

***Final Minutes
Restoration Advisory Board
Former Lowry Bombing and Gunnery Range
November 19, 2003***

The November 19th, 2003, meeting of the Restoration Advisory Board (RAB) was held at the Doubletree Hotel at 13696 East Illiff Place., Aurora, Colorado 80014. The meeting started at 6:30 p.m.

Welcome and Opening Remarks

Ms. Bonnie Rader, Community co-chair for the RAB opened the meeting at 6:30 p.m. Ms. Rader asked all in attendance to introduce themselves.

Attendance

The following RAB members were present:

Jerry Hodgson, U.S. Army Corps of Engineers, Omaha District (USACE), Co-chair
Bonnie Rader, Community Co-Chair
Mark Harding, Rangeview Metropolitan District
James Ives, City of Aurora
Dave Denton, Laing Village, LLC
Carol Maclennan, Tri-County Health Department
Bob Hastings, Citizen
Jeff Swanson, Colorado Department of Public Health and Environment (CDPHE)
Pete Pagano, DTH Joint Venture #2
Lynn Robbio Wagner, Tri-County Health Department
Danna Ortiz, State Land Board

Other attendees:

Keith Wegner, Correlation Corp.
John Mullen, Shaw Environmental Inc.
Tracie White, Shaw Environmental Inc.
Teri Farrell, Shaw Environmental Inc.
Matt Benson, Blackhawk Geo
Morey Engle, Shaw Environmental Inc.
Spencer Luft, Cunningham Fire District
Robyn Lydick, I-70 Scout
Richard Rader, Citizen
David Rathke, US EPA Region 8
Julio Iturreria, Arapahoe County
Brenda Gallagher, Arapahoe County Planning Commission
Janice Sinden, SHORE

GENERAL RAB ITEMS

Ms. Bonnie Rader (Community Co-chair) asked if the board had an opportunity to review the minutes of the prior meeting (July 17, 2003). The minutes for the September 17, 2003 RAB meeting were approved under the condition that the minutes state that Ms. Maclennan would research building permits issued in the rural area of Arapahoe County, not the City of Aurora.

PRIVATE CLEARANCE

WHEATLANDS PROPERTY

Mr. Matt Benson of Blackhawk UXO Services, on behalf of Shea Homes, gave a presentation regarding the private clearance activities on the Wheatlands Property which is approximately 1.3 miles southwest of the Jeep/Demolition Range.

Mr. Benson indicated that Phase I is complete (~100 acres). No 20mm projectiles, 37mm projectiles or ordnance and explosives (OE) were recovered. Phase I has been mapped, investigated intrusively and a report for this phase has been written; the report has been approved by the CDPHE.

Phase II (~350 acres) is approximately two-thirds complete. No items have been found on the surface thus far; geophysical mapping is currently on-going. Intrusive activities in Phase II is scheduled for this upcoming spring depending on weather conditions.

SOUTHSHORE PROPERTY

Mr. Benson also presented a progress report on the Southshore property private clearances being performed for Laing Village, LLC. Southshore is comprised of approximately 800 acres south of the Aurora Reservoir, to be used for single family and multi-family dwellings.

Mr. Benson indicated to date, the data collection is complete, intrusive activities are finalized, the site has been geophysically mapped, investigated and approved for development. Throughout the clearance activities, approximately 295 20mm projectile tips and 87 37mm projectile tips were located.

Mr. Benson was asked when Blackhawk Geo will be collecting geophysical data on the Wheatlands property. He replied the geophysical data collection phase is scheduled to begin in the spring of 2004, weather permitting.

FORMER LOWRY TRAINING ANNEX

FIELD WORK UPDATE

Mr. Jerry Hodgson, USACE, on behalf of Ms. Sharon Moore, AETC, presented an update regarding the Former Lowry Training Annex (FLTA) project status. Two teams are currently performing clearance activities in the FLTA. There are a total of 670 grids with 437 complete and 6 awaiting QA/QC. Mr. Hodgson mentioned teams are currently focusing on the southwest corner of the FLTA; this is the general location of an aircraft wreckage and a significant amount of debris.

When asked what the funding will be for the FLTA in 2004, Mr. Hodgson replied Shaw has been awarded enough money to complete the FLTA circular boundary. He anticipates clearance activities being complete during FY2004.

FORMER LOWRY BOMBING AND GUNNERY RANGE

Technical Assistance for Public Participation (TAPP)

(handout posted on the web)

Mr. Keith Wegner presented a progress report concerning the Technical Advisory Services for the Former Lowry Bombing and Gunnery Range (FLBGR). The report included a progress summary, current tasks, and a cost summary. A summary of Mr. Wegner's observations is provided in the handout. Mr. Wegner stated he performed the AOC prioritization scoring.

FIELD WORK UPDATE

(presentation posted on the web)

Mr. Jerry Hodgson presented an update regarding the FLBGR project status. The presentation included a summary of activities completed to date, ongoing activities, and future efforts. There are currently four teams performing clearance work; two teams are working at the FLTA, two are working in the Jeep/Demolition Range. In the Jeep/Demolition Range, one team is performing conventional clearance activities and the other team is performing Recovered Chemical Warfare Materiel (RCWM) work.

Mr. Hodgson mentioned that there are three people who are potential hires which would enable forming an additional conventional clearance team to be used in either the Jeep/Demo Range or in Bombing Target 6.

To date, no items containing RCWM have been discovered. Any evidence of RCWM related items, such as CAIS bottle remnants have been located only in previously identified RCWM areas of concern. Currently, approximately 12 acres within the triangular berm area are not RCWM cleared. The area inside the berm is a former demolition area that contains a dense amount of metallic fragments. As such, geophysical discrimination cannot be effectively used in this area. The plan forward with regard to clearance of the triangular berm area will be discussed by the USACE and CDPHE during the Project Principals Meeting on December 9, 2003.

The FLBGR has been funded \$8M of which \$7M is for conventional clearance activities and \$1M for RCWM support functions (infrastructure etc.). There is no money currently available to continue RCWM response efforts. Mr. Hodgson is not yet sure whether or not more RCWM funding will be awarded. The current funding is expected to last through the end of January 2004.

PROJECT PRIORITIZATION

Mr. Wegner presented the results of the preliminary project AOC prioritization. He did state that the prioritization results presented at this meeting are preliminary until all RAB members have had a chance to review and comment on the results. Mr. Wegner then reviewed the voting process that was determined at the September 17, 2003 RAB meeting. He mentioned that the Land Use category combined both Future Land Use and Current Land Use categories into one. Each RAB member present, except for Mr. Hodgson and Mr. Swanson, was given nine total votes to place on whichever categories they felt were the highest priorities.

Mr. Wegner handed out a packet to all RAB members with his preliminary prioritization scoring results. According to the preliminary prioritization, the AOC scoring is based on the following criteria and associated weighting factor:

Land use	0.381
Overall hazard	0.365
Type of hazard	0.159
Access	0.063
Cost	0.032
Infrastructure	0
Legal restrictions	0
Environmental impact	0
Economic impact	0

The overall preliminary scoring of the AOCs resulted in the following order of prioritization:

- | | |
|--------------------------------|----------------------|
| 1. Jeep/Demo Range | 7. Bombing Target 2 |
| 2. Bombing Target 6 | 8. Bombing Target 4 |
| 3. Rocket Range | 9. Mortar Range |
| 4. 20mm Range Fan | 10. Bombing Target 3 |
| 5. Air-to-Ground Gunnery Range | 11. Bombing Target 7 |
| 6. Bombing Target 5 | 12. Bombing Target 1 |

The scoring system Mr. Wegner utilized in determining the previously stated order of prioritization is shown in the packet. All of the AOCs were given a score for each prioritization category such that:

100 high
75 elevated
50 moderate
25 low

Using this scoring system, the main difference between the preliminary AOC scoring and the 2002 scoring is that now, Land Use is weighted the heaviest category, as opposed to Overall Hazard.

In summary, the bombing targets are slightly rearranged from the 2002 scoring, due to access or land use. The 20mm Range Fan up in priority. Jeep/Demo Range and Bombing Target 6 remain the two highest priority sites for clearance activities. Mr. Wegner mentioned that he will not edit the AOC scorecard text until the RAB has time to comment on his results.

Ms. Maclennan asked how long the RAB has to make comments. Mr. Wegner replied he would like all comments by the new year, preferably by e-mail. Ms. Maclennan requested that RAB members receive a packet containing the information Mr. Wegner used for scoring the AOCs.

Mr. Hodgson stipulated that discretion is used on choosing where teams perform work based on weather and ground conditions. The raw AOC prioritization determines when and where teams will be placed for clearance operations. However, if, for example, infrastructure near Bombing Target 2 needs support, teams may work in that area. Mr. Hodgson also pointed out that the scoring is meant to be a means of guidance, not a rule. Construction support is provided across the Range on an as-needed basis.

It was pointed out that RAB members are encouraged to provide comments on the preliminary scoring. Mr. Wegner stated that he used the most current information available to him. He is open to receiving more information. If any RAB member has anything more current that may affect scoring, they should send the information to Mr. Wegner for consideration.

Mr. Hodgson also stated that, if new information becomes available at any time in the future, this information can be presented to the RAB. This is an iterative and on-going process. It was then reiterated that, Mr. Swanson and Mr. Hodgson do not have any input on the scoring results. They merely provide technical information to Mr. Wegner who works directly with the RAB.

DISCUSSION REGARDING FLBGR CONTRACT MECHANISM

After the scoring process was covered, a discussion ensued regarding Guaranteed Fixed Price Remediation (GFPR) contracts and how they may apply to the FLBGR project.

Ms. Rader stated that she is concerned about a letter sent by Senator Wayne Allard's office to the USACE regarding the FLBGR being a "good candidate for GFPR contract methodology". Senator Allard's letter indicated that the FLBGR should be one of the top three priority sites in the nation and should be evaluated for transition to a GFPR contract mechanism. Ms. Rader stated she would like for the USACE to include Lowry's RAB and local/state government on the evaluation process.

The CDPHE is assessing the impact this type of contract may have on the FLBGR. From the State of Colorado's perspective, any contract must be able to demonstrate that cleanup of the area will happen sooner rather than later and the clean up must be less expensive with the same quality as the work currently on-going. This has a strong potential to change how business is currently being conducted. Mr. Swanson stated that he personally feels that with the project as far along as it is right now, he does not see how any contractor with a fixed priced contract can get the job done any faster or cheaper than is already being done. He mentioned he wants the USACE to make sure the CDPHE and the RAB are included in the evaluation process.

Mr. Hodgson mentioned that while the fixed price contract method is being evaluated, he is committed to continuing the ongoing work effort. He anticipates that a decision regarding a potential change in contract mechanisms will be

made between now and the next fiscal year. Mr. Hodgson does not want to disrupt the project during the decision making process.

Ms. Rader asked whether or not there will be a time lag between work crews if the decision is made to change contract methods. Mr. Swanson replied that yes, there will likely be a time lag. This was demonstrated when Omaha took over at the FLBGR for Huntsville. If the fixed price contract method is accepted for the FLBGR, there will be a major shift in the on-going work process.

Ms. Dana Ortiz (State Land Board) asked whether or not the current work crews could continue clearance efforts simultaneously with the new work crews under the fixed price contract to eliminate any lag time. Mr. Hodgson replied that he was unsure if the USACE could support both methods and crews at the same time.

It was mentioned that clearance activities have been ongoing at the FLBGR for seven years. It would be hard to replace the existing site background, knowledge, skill and implementation that is currently in place with a new contract and new work crews.

Mr. Denton asked who submits bids on these types of contracts and how do contractors determine what to include in their bid. Mr. Hodgson responded that the USACE supplies all the information to the contractors and determines the scope of work. It is then up to the contractor to determine how long it will take to complete the project and what their prospective budget is. Independent developers are not part of the scope of work.

Mr. Hodgson also stated that if a contractor bid \$5M to complete an area, yet in the end it cost \$10M to complete, insurance must pay for the extra \$5M resulting in higher insurance premiums.

Mr. Hodgson stated that so far he is not convinced that changing contracts will benefit the project and has the potential to disrupt ongoing activities. He has talked with a number of contractors and is evaluating the impact a contract change would have. He feels there are currently too many unknowns, too many transitions to complete, and feels a premature change would be a detriment to the project.

Mr. Harding stated he does not believe another contractor can perform the clearance work any better or less expensive, regardless of the funding mechanism due to the fact that so many years have already been spent on the project. The skill level and knowledge is not readily replaceable.

Mr. Hodgson stated that he is concerned about the motivation and quality of work that may result from a fixed-price contract mechanism. The pace at which work moves forward is as fast now as it can be for any other contractor to perform work at the site at the same quality and safety level.

In general, the concerns of the RAB are as follows:

1. FLBGR includes and encourages community involvement. Any disruption in the contractor performing the work will be a discomfort to the community.
2. A new contract mechanism may be efficient with the budget, but may not be more effective.
3. Performing clearance activities faster and on a smaller budget may have a negative impact on safety, quality and community.
4. The current work crews have a great safety record, they know the project and have a seven year history.

It was discussed that one option may be to pick one of the known AOCs for fixed-priced contracting. Perform clearance on the area and then compare the results to the current work activities. The USACE needs to be able to demonstrate using a fixed price contract is a better vehicle before making any changes.

Mr. Hodgson stated, however, that testing one AOC requires money not allotted in the FUDS budget. Performing a test is very costly for a Research and Development budget. Any other contractor submitting a bid under a fixed-price contract will also incur unnecessary mobilization costs, since the USACE/Shaw work crews are already in the field ready to go to work.

Ms. Rader stated that the RAB has been involved since the inception and in her experience, USACE Huntsville is not diligent or effective with community involvement. She is unsure the RAB would survive if Lowry was turned back over to Huntsville.

Mr. Hodgson stated that contracts would be awarded through Huntsville and may be transferred back to the Omaha district. If the contract is transferred back, Omaha can manage their own project in their own capacity as it is done currently. He stated he feels the project depends heavily on public participation.

Mr. Swanson stated he hopes to determine the State's position on making any changes to a fixed price contract method by the Principals Meeting scheduled for December 9, 2003.

Mr. Hodgson also stated that thus far, clearance efforts have been fairly close to what was estimated for project duration and cost to complete.

Ms. MacLennan asked whether or not the RAB would like to pass a motion to send a letter to Senator Allard's office indicating that the RAB would like to be involved in determining whether or not the project contract mechanism should change. The motion was passed. Ms. MacLennan was elected to write the letter and distribute it to the RAB for review. The letter will be sent to Senator Allard under the RAB signature.

Adjournment

Arrangements were made for the next meeting to be held January 21, 2004, 6:00 p.m., at the Aurora Library.

Meeting notification for the next RAB meeting should be sent on or around January 12, 2004.