerns and guiding principles. The environmental
8 document must also be sufficient to meet requirements
9 of the National Historic Preservation Act and other
10 federal statutes, protective land use designation and
11 guidance if it is to form the basis of the final
12 remedy which has federal implications. To reiterate
13 our position, we are not a special interest group. We
14 are a tribal government who has equal footing in this
15 matter of clean-up and a final remedy determination
16 with our interests protected and acknowledged by the
17 regulatory agencies, State of California and the
18 Department of Interior, who are responsible under
19 federal law and settlement agreements to consult with
20 our tribal governing body to protect our cultural and
21 sacred sites within this area of clean-up. The tribe
22 is also a landowner within the effected area. We
23 expect that the EIR will be consistent with the terms
24 of those agreements. For the purposes of providing
25 comments for this public forum, this is a summary of

1 comments on behalf of the Fort Mojave Tribe and
2 further defined detailed written comments will be
3 forthcoming for the record. While we are disappointed
4 that DTSC could not figure out a way to co-host a
5 scoping meeting for tribal members on the reservation,
6 we wish to inform DTSC that the tribe will be hosting
7 a forum for tribal member participation. Such a forum
8 will allow our people to discuss the project, tribal
9 sensitivities, and the scoping for its environmental
10 document in a more comfortable manner. We would like
11 those comments incorporated into this record for
12 defining the scope of the EIR and the interests of the
13 Fort Mojave Tribe. Thank you for the opportunity to
14 comment on behalf of the Fort Mojave Tribal government
15 and the (inaudible)."

16 **MS. MATSUMOTO:** Thank you.

17 **MS. BAKER:** Now, I'm trying to just capture some highlights
18 of some of the things that you had said. If there's
19 anything that's incorrect, please come up to me and I
20 will be happy to change anything if you don't like the
21 wording. And this is not the final record. We
22 recorded everything you said and we'll have your
23 letter, so I just want to make sure that that's clear
24 to everyone, that it's just to used to keep the
25 highlights present for everyone to recognize.

1 **MS. MATSUMOTO:** And our next comment?

2 **MALE:** My name is --. I'm a member of the Colorado River
3 Indian Tribe. My concern is I've never been updated
4 for the last few years, never kept track with myself,
5 and I just wondered if the chromium six reached the
6 river yet because it was pretty close last time I was
7 involved in this and I just wanted to be updated on if
8 it reached the river or not. Suppose it does reach
9 the river --

10 **MS. MATSUMOTO:** I can't answer that question. And I will
11 take the comments and if you stay afterwards, we'll
12 find someone who can answer that question.

13 **MALE:** But what my concern is what happened up at the
14 Barstow area, you and that rest stop out there by
15 Newberry, is you can't drink that water and I know
16 why. So, if it did reach the river, what do we say,
17 what do we do? Nobody swimming in the water, don't
18 drink out of it, don't go boating by it.

19 **MS. MATSUMOTO:** It's a reasonable concern and a reasonable
20 comment. Karen will answer that when we're done
21 taking comments. Thank you. Row three, any comments?
22 Four? Row five?

23 **MALE 2:** I'll break the comment.

24 **MS. MATSUMOTO:** Yes, sir.

25 **MALE 2:** I'll stand up and tell you. My name is -- and I'm

1 the representative from the Fort Mojave Tribe, have
2 been for a number of years, and I want you to know
3 that I found listening to her and you and being a part
4 of your project out there in the field, I found that
5 you didn't over it all but we're going to have another
6 meeting, you say. Fine. What we don't know is this
7 happened before. Why isn't that same method used out
8 there? And don't tell me because of the terrain and
9 all that because that won't work. I'm well aware of
10 what's going on and I'm also a retired water operator.
11 I also have drilled wells in the state of California.
12 The same thing happened years ago, in Barstow,
13 California. I'm well aware of this. I have not been
14 answered any kind of question that I full understand.
15 I see this runaround, passing the buck. (Inaudible)
16 will answer it next time. We don't want an answer
17 next time, we want it now, but you say there's going
18 to be another meeting. Hopefully they'll hear this
19 instead of we will discuss this that way or at a point
20 in time. We are the Native Americans, first Americans
21 according the (inaudible). Why are we treated
22 differently? Why are we treated (inaudible) what we
23 are. When there's a war that goes on, do you know
24 that the Native American that joins the military is
25 not classified Indian, he's classified Caucasian?

1 That's my (inaudible). I think I should be really
2 honest with you, I really don't believe in you yet and
3 I don't think I ever will.

4 **MS. MATSUMOTO:** I understand.

5 **MALE 2:** No, you don't. You say you do but you don't.

6 **MS. MATSUMOTO:** Well, I feel like I'm kind of stuck here.

7 The protocol I've been given is to take comments and
8 then close that part of it and then answer any
9 questions you have tonight. And I'd feel the same if
10 I were you, I'd want the answer now. I apologize.
11 We'll keep going and I will check with you tonight to
12 find out if someone answered any of your questions.
13 Or we could sit right here after we've closed the
14 comments and then we'll ask the questions again and
15 we'll all stay right where we are.

16 **MALE 2:** I understand that comment, not kill the messenger.
17 Thank you.

18 **MS. MATSUMOTO:** I'm the messenger. Okay. We made it
19 through row five, now we're at row six.

20 **MALE 3:** My name is -- and I'm a former employee with the
21 Mojave Tribe. I was employed as an EPA Director from
22 2000 to 2003. At that time, I attended a lot of these
23 kinds of meetings and I impacted them (inaudible).
24 When I was going up there, it was all different
25 (inaudible). They had all different (inaudible) to do

1 this kind of testing and let the tribe know if it's
2 going to be able to give that. And I went up there a
3 lot of times with the former vice chairman of the
4 tribe (inaudible). We used to go up there all the
5 time at the meetings you guys had up there, your
6 office there, and the Chemehuevi Reservation
7 (inaudible) your wells at. But every time we went,
8 Mr. (inaudible) would say how come they don't just
9 repeat that. Last time we went up there, there were
10 two Orientals. I don't see an oriental here.

11 **MS. MATSUMOTO:** My last name is oriental.

12 (POOR AUDIO QUALITY RESULTED IN EXCESSIVE INAUDIBLES)

13 **MALE 3:** But everybody starts to (inaudible) and you guys
14 don't do your job. Like you say, you guys aren't
15 doing your job. Who's going to come along and take
16 over your positions by next year? I know you are
17 (inaudible) and I know your smiling but you're not
18 being honest, but you guys (inaudible) that much
19 (inaudible). We need these things done because I used
20 to work with the BLM from Yuma; we used to come up
21 this way a lot of times. One of the projects he was
22 looking at, that was one of the areas we used to talk
23 about over there, the maze, the pathway to the Mojave
24 going into the Land of the Shadows, the (inaudible) of
25 the (inaudible). It's forbidden. Many Native

1 Americans (inaudible). We get a lot of non-Indians
2 over there and they party. They probably throw beer
3 cans, beer bottles, and stuff all around there. Do
4 you know what I call them? Desecration of race. I've
5 said this before the United States Government before.
6 I said do we Native Americans go over there to your
7 state capital and go over there and start digging,
8 (inaudible) there, (inaudible) this and that? No. I
9 said that's desecration of race. Automatically we'd
10 be going to (inaudible). But I said the non-Indians
11 would go over there and dig up our graves or walk on
12 our sacred site areas without any respect and this is
13 what I think we're talking about, respecting our
14 lands. The (inaudible) people, our first cousins to
15 the Mojave people, who were the first two tribes of
16 the Spanish who landed in the Gulf of Mexico when they
17 came over, we were the first two tribes. This is fact
18 because I went down into Mexico, Mexico City, and they
19 have a place over there that's like facing Washington
20 D.C., the (inaudible). They found artifacts that they
21 take back and they found that back in the 1600's and
22 1500's, recorded by these people that came up,
23 discovered in two tribes. When they came up here,
24 they talked about (inaudible) at the Land of
25 (inaudible) and I believe it today. But they had a

1 book there that you could plug it in, (inaudible)
2 Mexico, Mexico City, the capital. You stick it in
3 there and you press (inaudible) and it tells you the
4 story (inaudible) where they left the government
5 (inaudible). So, what the Mojave people are saying
6 right here, these are very sacred areas and you guys
7 just pounce around out there (inaudible). Before I
8 get (inaudible), the second side (inaudible), I say a
9 prayer as a little gift, and tell my ancestors that
10 are (inaudible) to (inaudible) prayers and spread them
11 (inaudible) spread them to people that need help.
12 There's times (inaudible) or change our (inaudible)
13 and that's to consider something (inaudible). Let the
14 love you have in your heart (inaudible). I do that
15 out of envy (inaudible). Before I do that, my mom and
16 dad were (inaudible) they used to tell me (inaudible),
17 that means say it in your own language that
18 (inaudible). So, I say it in the language
19 (inaudible). I've been up in that maze many times
20 (inaudible), some things that are happening
21 (inaudible), why us (inaudible), a gift that we give
22 consideration. These are food for thought and you
23 guys should take home tonight and think about these
24 things. Our mother earth to Native Americans is our
25 temple. We pray (inaudible). We prayed before

1 (inaudible). We had beliefs (inaudible). Native
2 Americans used to run around out here, you've probably
3 seen the pictures of the woman, how they were dressed,
4 grass skirts, no underwear, exposed at the top. The
5 men just had brief clothes, but it was like Adam and
6 Eve. Do you guys have that (inaudible). At the point
7 in time when our creator said (inaudible). We didn't
8 have less at that time. We have love, peace, harmony
9 amongst ourselves. We shared everything (inaudible).
10 But are we getting shared things now? No. I'm a very
11 spiritual person and it hurts me. I almost feel like
12 crying to see these things. (Inaudible) I see this.
13 And when the European came over, you guys now talk
14 about immigration laws and all that, you guys
15 illegally came over. Did you know that? It's not a
16 laughing matter if you really think about it, right?
17 You read about it in the history book. You guys were
18 more powerful. You had more people. You had more
19 advanced weapons than we did. That's the reason how
20 you guys took over our land. You call us slaughtering
21 white people, we didn't do that. We were fighting for
22 our fights, protecting our land. Somebody breaks into
23 your house, what do you do? You protect yourself,
24 right? That's what we're doing to our land and yet
25 you guys turn our history around. I know these for

1 fact because I went to school for that, college,
2 Native American Indian History. I studied this whole
3 southwest, that when I worked at BLM in archeology
4 from different areas, I've been up to Utah. I've been
5 on a lot of expeditions. I know these (inaudible). I
6 know these (inaudible). I hear it from different
7 (inaudible) tribes, they have the same beliefs. When
8 you pray for yourself, you pray (inaudible). Even the
9 non-Indian pray. They need help and we know it as a
10 tribe. Like right now, sometimes I'm home, I pray for
11 the soldiers that are over there, blacks, whites, all
12 of them. I pray for them to come home safely. My son
13 was the first one that went over there. The first
14 young (inaudible) 16 and a half (inaudible). He did
15 (inaudible) over. You think I was really mad? I was
16 really mad. I watched TV and sometimes I didn't want
17 to watch the news because I didn't want to hear his
18 name (inaudible). My prayer (inaudible). I think a
19 lot of you need to pray for our Native Americans to
20 get back (inaudible) who are there for (inaudible).
21 Let's not make promises, let's do. Don't be
22 (inaudible).

23 **FEMALE 2:** My name is --. I just feel after everything
24 that has happened, the impact to my people is just
25 reflected again in your slides, in your handouts. I

1 mean, the devastation to us, you can put it into
2 words. (Inaudible) was mentioned, tribal outreach or
3 tribal communications, its more than that. We should
4 be the first on the page because that's a sacred site
5 and this land is our birthright. It was given to us
6 by the creator, to no one else. We might not own most
7 of it, but it's still ours. It was given to us and
8 that's the way we still look at it. It's all our,
9 this whole valley is our, and with that comes the
10 responsibility to be caretakers of the land and water,
11 everything, and that place is so sacred that you
12 cannot comprehend it and I cannot explain it to you.
13 You explain the creator when you explain God. You
14 can't do that and that has to be in these documents,
15 the spirituality of the people. We're not just
16 bodies. This life here, this life we have as Mojave
17 people, is a lot of pain of suffering and we look
18 forward to the next life because that's what our
19 hearts are set on, that's what we plan for, that's
20 where we're going, and that place is desecrated and
21 continues to be desecrated and none of us are at peace
22 with that and we can't hold that out to you people
23 because it's so slow and people are just not
24 understanding that area. There are different laws
25 that apply to different areas and, us, we can be hurt

1 and I'm guessing the same would be for you. You're
2 people, you're human like us, but to us as I said
3 before, there's no other place for us to go but
4 through that valley. That's ours. That's where we
5 go. There's not another alternative. It's not like
6 that here. We didn't create it. We didn't make it.
7 That's what we were given and that was our job to
8 protect. And to me, I want to see it in paper that
9 the state agency responsible for protection
10 environmental act covers our (inaudible). What
11 happened? How did we end up here? How did this
12 happen to us and our children and their children? Are
13 we going to be separated from them? Are elders going
14 to be separated from us? I don't know, but that's not
15 us, that's people, because we're all one. We're not
16 choosing to be who we are. We're born who we are and
17 there's nothing in there about how we got into this
18 mess. We're not just talking about this chromium;
19 we're talking about how we were treated as people. If
20 we had been able, we would have fought the freeway, we
21 would have fought the railroad, we would have fought
22 PG&E earlier, but our people were just struggling to
23 survive after being flooded out, after having no
24 reservation, after supposedly genocide, after
25 everything our people and our ancestors suffered.

1 There's no mention of that, what we've gone through,
2 the tens of thousands of us and now we're down to
3 hundreds. Where was that understanding? Where was
4 that meeting of the minds when the people came from
5 Europe? That should have happened. It never
6 happened. Instead, it was just (inaudible). So, to
7 me, this is something that needs to be corrected and
8 it has to come from your heart. It can't come from
9 paper. It can't come from measuring and these tools.
10 It's just taking a little bit of what that place is.
11 In regard to measure of God, how can you? Who would
12 even have the audacity to try? But that's what it
13 feels like to me, is taking this huge other dimension
14 and trying to say we're going to go in and clean-up a
15 mess that we have no idea what the effects are. And
16 even cleaning it up might not be the right way to do
17 it. You've already made a mess. You already spilled
18 something, broke something. Can you go and put it
19 together? If I bust up that chair, can you fix it
20 just with your bare hands? Would it be the same?
21 Would you even try? Those are a lot of things to
22 consider. To me, I feel we're not going about it the
23 right way but I want the history of our people in here
24 because otherwise nobody's going to understand and it
25 will happen again to some other people. As long as we

1 keep on not communicating and not respecting each
2 other, then we'll never grow as people, realize who we
3 are and we're (inaudible) totally the spirituality of
4 us as people in that area where (inaudible) would not
5 even touch this. But to have that honor for our
6 creator and for us for ancestors, without them being
7 strong enough to face each blood, each taking of the
8 children away when they were six, each boarding school
9 beaten. All of the things that we've gong through,
10 this is just one more. There was no protection. All
11 the protocol, that's good. It's good to sit here and
12 have this but where was it when we needed it. We're
13 just going to have to (inaudible). That's what I say,
14 I want an (inaudible). It's like when your child is
15 kidnapped, you lose something precious. Do you want
16 to know what happens if you never see that child
17 again? Do you know what to know if he or she is
18 alive, is tortured, murdered? I think everyone wants
19 to know. To me, that's like this. This is precious
20 to us. How we did get here? How did this happen?
21 Who's responsible; because there needs to be an
22 accounting for. They need to know that this thing
23 that happened is huge and it hurts all of us. It's
24 hard not to cry when you talk about this. It's hard
25 not to go through it again, but you can't stay in that

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beautiful place for long when it's like that all time.
It's hard to come to meetings. It's hard to be there
because it's just painful. I guess that, to me, what
I want to see for our children.

MS. MATSUMOTO: Any other comments? At this time, I would
like to officially close the comment portion and let's
take questions.

--oOo--

- MEETING ADJOURNED -

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TRANSCRIBER'S CERTIFICATION

This is to certify that I, Kelli Wells,
transcribed the digitally-recorded public meeting of the
California Environmental Protection Agency, Department of
Toxic Substances Control, dated May 29, 2008; that the
pages numbered 1 through 42 constitute said transcript;
that the same is a complete and accurate transcription of
the aforesaid to the best of my ability.

Dated June 30, 2008.



Kelli Wells, Transcriber
Statewide Transcription Services

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
DEPARTMENT OF TOXIC SUBSTANCES CONTROL

PUBLIC SCOPING MEETING
FOR THE PG&E TOPOCK COMPRESSOR STATION

NOTICE OF PREPARATION
FOR THE DRAFT ENVIRONMENTAL IMPACT REPORT

City Council Chamber
2360 McCulloch Blvd. North
Lake Havasu City, AZ

Monday, June 2, 2008

2:00-5:00 P.M.

<p>Transcribed by Statewide Transcription Services On Behalf of EDAW</p>
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REPRESENTATIVES PRESENT:

- KATHIE SCHIEVELBEIN - DTSC
- WILLIAM BECKMAN - DTSC
- AARON YUE - DTSC
- JEANNE MATSUMOTO - DTSC
- BOBBETTE BIDDULPH - EDAW
- LESLIE REDFORD - EDAW
- LEAHA MURPHY - EDAW
- NANCY GRAHAM - EDAW

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P R O C E E D I N G S

1
2 **MS. MATSUMOTO:** Thank you for being here and thank you to
3 Lake Havasu City for allowing us to use their Council
4 Chambers. It's a very nice room. My name is Jeanne
5 Matsumoto and I'm a Public Participation Specialist
6 with the Department of Toxic Substances Control. And
7 DTSC, the Department of Toxic Substances Control, is
8 one of the departments within California Environmental
9 Protection Agency and it is the lead regulatory agency
10 for the environmental investigation and clean-up of
11 the Topock Compressor Station. Now, before we get
12 started, we have some handouts. You should have a
13 copy of the presentation, the slides, an agenda,
14 possibly a green meeting evaluation form. If you fill
15 that one out, you leave it on the table as you leave,
16 that helps me in case we can improve this meeting or
17 maybe it's (inaudible). Let me know. There's also a
18 comment form and because this is a small group, we
19 won't be using the comment forms today. If you choose
20 not to make a verbal comment today, that's fine. We
21 understand. Written comments can be accepted all the
22 way up until July 1st. We'll have contact information
23 up on later slides. We understand. I don't always
24 like to stand up and make comments. The reason we're
25 here is DTSC is collecting input for the Environmental

1 Impact Report for the environmental investigation and
2 clean-up of the Topock Compressor Station. It's our
3 intention to seek input from agencies, tribal
4 government representatives and members, stakeholders,
5 and the public. By input, we're looking for
6 environmental issues you think should be analyzed and
7 possible clean-up alternatives. That's what we're
8 looking for. The input will be used to develop the
9 EIR and comments made today will be addressed in the
10 EIR and we won't be responding to the comments today.
11 So, if you have a comment, when we open it up for
12 comments, if you would stand and give your first name
13 for conversational purposes. We won't be recording
14 your name; it will not be part of the administrative
15 record. We are recording in two different ways. One
16 is a small digital recording will be made and the
17 other is a graphic recording on the wall. We ask that
18 you save your questions until we've actually closed
19 the official comment portion of the meeting and then
20 we'd be happy to stay around and answer whatever
21 questions you may have. The agenda, first will be a
22 brief introduction, followed by the project
23 background, then a description of the EIR process, and
24 comments, why we're here. We'll close the meeting and
25 be happy to answer any questions. Introductions, the

1 DTSC Team has Watson and Karen, Aaron, the Project
2 Manager who is here today, and myself. We also have,
3 from the office of planning and environmental
4 analysis, Kathie and Bill, and Susan Wilcox, who is
5 not here today. The EDAW Team, EDAW is an independent
6 contractor that's helping develop the EIR. We have
7 Bobbette, Jamie, who's not here today, Leah, is here,
8 she's working hard back there, and Leslie, who's also
9 working hard, Nancy, and Stev. And at this time, I
10 would like to turn it over to Aaron, the Project
11 Manager.

12 **MR. YUE:** Thank you, Jeanne. Well, thank you, ladies and
13 gentleman, for spending your valuable time with us
14 this afternoon. As Jeanne has already mentioned, my
15 name is Aaron Yue. I am actually the Project Manager
16 for Topock Compressor Station project and today, my
17 portion of the presentation is just to provide some
18 information about the project and its background, and
19 also what the investigation has been up to now and
20 also the clean-up process and the project background.
21 The project site is actually located about 15 miles
22 southeast of Needles, California and the area is
23 really considered as having a lot of cultural and
24 spiritual significance to the Native American people.
25 The site is actually also surrounded by land that's

1 owned and managed by the Department of Interior,
2 specifically managed by the Bureau of Land Management
3 and also a portion of the land is owned by the Bureau
4 of Reclamation and is managed by the Havasu Wildlife
5 Refuge. And this is basically a map showing you where
6 the Topock Compressor Station is in relationship to
7 the I-40 and the Colorado River. It is somewhat of a
8 large scale map. You can't really tell much in great
9 detail in this particular slide, it's also in the
10 handout. But then we do have an aerial photo in the
11 back that you can (inaudible) later after the meeting.
12 The operational history, what has taken place at the
13 site, Pacific Gas and Electric Company has owned and
14 operated the station since 1951 and main operation at
15 the Compressor Station is really to compress the gas
16 that's coming in from Midwest and Southwest area in
17 route to their customers in Northern and Central
18 California. The Compressor Station adds pressure to
19 the pipeline to move the natural gas to Central and
20 Northern California. As the process of adding
21 pressure to the pipeline, heat gets built up. So,
22 they really would require some way of cooling down
23 that gas line. This is an overview of an older aerial
24 photo of what the Compressor Station looked like.
25 Here's the actual compressor engine itself, and these

1 are the cooling towers used to cool the pipeline. In
2 this particular photo, this is actually a replaced,
3 new cooling tower. What the cooling tower does, as
4 I've mentioned earlier, it's used to cool down the
5 pipeline as the gas is compressed. And as a process
6 of cooling the pipeline, the water gets more saline
7 over time as the water evaporates and gets used up.
8 So, PG&E actually, since 1951 to about 1985, added
9 hexavalent chromium to the cooling water to control
10 corrosion to prevent the equipment from breaking down
11 and to protect the pipeline. And as part of their
12 operation, they have to get rid of some of the spent
13 cooling water and they discharged it and they
14 discharged the spent cooling water to a wash called
15 the Bat Cave Wash. And over time, the hexavalent
16 chromium actually seeped through the soil and into the
17 groundwater. So, currently there is a hexavalent
18 chromium plume that is extending from the dry wash
19 area, the area of discharge, towards the Colorado
20 River. And you really can't see it, the lighting is
21 really bad, but this is actually the projection of the
22 current plume. I'm hoping the handout shows it a
23 little better. This particular aerial photo really
24 shows you a projection of the footprint of the
25 contamination directly in a vertical fashion. If you

1 look back at this particular photo, you will see that
2 the hexavalent chromium seems to (inaudible) south.
3 What we've found over time and during our
4 investigation, is that the hexavalent chromium, as
5 represented by this green area here, really extends a
6 little beyond the bottom of the river. See that
7 vertical projection? But it is 80 feet below the
8 water, the bottom of the river itself. This area
9 represents the groundwater that's at the site. And
10 so, this is actually a vertical slice, if you will, of
11 this particular area right through here. So, just a
12 portion of what you see is a vertical slice so you can
13 see what it looks like. Let's talk a little bit about
14 the investigation and the clean-up process. Like all
15 regulatory agencies, the Department of Toxic
16 Substances Control is in charge of figuring out really
17 three major factors for the clean-up. One is how bad
18 is the situation, what do we need to do to clean-up
19 the site, and then the third step, finally, is to
20 clean up the site. Under the regulatory jurisdiction,
21 the Department of Toxic Substances Control is cleaning
22 up the site under RCRA authorization for the Resource
23 Conservation and Recovery Act. As part of that act,
24 or at least the documentation, comes out of the three
25 different steps. The first step, how bad is it, is

1 captured under a report we call the RCRA facility
2 investigation report. (Inaudible) volume two which
3 documents the groundwater contamination, is about to
4 be released by PG&E fairly shortly. I think the
5 anticipated date is early July. The second step, how
6 should we clean it up, that falls under the Corrective
7 Measure Study/Feasibility Study, that's produced by
8 the federal (inaudible), and that is anticipated to
9 come out in the near future. It hasn't been put
10 together yet, so we are in the preliminary stage of
11 trying to decide how we should actually clean up the
12 site. And then finally, clean up the site, what we
13 need to do, have the public notice and gathering the
14 public input. The Department will select the final
15 remedy. This slide goes back a little bit about how
16 the situation is at the site. PG&E over time has
17 essentially installed well over 150 groundwater wells
18 and currently they're actively monitoring those wells
19 to determine what the plume boundary is like. At the
20 same time, PG&E is actively also gathering river
21 samples at nine different locations along the river
22 and also taken sediment studies, some samples, and I
23 guess the river water contains sediments and at this
24 point the Department has determined that there is no
25 impact to the Colorado River. At present, the

1 groundwater investigation is almost complete. We know
2 currently, as we can see in the past diagram, where
3 the (inaudible) is at, we know the extend of the
4 plume. And again, the river water is not impacted by
5 the plume. If you have been to the site or know
6 anything about the site, you'll realize that there is
7 a treatment plant that's currently operating at the
8 Compressor Station. Back in 2004, PG&E installed a
9 well near the Colorado River, approximately 60 or 70
10 feet away from the river, and detected hexavalent
11 chromium. So, the Department, at that particular
12 point, had instructed and required PG&E to begin
13 extracting some the contaminated groundwater to ensure
14 that the hexavalent chromium does not get into the
15 Colorado River and impact the river itself. And we're
16 pleased to announce that the Department interim
17 measure has been operating and is operating
18 successfully keeping that plume away from the river
19 and up to now, we've demonstrated that there is
20 groundwater (inaudible) that is maintained away from
21 the river, so the water is actually kept away from the
22 river itself. Since 2004, PG&E has extracted
23 approximately 200 million gallons of contaminated
24 groundwater and has recovered over 4,700 pounds of
25 chromium. We've been talking a lot about the water

1 itself, but what about the soil contamination. There
2 is potential soil contamination at the site. PG&E has
3 identified 29 areas their investigating as part of
4 their overall site investigation. PG&E has also
5 drafted a couple of soil sampling work plans and it's
6 currently being reviewed and is pending approval.
7 Because of the fact that the groundwater is so close
8 to the river, the Department has placed an emphasis on
9 the cleaning up of the groundwater, ahead of the soil.
10 As we can see, a lot of our discussion today, as well
11 as part of the EIR, the focus is mainly on the
12 groundwater. The final groundwater and soil clean-up
13 technologies really will be evaluated in the upcoming
14 documents under the Correct Measure Study and the
15 Feasibility Study and also some of the impact of each
16 one of those technologies will be evaluated in the
17 final impact report, which is the reason why we are
18 here today, is that we're beginning to collect
19 information to draft the EIR. Finally, again, once we
20 have received all the comments from the public after
21 we publish the EIR, The Department of Toxic Substances
22 Control will select a final remedy based on several
23 criteria's and after that we will begin the final
24 remedy. So, at this point, that's it for the
25 background of the site. I will turn the presentation

1 over to Bobbette.

2 **MS. BIDDULPH:** Thank you, Aaron. And what I'm going to do
3 is just talk a little bit about the California
4 Environmental Quality Act and the process that we're
5 basically entering into at this stage, but before I do
6 that, what I really would like to emphasize today is
7 that we're really at the beginning of that process and
8 this meeting is one of the many meetings that we're
9 having to gather input to help us define the scope of
10 the EIR, that's basically the level of the technical
11 studies, what are the questions that we need to answer
12 in the EIR, what are the issues that need to be
13 analyzed. We've been think ourselves, we've been
14 talking to DTSC about what those questions and issues
15 may be, but of course, we need input from agencies and
16 the public, as well the tribes, will help us make sure
17 that we answer all of those questions. Now, as some
18 of you may know, in this case, an Environmental Impact
19 Report is required for the Topock remediation project.
20 An Environmental Impact Report is required by the
21 California Environmental Quality Act. As a public
22 agency, DTSC must prepare an EIR for any project that
23 might have a significant affect on the environment.
24 In this case, as Aaron mentioned, we're going to be
25 looking at the clean-up efforts, the potential

1 environmental impacts that those clean-up efforts
2 might have for two things, that's both the groundwater
3 and the soils. And as Aaron mentioned, there are
4 going to be alternative approaches to addressing and
5 cleaning up that current contamination, and those
6 alternative approaches, the most feasible alternative
7 approaches, are going to be described in the Corrective
8 Measures Study and the Feasibility Study. Now,
9 because we're putting more emphasis on the groundwater
10 water clean-up, there's actually going to be more
11 information known about the how's and the ways in
12 which the groundwater contamination is going to be
13 potentially cleaned up. So, that very specific
14 analysis, the Environmental Impact Report is going to
15 look at those activities related to the groundwater
16 clean-up in a very detailed manner. However, we might
17 not have as much information about the soil clean-up
18 activities because the priority is on the groundwater,
19 so we're going to do the best that we can in this
20 Environmental Impact Report to talk about where the
21 soil contamination may be and also the ways in which
22 that soil contamination will be cleaned up. But there
23 might not be as much known about the details of those
24 clean-up activities and for that reason, this is going
25 to be a Program EIR for that element. What that means

1 is that we're going to look at those potential impacts
2 in a broad way, but it very well could be that future
3 environmental studies are necessary as we know more
4 specifics about the soil clean-up activities. The
5 term for that is we'll actually tier off of that first
6 Environmental Impact Report to address those more
7 specific items related to the soil. Now, this is just
8 a broad listing of the environmental topics that we
9 anticipate analyzing in the Environmental Impact
10 Report. This is really a laundry list. This
11 environmental analysis is going to be what we call a
12 Full Scope EIR. That means we're going to be
13 addressing everything that we can think of. And
14 obviously one of the things that we're here to hear
15 from you today is, in looking at these categories,
16 what are some of the sensitive issues that we might
17 need to focus on, as well as are there any that that
18 we maybe have missed. In addition to that listing of
19 environmental topics, the California Environmental
20 Quality Act requires us to look at some other facets
21 when analyzing environmental affects. The first on
22 this listing is alternatives to the project. We're
23 basically going to be thinking about whether there are
24 alternative approaches to the clean-up that could
25 result in fewer environmental affects, if an impact is

1 identified, we'll consider whether or not that impact
2 can be avoided by another alternative and those will
3 be compared in the environmental analysis, so the pros
4 and cons of those different alternatives can be
5 weighed. As well, the document will talk about
6 impacts that have been found to be less than
7 significant, means that they haven't risen to the
8 level of significance and that the mitigation measure
9 isn't necessary. In those cases, we'll describe why
10 impacts aren't considered to be significant
11 substantiation. If we find that impacts where
12 mitigation can't be identified to reduce those impacts
13 to a less than significant level, those will be
14 identified and are known as significant and
15 unavoidable impacts. If those are identified, we'll
16 talk about why mitigation is not possible for that
17 significant impact. As well, the document will
18 summarize significant irreversible changes, things
19 that we can't go back on, as well as growth-inducing
20 impacts. Probably not an issue in this particular
21 project, but we will explore it. Typically growth-
22 inducing is something where you are encouraging growth
23 or population growth or housing growth. So, because
24 this is an environmental clean-up project, likely
25 that's not an issue. But something will potentially

1 be something that we want to explore further and that
2 we're required to explore further is cumulative
3 impacts. And those are impacts where you're
4 considering not only the affects of this proposed
5 project, as well considering those affects in
6 combination with the affects of planned future
7 projects or projects that might be occurring at the
8 same time of the clean-up activities. As I mentioned
9 before, we're really just starting this process of
10 environmental analysis and considering the different
11 clean-up technologies and those environmental affects.
12 This is kind of a listing of the different sources
13 that we're going to use in order to conduct those
14 investigations. We'll be using published data and
15 reports, input from agencies are very important, as
16 well as the ongoing monitoring efforts that Aaron
17 described pulling data from that. We are going to
18 also be outreaching to tribal members to get input
19 from them on cultural resources and Native American
20 resources. And those studies and that outreach will
21 also be something (inaudible) site-specific resource
22 studies that might be necessary to supplement that
23 existing situation. This is just a pretty washed out
24 graphic but there's one in the back, really it just
25 shows our process and where we anticipate public

1 meetings and distribution of public materials. The
2 top line here shows facts sheet distribution, the
3 middle line shows public meetings, and we're basically
4 right here at the Notice of Preparation and scoping
5 meetings. The next step at which we will have an
6 opportunity for input after this scoping period is
7 when the draft EIR is completed. We'll be doing
8 another series of meetings and publishing another
9 facts sheet. At the end of that draft EIR circulation
10 period, we'll also be required by law to respond to
11 all the comments that we've received during that
12 public review period, and those comments will help us
13 finalize the EIR, as well as we will prepare responses
14 to those comments in the final EIR. The completion of
15 that documentation process is anticipated in the
16 Spring of 2010. So, we've kind of said this before
17 but I just want to reiterate that the real purpose of
18 today's meeting is to gather input from you on the
19 environmental issues to be studied in the EIR, any
20 questions that should be addressed by that
21 environmental analysis, whether there are thoughts of
22 mitigation measures that may avoid significant impacts
23 or lessen potential environmental affects, as well as
24 alternatives that you view the same. Additionally,
25 because we don't have all of the remediation

1 technologies perfectly defined at this point, it will
2 be also important to get your questions on the
3 project, project related questions, because that will
4 help us answer the exact nature of remediation
5 technologies and to make sure that we're being clear
6 in that analysis and description of those potential
7 remediation technologies. This slide provides just a
8 summary of the outreach meetings that we're having,
9 like today's; we're in the fourth of five. There is
10 another opportunity after this meeting in Big River
11 and that's this Thursday at 5:00. So, if you know of
12 others that might be interested in coming to a
13 meeting, let them know and they can come. And again,
14 the different ways to provide comments and submit your
15 comments to DTSC and thus to us, is verbally at
16 tonight's meeting, you can do them in writing tonight,
17 provide your comments in writing, or go home or go
18 back to the office and propose those comments and send
19 them into DTSC. But basically, if we could get your
20 comments by July 1st that will ensure that we can input
21 those comments into the consideration of the scope for
22 the EIR. So, with that, I'll turn it over to Jeanne.

23 **MS. MATSUMOTO:** If you would like more information about
24 this project, you can contact Aaron or myself. We
25 also have a media contact, Public Information Officer,

1 Jeanne Garcia. Because of the nature of this project
2 being along the river, we have several repositories.
3 They are listed up there; Needles, Chemehuevi Indian
4 Reservation, the Golden Shores Public Library, the
5 Colorado River Indian Tribes Public Library, and at
6 the Parker Public Library. The official
7 administrative record, which you can also access, is
8 in Cypress, California, Region Four, Department of
9 Toxic Substances Control. One of my favorite ways
10 would be the website. This is kept very current.
11 Documents are uploaded as they occur, so that would be
12 www.dtsc-topock.com. It keeps you informed. It has a
13 nice section on what's new, also a library to access
14 all of these documents. At this time, we would like
15 to open for comments. Anyone?

16 **MALE:** I do have one. Do you want me to stand?

17 **MS. MATSUMOTO:** First thing, you don't have to stand. I
18 understand.

19 **MALE:** It's just a question when Aaron stated about in the
20 last four years the amount of contaminate or chromium
21 that's been recovered I think it was 4,700 pounds?

22 **MR. YUE:** Correct, since 2004.

23 **MALE:** that's the groundwater? I guess my question would
24 be, in the groundwater and the soils, is there an
25 estimate as to how many pounds may exist?

1 **MR. YUE:** We've done the (inaudible) calculation and
2 unfortunately I don't have that off the top of my
3 head. I don't know if Kurt, if you know.

4 **MALE:** A good question that's similar to that. One
5 percent, is it a half a percent? Is significant
6 progress being made as far as removing it?

7 **MR. YUE:** Since 2004?

8 **MALE:** Right. Is that 4,700 pounds a significant number, I
9 guess is my question.

10 **MR. YUE:** I think there's still plenty more to go and
11 that's why we're just relying on that interim measure.
12 It would take a long, long time for that.

13 **MALE:** If that were the formula, I'm not trying to pin you
14 down, in four years, 4,700 pounds; is it going to be
15 100 years before it's gone, 50 years, 20 years?
16 Somebody must have made some kind of calculation.

17 **MR. YUE:** Yeah, we've made that calculation. It depends on
18 how many volumes of water that you flush through and
19 basically it would be (inaudible).

20 **MS. MATSUMOTO:** Yes?

21 **MALE:** I've got some questions. I'm not sure how this is
22 supposed to work. I'm the Water Resources Coordinator
23 for the city here and I'm also a Liaison for water
24 quality in the city. We have our own chromium plume
25 as well and I've got a couple questions. One, there's

1 got to be an average concentration. I know it varies
2 with plumes. What is your biggest concentration that
3 you've found so far in the plume itself?

4 **MR. YUE:** Hexavalent concentration is about 1200 ppm,
5 somewhere around there.

6 **MALE:** Fifteen ppm.

7 **MALE:** Because I want to kind of compare it to our
8 situation here. Second question, as our Water
9 Resources Coordinator, the water that's being popped
10 for remediation purposes, so far (inaudible) ground
11 (inaudible), you said a couple hundred yards down,
12 which is around 580 feet, give or take; that water is
13 allocated, so who is charged for that water allocation
14 (inaudible)? Have you ever thought about that?

15 **MR, YUE:** I think PG&E is actually allocating the water, so
16 that's PG&E's allocation of water.

17 **MALE:** Must be through the California system them?

18 **MALE:** Yes, we got out allocation that was governed by the
19 City of Needles, but it is PG&E's own allocation.
20 It's not part of a Needles allocation, but we inject
21 92 percent of it back (inaudible).

22 **MALE:** After treatment?

23 **MALE:** Yes, after treatment. So, our allocation dealt with
24 under that basis.

25 **MALE:** Thank you. The types of remediation that you're

1 thinking about, you're going to be presenting
2 alternatives, I'm assuming. Have you had those
3 outlined at all yet or is that part of what we need to
4 input?

5 **MR YUE:** That is in the draft, laid out in the packet.
6 (Inaudible).

7 **MS. MATSUMOTO:** Questions? Any more?

8 **MALE:** Not right at this moment.

9 **MS. MATSUMOTO:** Are there any other comments or questions?

10 **MALE:** In that plume, you say that it's kind of stabilized.
11 Is there any anticipation of that movement being in
12 any particular direction or is it stable where it is?

13 **MR. YUE:** (Inaudible) stable where it's at. Maybe we can
14 talk a little more about the (inaudible).

15 **MS. MATSUMOTO:** Shall I officially close the comments and
16 open it for questions or any other comments?

17 **MALE:** It only seems that way because we don't know enough
18 to really make suggestions or comments that would lead
19 you to some place (inaudible). I have a few questions
20 to answer.

21 **MS. MATSUMOTO:** Well, let me officially close the comment
22 section and now we're open for questions.

23 --oOo--

24 - MEETING ADJOURNED -

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TRANSCRIBER'S CERTIFICATION

This is to certify that I, Kelli Wells,
transcribed the digitally-recorded public meeting of the
California Environmental Protection Agency, Department of
Toxic Substances Control, dated June 2, 2008; that the
pages numbered 1 through 23 constitute said transcript;
that the same is a complete and accurate transcription of
the aforesaid to the best of my ability.

Dated July 1, 2008.



Kelli Wells, Transcriber
Statewide Transcription Services

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
DEPARTMENT OF TOXIC SUBSTANCES CONTROL
PUBLIC SCOPING MEETING
FOR THE PG&E TOPOCK COMPRESSOR STATION
NOTICE OF PREPARATION
FOR THE DRAFT ENVIRONMENTAL IMPACT REPORT

Thursday, June 5, 2008
5:00-7:00 p.m.

Big River Development Enterprises
150313 Rio Vista Drive
Big River, CA 92242

REPRESENTATIVES

SUSAN WILCOX

AARON YUE - DTSC

JEANNE MATSUMOTO - DTSC

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P R O C E E D I N G S

1
2 **MS. MATSUMOTO:** Welcome. Thank you for being here and
3 thank you to the (inaudible) for letting us use this
4 room. That's very nice. Thank you. My name is
5 Jeanne Matsumoto and I'm a Public Participation
6 Specialist with the State of California Department of
7 Toxic Substances Control. The Department of Toxic
8 Substances Control is a department under the
9 California Environmental Protection Agency and it is
10 the lead regulatory agency for the environmental
11 investigation and clean-up of the Topock Compressor
12 Station. Today, we will be taking comments and if you
13 don't feel like making a verbal comment, we
14 understand. We have forms outside. I, myself,
15 usually don't stand up in a meeting and speak unless
16 they make me. So, I understand. You're welcome to
17 leave a written comment or submit a written comment to
18 the contact information that will be at the end of
19 this presentation. We won't be responding to comments
20 today. What we'd like to do is take the comment,
21 officially close the comment portion of the meeting
22 and then be here for any questions you may have.
23 We'll stay as long as you like. The purpose of this
24 meeting is to gather input for the Environmental
25 Impact Report. So, it is our intention to gather

1 input from agencies, tribal governments and
2 representatives and members, stakeholders, and the
3 public. We're looking for information about
4 environmental issues to be analyzed and possible
5 solutions or remedies, mitigation measures. If this
6 had been a large crowd, I would have passed out cards
7 and then had you fill them out with your name and then
8 we could call them, but since this is a nice, small,
9 intimate group, we won't do the paper. Instead, if
10 you have a comment, please stand and give your name
11 for conversational purposes. Your name won't be
12 recorded or be part of the administrative record. We
13 are recording today. We have two ways of recording.
14 One is a small digital recorder and the other is
15 written. We will be writing down your comments as you
16 make them, a graphic recording. You should all have a
17 copy of the agenda. You should also have a copy of
18 this slide presentation, and there is a green meeting
19 evaluation form, that's for me. If you can think of
20 some way to improve the meeting or if you think the
21 meeting was fabulous and you want to let us know, then
22 fill the green form out and leave it on the table.
23 There are also copies of fact sheets. We'll start the
24 agenda with introductions, then a project background.
25 We'll have an explanation of the EIR process,

1 comments, we'll close the comments and then we'll be
2 here as long as you'd like for questions and answers.
3 The DTSC Project Team includes the four people listed
4 up there. There's Watson, Karen, Aaron, and myself.
5 The office of planning and environmental analysis
6 includes Kathie and Bill, who are not here, but Susan
7 is here in the back row. And EDAW, EDAW is an
8 independent contractor that's tasked with developing
9 the EIR or helping to prepare it. We have Bobbette,
10 Nancy, back there hiding, Leah, Stev, Jamie, and
11 Leslie's around the corner. And at this time, I'd
12 like to turn the meeting over to Aaron who will talk
13 about the project.

14 **MR. YUE:** Thank you, Jeanne. I'm just going to stand on
15 this side so I won't cross the projector, not too many
16 of you don't know, but my name is Aaron Yue. I am the
17 Project Manager for this particular project. I would
18 like to thank all of you for being here. I respect
19 the time this evening to be here. What I'm going to
20 do for my portion of the presentation is just to give
21 you a quick overview of what's been happening at the
22 site and the site project background and a little
23 overview of what the investigation's been like and
24 also the clean-up process. So, let's start with
25 project background. PG&E, Pacific Gas and Electric

1 Company's Topock Compressor Station is located about
2 15 miles southeast of Needles, California. The site
3 is considered and has cultural and spiritual
4 significance to the Native people, that's why you guys
5 are actually here. The station is also surrounded by
6 federal land that are wither owned by the Bureau of
7 Land Management or owned by the Bureau of Reclamation
8 and managed by the Havasu National Wildlife Refuge.
9 And this is a diagram or a map of where the Compressor
10 Station is. It's right about here, Topock is right
11 there, of course Needles. It's kind of hard to see
12 exactly what the site is like but we do have an aerial
13 photo for people to take a look at and understand
14 where the Compressor Station is in relation to the
15 river and the bridge and the freeway. Operational
16 history, PG&E has owned and operated the Topock
17 Compressor Station since 1951 and as part of their
18 normal operation, all that they do at the Compressor
19 Station is to compresses the natural gas that's coming
20 in from the Southwest states and push it to their
21 clients or users in Northern California and Central
22 California. The natural gas that they compress is the
23 gas that you use at home for heating, for cooking.
24 It's not a special gas. This is an older aerial photo
25 of the PG&E Compressor Station. Again, the gas

1 essentially comes in this direction, goes through the
2 compressor engines and pressure is added to the lines
3 and it gets moved along to Northern California and
4 Central California. These are the two cooling towers,
5 basically, that PG&E had operated. We'll discuss a
6 little bit about cooling towers. This is a picture of
7 the newer and replaced cooling towers. And what had
8 happened in the past is PG&E used hexavalent chromium
9 as an anticorrosive agent, anti-saline agent between
10 1951 and 1985. If you can imagine the situation, it's
11 almost like car engine where as you compress gas, the
12 pipeline gets heated up and in order for it to be
13 safely transmitted and also to protect the equipment,
14 the pipeline and gas needs to be cool. And that's
15 what the cooling towers actually do. It actually
16 cools down the gas lines. So, Cr6, what happened?
17 Why did it get in the groundwater? Between 1951 and
18 approximately 1965, PG&E had discharged the spent
19 cooling water directly into a dry wash called the Bat
20 Cave Wash, which is right next to the Compressor
21 Station, and as part of that discharged, eventually
22 the water seeped through the ground and got into the
23 groundwater. So, currently there is a hexavalent
24 chromium plume that is extending from the Compressor
25 Station towards the Colorado River. And here is a

1 diagram of what the plume boundary looks like, the
2 plume as we know it. This is the Bat Cave Wash that
3 discharged, here's the Compressor Station. The water
4 is discharged into this wash and this is the full
5 wash. And here is the location of the hexavalent
6 chromium plume. This is really a vertical projection
7 of the plume, and what I mean by that is that the
8 plume isn't uniform all the way from the top to the
9 bottom. What we've learned from having the wells and
10 monitoring the site is that on the upper portion of
11 the plume floodplain area, which is the sandy portion
12 of the plume, there is no detectable hexavalent
13 chromium, it's all non-detectable. But then, there is
14 a lower portion of the plume that extends under the
15 Colorado River. So, on this particular diagram, it
16 seems like the plume is actually in the river. What
17 we've found clearly is that the plume is about 80 feet
18 from bottom of the river itself. So, at this point
19 we've evaluated the situation in the river and the
20 hexavalent chromium has not impacted the river. Okay.
21 So, what's been happening in the clean-up process
22 itself? Under the Department of Toxic Substances
23 Control, we are the lead agency to investigate and
24 clean up the groundwater plume at the Topock site.
25 And we can breakdown the investigation of the clean-up

1 process into three major steps. First step is, how
2 bad is the site, what is happening there. The second
3 step is how should we clean up the problem. And then,
4 obviously, the third step is to clean-up. Under the
5 Department of Toxic Substances Control, we are
6 investigating cleaning up the PG&E site under the
7 Resource Conservation and Recovery Act. As part of
8 that, each one of those steps are captured in a major
9 document. For step one, how bad is it, all of that
10 information is captured under the RCRA facility
11 investigation report. The second step, how we should
12 it up, that's evaluated in an upcoming document called
13 the Corrective Measure Study Report or, under
14 (inaudible), they call it Feasibility Study. And then
15 finally, the third step is obviously clean it up or
16 implementation. So, let's go over what we've found up
17 to now. The investigation for soil and groundwater
18 really they're designed to determine the type and the
19 extent of contamination of the site. And at this
20 particular juncture, because the close proximity of
21 the plume to the river, the Department has places most
22 of our focus on the groundwater itself, in order to
23 protect the river and also the groundwater resources.
24 Up to know, since 1996, when PG&E had actually signed
25 a consent agreement, PG&E had installed and monitored

1 over 150 groundwater monitoring wells and those are
2 wells were installed at multiple depths at the site,
3 the shallow, mid-zone, as well as the deep-zone, so
4 that we can get a good three dimensional picture of
5 what the plume is like. So far, as I've mentioned, we
6 have a pretty good understanding of the plume. And
7 also, the Colorado River itself is also sampled and
8 monitored at nine different locations. I know there
9 are some concerns about (inaudible) other locations
10 and we will address that in some time. So, that have
11 we found? The groundwater investigation is almost
12 complete. I think we have installed enough wells to
13 know what the plume is doing out there. We know the
14 extent of the Cr6 contamination and what did find also
15 was that the river water has not been impacted. In
16 2004 though, as you may have seen at the site, there
17 is a treatment plant out at the site. The treatment
18 plant was put in 2004 when PG&E installed a new well
19 and they've detected hexavalent chromium approximately
20 60 or 70 feet away from the edge river. The
21 Department, at that time, required PG&E to immediately
22 begin extracting some of the contaminations to protect
23 the river itself. As a result, PG&E had installed a
24 treatment system and they've been extracting the
25 contaminated ground water and the contaminated

1 groundwater is treated in the treatment plan and clean
2 water, which actually meets and/or exceeds the current
3 groundwater condition, is re-injected back into the
4 ground. About 95 percent of the water is re-injected,
5 so we're not losing a whole lot of water, a natural
6 resource of the area. Up to now, since 2004, PG&E has
7 extracted approximately 200 million gallons of
8 contaminated groundwater and recovered over 4,700
9 pounds of chromium. So, up to now, I've talked a lot
10 about the groundwater, but what about soils. We know
11 that PG&E had operated sites (inaudible). PG&E had
12 actively identified 29 areas that they need to
13 investigate for potential surface or subsurface
14 contamination due to the (inaudible). And PG&E has
15 actually submitted a couple of work plans to do those
16 investigations. Those work plans are currently being
17 evaluated and pending approval by the agencies. Going
18 back to the groundwater, the final groundwater and
19 soil clean-up technologies will be evaluated, as I
20 mentioned earlier, in the Corrective Measure Study
21 Report and the technology itself will be evaluated
22 (inaudible). At the same time, the impact from those
23 technologies will also be evaluated under the
24 Environmental Impact Report, which is why we're here.
25 We want to get some of feedback from you guys about

1 what should go into the Environmental Impact Report.
2 Finally, the third step is once we have completed our
3 investigation, once we've evaluated technology, the
4 Department will choose a final remedy for both the
5 soil and groundwater. But we will chose that remedy
6 only after we've gong through a public input process
7 which is hearing, considering all the comments
8 received during that time. After the remedy is
9 selected, then the Department will (inaudible) that
10 remedy. So that, in a nutshell, is what the clean-up
11 process moving forward is like and what has been done
12 at the site up to now. At this particular point, I'm
13 going to turn the presentation over Bobbette. She's
14 going to talk a little bit about the CEQA process.

15 **MS. BIDDULPH:** Thank you, Aaron. Thank you all for coming.
16 Before I get into the presentation very deeply, one of
17 the things that I'd like to emphasize today is that
18 although PG&E and DTSC have been looking at the site
19 and the contamination for quite sometime, we're really
20 just at the beginning of the environmental review
21 process under the California Environmental Quality
22 Act. So, this is really the first of many
23 opportunities to provide input to that process and to
24 ask questions as we move forward and get into more
25 detail in our analysis. But we're really just

1 beginning. Now, an Environmental Impact Report, or
2 also referred to as an EIR, is required for the clean-
3 up project of both the groundwater and the soils
4 contamination. And that's because as a state agency,
5 DTSC is required to prepare such a document under the
6 California Environmental Quality Act for any project
7 that might have a potential to significantly affect
8 the environment, that is significantly change any of
9 the environmental resources in the area. The EIR, as
10 Aaron talked about, both the groundwater and soils
11 issues at the property, the EIR will address both of
12 those items, the clean-up of the groundwater
13 contamination, as well as the cleanup of the soils at
14 the site. And also Aaron mentioned, basically the
15 Environmental Impact Report will be an analysis of the
16 alternative approaches to that clean-up, which are
17 going to be described in the Corrective Measures
18 Study, also known as a Feasibility Study. Now,
19 there's been a lot more focus on the groundwater
20 issues because clearly there's more an immediacy to
21 the groundwater contamination. So, DTSC and PG&E are
22 going to know a lot more about how to address the
23 groundwater contamination. So, the environmental
24 analysis is going to look at those approaches in a
25 very detailed manner in the EIR. For the soils

1 contamination, we might not know quite as much at the
2 time that the EIR is published. We're going to do our
3 best and because we might take a broader approach to
4 the clean-up of the soils contamination, this
5 environmental analysis in that regard is known as a
6 Program EIR, and what that means is that there's a
7 broader approach taken and that further analysis might
8 be necessary to actually do the specific clean-up for
9 the soils and what will happen is future environmental
10 analysis for that soils clean-up will tier off of this
11 Environmental Impact Report that we're preparing, but
12 that's just for the soils contamination. For the
13 groundwater contamination, we're expecting to have all
14 of the details necessary. This is just really laundry
15 listing of some broad environmental topics that will
16 be addressed in the Environmental Impact Report. This
17 is what we call a Full Scope Environmental Impact
18 Report, that means that we're planning on addressing
19 every environmental topic that we can think of and
20 that might be potentially be affected by the clean-up
21 activities. What we're interested in hearing today is
22 whether we've missed anything in this laundry list or
23 whether there are specific questions or specific
24 issues under come of these categories. As well, the
25 state law, CEQA, requires that several other items be

1 addressed in the EIR. The first on this listing is
2 alternatives to the project, and that's basically
3 different approaches that might be taken that might
4 avoid significant impacts to the environment that
5 might actually reduce potential impacts to the
6 environment. So, in this case, there could be
7 several, and will be several, different clean-up
8 options that are going to be evaluated and compared in
9 the EIR and that's one of the things that we're
10 interested in getting some feedback on. I know we've
11 gotten some good feedback at some of the other
12 meetings about have you thought of this approach to
13 cleaning up that groundwater and getting that input
14 really helps us make sure, and DTSC and PG&E, that we
15 thought about all the possible alternatives to
16 cleaning up this groundwater plume. And then, in the
17 environmental document, we'll look at the pros and
18 cons and weigh those different alternatives and which
19 ones might cause fewer environmental issues, which
20 ones cause the most, are there other feasibility
21 issues associated with those alternatives. As well,
22 the document will summarize and look at impacts that
23 we have found to not be of issue or to not be
24 significant, but it's just not going to be a dismissal
25 of impacts. Anytime we make that conclusion, we will

1 backup that conclusion and provide the analysis that
2 shows why we've come to that conclusion. If there are
3 any significant and unavoidable adverse affects, that
4 means that in order to clean-up the groundwater or the
5 soils, we need to do some things that we just can't
6 think of a way to mitigate or to avoid that
7 environmental impact, we will disclose that and talk
8 about that in this analysis. As well, what's very
9 similar is significant irreversible changes, where if
10 you were to implement the project, something that
11 would change that we can't remedy. Another
12 requirement in the state law is growth-inducing
13 affects, that's usually thought of when we have
14 development projects. I'm guessing that it probably
15 won't be an issue for this particular project but we
16 will think about that. We haven't yet done the
17 analysis so we will think about whether or not this
18 project would cause growth in either housing or
19 population. And the final one, which is a really
20 important one is what's known as a cumulative impact.
21 And what a cumulative impact is, is thinking about
22 other projects that either have occurred or are going
23 to occur potentially at the same time as the proposed
24 clean-up and thinking of those projects in combination
25 with the proposed clean-up activities and thinking

1 about whether or not if you combine the affects of all
2 of those multiple project whether or not you might
3 have an impact that you wouldn't have had if you were
4 just thinking about your project in isolation. Now,
5 as I mentioned, we're kind of at the beginning of this
6 process. We're scoping, trying to get input on all of
7 the issues and the level of detail that we need to
8 think about in our analysis. And we're clearly going
9 to be using a lot of sources to conduct that analysis
10 and to think about those potential affects. Obviously
11 we're going to use published information and reports
12 to the extent that we can. PG&E and DTSC have done
13 quite a bit out of the site, not only for the
14 hazardous materials and monitoring of the groundwater,
15 but there is also sustained information on biological
16 resources and some on cultural resources. We're going
17 to be looking throughout the process for input from
18 agencies that govern some of those different
19 resources. And we also, throughout the analysis
20 process, are going to be looking to get input from
21 tribal members and to really gather information about
22 the resources that are and could be affected by these
23 clean-up activities. In addition, I think it probably
24 goes without saying, but where those other materials
25 don't do it all, we'll also be doing additional site

1 specific analysis and research. For instance, there
2 might be a need to do some additional biological
3 survey work to make sure we have all the information.
4 Now, this chart is a very simplified chart of where we
5 are in the process and this column with the orange
6 squares here showing where we're going to publishing
7 fact sheets. There's one out at the table. The blue
8 diamonds in that row, that shows where we're going to
9 have public meetings, and the bottom row is when we're
10 going to be positing additional information in several
11 of our information repositories, which Jeanne's going
12 to talk about a little later one. But I just mostly
13 wanted to point out that we're kind of at the
14 beginning of the process in terms of getting input.
15 We'll be doing that analysis, gathering input from the
16 tribes as we're analyzing the potential for impacts.
17 And then, in the Winter of 2010, we're anticipating to
18 be complete with a draft environmental analysis, the
19 draft Environmental Impact Report. And at that time,
20 we'll have another opportunity for public meetings.
21 As well, comments can be made on that draft document.
22 It's not a final document. Comments can be made on
23 the adequacy, whether there are questions about the
24 analysis that we've prepared and there'd be a 60 day
25 comment period of that draft document. Once we get

1 those comments in on that draft document, then our job
2 will be to prepare the final document. The final
3 document includes not only copies of the written
4 comments that we've received, but we're required to
5 also respond to those comments in writing and if there
6 are potential changes or refinements to the draft
7 analysis, then we would also make those in this final
8 document and that's known as the Final Environmental
9 Impact Report. So, there will also be a public
10 process when that final document is prepared. Now,
11 this is kind of a repeat, but I just wanted to talk a
12 little again about the purpose of the meeting and why
13 we're here. We're looking to get that initial input
14 on what the scope of the analysis is for the
15 Environmental Impact Report, so what are the things
16 that we need to be considering, what are the things
17 that we need to look at in that analysis. We realize
18 that we haven't provided a lot of detail on the actual
19 approach to be used for the clean-up of the
20 groundwater and that's because we're still studying
21 that and there's acknowledgment that we really are at
22 the beginning of the process and different
23 alternatives are being evaluated. And in fact, unlike
24 some environmental documents, those different
25 alternatives are actually going to be evaluated at an

1 equal level in the environmental analysis. But you
2 might have ideas for mitigation measures or for
3 approaches that are preferable that might avoid
4 affects to cultural resources or other environmental
5 resources and as well, if you just have questions for
6 us on the project and on the different clean-up
7 technologies or clean-up approaches that might be
8 used, those types of questions, while we might not be
9 able to fully answer them today, it will help us to
10 know what we need to answer in the Environmental
11 Impact Report. You probably can't read this very
12 well, but this basically just a summary of the
13 different scoping meetings that we have had. We're
14 actually at the last of five scoping meetings. We've
15 had also one in Palm Desert, Yuma, Needles, and Lake
16 Havasu City. And as Jeanne said, there's several ways
17 that you can provide comments to us. You can provide
18 them today or tonight just by speaking them. You can
19 provide them in writing and that can be handwritten or
20 you can go home and type up a letter on your computer,
21 send an email, really, any way that you can get those
22 comments to us. But the hope is that you can have at
23 least those initial comments to us in response to this
24 initial scoping effort to us by July 1st. With that,
25 I'll turn it back over to Jeanne.

1 **MS. MATSUMOTO:** Thank you. For more information about this
2 project, you can contact Aaron, he would be the first
3 one, or myself. We also have a Public Information
4 Officer for media contacts, her name is Jeanne Garcia.
5 And we wanted to be sure this information was in your
6 packet that you received today. This site is unique
7 because of its relationship with the Colorado River.
8 So, we have several repositories, and what the
9 repositories are, they are files of documents that are
10 important for this project and you can find these
11 files in the following repositories. There's one at
12 the Needles Public Library, the Chemehuevi Indian
13 Reservation, the Golden Shores-Topock Library, Lake
14 Havasu City Library, Colorado River Indian Tribes
15 Public Library, and then Parker Public Library. Also
16 the complete administrative record is at the Cypress
17 Department of Toxic Substances Control office. In
18 addition to that, there is a website. And this
19 website is kept up-to-date. It has a lot of
20 information on it. It has a complete library of
21 project documents, also a nice sidebar on the main
22 page to mention what's new and what's going on. So, I
23 recommend going to the website and that will be in
24 your packet because if I saw it up on the slides, I
25 would forget. At this time, we would like to take

1 comments. And again, if you have a comment, you don't
2 have to stand up, you can stay in your chair. This is
3 such a nice small group, but we would appreciate your
4 name just for conversational purposes. And let's see.
5 Yes, sir?

6 **MALE:** My name is (inaudible) and I'm with the (inaudible)
7 Attorney's Office. And I just simply wanted to thank
8 DTSC for allowing an additional 30 days review and
9 also for the preparation of comments. I know that's
10 very helpful (inaudible) my office (inaudible). We
11 will be submitting formal comments (inaudible).

12 **MS. MATSUMOTO:** We look forward to your comments. And are
13 there any other comments? Written is good. You know
14 I would put mine in writing. Yes? You don't have to
15 stand up.

16 **FEMALE:** I will.

17 **MS. MATSUMOTO:** Okay.

18 **FEMALE:** My name is -- with the Fort Mojave Indian Tribe
19 and I just want to enter into the record the statement
20 of the Fort Mojave Indian Tribe concerning this
21 meeting and it's a short one, so I'll read it so you
22 have something to record on your recorder. It says,
23 "I'm here to today to express deep concern for the
24 area in which you intend to evaluate the environmental
25 impacts of this project as part of the approval

1 process to select a final clean-up remedy. First of
2 all, the Fort Mojave Indian Tribe has been a part of
3 this area since time and memorial. We are the Aha
4 Macav, the people on the river. We are a living
5 culture and caretaker of this land given by the
6 creator, Mutavilya. For many generations, these oral
7 traditions were handed down and passed on to the
8 leadership of the different clans that make up the Aha
9 Macav. During the early years before the white man
10 came, we were an intrical part of this region,
11 extending from north, south, east, and west. This was
12 our territory and traditional homeland. Today, most
13 of that tribal area has been reduced to what we have
14 today, 48,000 acres of land located in three states,
15 California, Arizona, and Nevada. We have many areas
16 of cultural and spiritual connections, all up and down
17 this valley. Much of the land is now owned or managed
18 by federal agencies, state and individual land owners.
19 Many historic and prehistoric places exist within the
20 area you are talking about for this particular clean-
21 up to be occurring. Our beliefs define who we are and
22 how we continue to exist as a people. Our affiliation
23 with the land, air, and most importantly the water,
24 know to the many as the mighty Colorado River, is the
25 lifeline to millions who depend on this water to

1 exist. We are here today to state that the protection
2 of the river is first, the number one concern to our
3 tribe and many tribes downstream of the area mentioned
4 in the clean-up of Topock. Second, the area is sacred
5 to the Mohave people and other tribes and cabinet and
6 infinite and content connection to this sacred area
7 also. We must ensure that this EIR includes a
8 thorough cultural ethnographic study; this will
9 further protect the area from desecration. If you
10 were to look on a map, you would see the areas of
11 cultural and sacred sites significant to our people.
12 This area is critical to our beliefs, especially when
13 we pass from this world to the afterlife. This area
14 should be treated with respect and acknowledged for
15 what it is, sacred in its entirety, not picked apart
16 as most archeologists see things when an area has been
17 experienced by some fire disturbances. The Fort
18 Mojave Tribe has been a participant in this process
19 since first contacted in July of 2004 by the Bureau of
20 Land Management. We were informed of actions which
21 were never previously brought to our attention, in
22 light of the fact that DTSC and DOI were under an
23 order, known as a Notice of Exemption, which was an
24 emergency action. Since that first notification and
25 meeting with the affected tribal governments, we

1 attempted understate federal law to consult with the
2 regulatory agencies to find out what was going on out
3 there and to get up to speed with this complex
4 process. We were never brought in or advised of the
5 actions taking place. We were viewed more as a
6 hindrance instead of tribal governments with equal
7 responsibility to be consulted with on a government to
8 government relational basis. The federal agencies who
9 are involved, Bureau of Land Management, U.S. Fish and
10 Wildlife, Bureau of Indian Affairs, Bureau of
11 Reclamation, and the Environmental Protection Agency
12 are equally responsible to our tribal governments
13 based on their obligations as our trustee to uphold
14 and protect the tribal interest. To date, this Notice
15 of Exemption justified a water treatment facility that
16 was constructed directly in an area of cultural and
17 sacred sites. The federal governments trust
18 responsibility to see that the concern and interests
19 of the tribes involved are protected and are managed
20 with proper consultation, are still in our estimation
21 nonexistent and a reminder of injustices of the past.
22 If this clean-up is to take place, this tribe and
23 other tribes along the Colorado River have to have a
24 seat at the table, one of respect and comity and of
25 true consultation based on our concerns and guiding

1 principles. To reiterate our position, we are not
2 just special interest groups. We are a tribal
3 government who has equal footing in this matter of
4 clean-up and a final remedy determination with our
5 interests protected and acknowledged by the regulatory
6 agencies who are responsible under federal law and
7 settlement agreements to consult with our tribal
8 governing body to protect our cultural and sacred
9 sites within this area of clean-up. For the purposes
10 of providing comments for this forum, this is a
11 summary of comments on behalf of the Fort Mojave Tribe
12 and further defined detailed written comments will be
13 forthcoming for the record. We wish to inform you
14 that we are hosting a forum for tribal member
15 participation on our reservation. We would like those
16 comments incorporated into this record for defining
17 the scope of the EIR and the interests of the Fort
18 Mojave Tribe." Thank you.

19 **MS. MATSUMOTO:** Are there other comments? Okay. At this
20 time, we will close the comment portion of the meeting
21 and we are here for questions.

22 --oOo--

23 - MEETING ADJOURNED -

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TRANSCRIBER'S CERTIFICATION

This is to certify that I, Kelli Wells,
transcribed the digitally-recorded public meeting of the
California Environmental Protection Agency, Department of
Toxic Substances Control, dated June 5, 2008; that the
pages numbered 1 through 27 constitute said transcript;
that the same is a complete and accurate transcription of
the aforesaid to the best of my ability.

Dated July 2, 2008.



Kelli Wells, Transcriber
Statewide Transcription Services