

(updated 1/15/2008)

**Charter
Restoration Advisory Board
For the
Former Lowry Bombing and Gunnery Range**

I. Name: This organization shall be known as the Restoration Advisory Board (the Board) for the Former Lowry Bombing and Gunnery Range. The Board will fulfill all requirements of 10 USC Section 2705 (c) for Technical Review Committees at the U.S. Department of Defense installations; Section 326 (a) of the National Defense Authorization Act for Fiscal Year 1995; and the Department of Defense and U.S. Environmental Protection Agency Restoration Advisory Board Implementation Guidelines.

II. Purpose and Function of the Board

- A. The purpose of this Board is to provide a vehicle for involving the public in the military munitions response and environmental restoration decision-making process with respect to the Former Lowry Bombing and Gunnery Range (the Range.) To this end, this Board shall provide a forum to solicit input from stakeholders, to disseminate information to such parties, identify issues concerning the military munitions response on and restoration of the Range, recommend action and monitor the performance of such action to restore the Range.
- B. The Board will facilitate communication with government agencies involved in military munitions response and restoration efforts, and disseminate information to stakeholders about the investigation and location of possible contaminants and ordnance, the response and restoration process and various opinions about the process.
- C. The Board will address important issues related to military munitions response and restoration, such as the scope of studies, cleanup criteria and levels, waste management, and response/remedial action; review and evaluate documents associated with military munitions response and restoration activities, such as plans and technical reports; identify response and restoration projects to be accomplished in the next fiscal year and beyond; and recommend priorities among sites or projects.
- D. The Board will conduct regular meetings that are open to the public and scheduled at convenient times and locations to provide an opportunity for comment on actions and proposed activities taken by the U.S. Army Corps of Engineers and other involved government agencies under the site restoration and military munitions response programs and to facilitate regulatory agency and public participation consistent with applicable laws.
- E. The Board serves in an advisory capacity to the federal, state, and local government agencies involved in the Range military munitions response and restoration activities, as applicable.

III. Membership

The membership of the Board shall consist of the members listed on Exhibit A. These members shall be divided into two classes: "Federal Agencies and Regulators" defined as those appointed representatives of the U.S. Army Corps of Engineers, representatives of other Federal agencies such as other military branches and the U.S. Environmental Protection Agency, and the Colorado Department of Public Health and Environmental; and "Stakeholders" defined as all other members such as state and local agencies, and community members including land owners and lessees, organization representatives, and individuals. However, the Stakeholders on the Board may increase or decrease the number of Stakeholders on the Board by a majority vote of the Stakeholders at a meeting at which a quorum is present. No such decrease shall have the effect of shortening the term of a service member and no increase will enlarge the Board beyond a total of 20 Stakeholders. Stakeholders shall serve without salary or other compensation for services.

IV. Terms

- A. Any Stakeholder may resign at any time by giving written notice to the Community Co-Chair. Acceptance of such resignation shall not be necessary to make it effective unless the notice so provides. Stakeholders may be removed from the Board for "cause" by a majority vote of the remaining Stakeholders on the Board. "Cause" shall mean conduct found to be ineffective or detrimental to the program of the Board.
- B. Any vacancy in the Stakeholder membership, whether by resignation or removal, shall be filled by the affirmative vote of majority of the remaining Stakeholders.
- C. Stakeholders are expected to attend all Board meetings or send an alternate designated in writing to the Community Co-Chair prior to the meeting. A Stakeholder who has missed three consecutive meetings without an excused absence (i.e. without contacting a Co-Chair or authorized representative) shall be deemed to have resigned from the Board at the close of the third meeting.

V. Voting

- A. The Board's primary mission is to work toward consensus on substantive issues and to limit voting to administrative matters. Each Stakeholder of the Board shall be entitled to one vote on each matter that is put to a vote of the Board. Alternate Stakeholders shall have the same rights and privileges of the Stakeholder represented provided such representation has been submitted in writing to the Community Co-Chair in advance of the meeting at which the alternate is attending. Proxy voting shall be permitted provided written instructions designating the proxy voter and the matter to be voted upon are delivered to the Community Co-Chair prior to commencement of the meeting at which the proxy is to be exercised. A Stakeholder RAB member may designate a permanent alternate with proxy voting privileges for his/her term of service on the Board by sending one written notification to the Community Co-Chair.

Federal agencies and regulators, defined as representatives of the U.S. Army Corps of Engineers, the Colorado Department of Public Health and Environment, U.S. Environmental Protection Agency, and other federal agencies, shall participate actively in Board discussions and make their views known, shall have a vote on the administrative issues (with the exception of electing a Community Co-Chair).

- B. A majority of the number of Stakeholders then in office shall constitute a quorum for the purpose of accomplishing Board action. Stakeholders in attendance will decide on the appropriateness of taking a Board action based on the consensus of members present. To the extent possible, the Board Co-Chairs shall strive to resolve issues and problems by consensus. However, when formal voting is conducted and dissenting opinions exist, those dissenting opinions shall be included in the official minutes of that meeting.

VI. Board Structure

- A. Board shall be co-chaired by a Stakeholder and a representative of the U.S. Army Corps of Engineers.
- B. The Community Co-Chair will be selected by a majority vote of the Stakeholders every two years and only Stakeholders who represent themselves and not an organization shall be eligible to hold the Community Co-Chair position. The Community Co-Chair may be removed from office if he or she is found to be ineffective or detrimental to the progress of the Board. Such removal should require a quorum for a vote, and a majority vote of that quorum should be required for removal.
- C. The membership of the Board shall include one representative each of the U.S. Army Corps of Engineers and the Colorado Department of Public Health and Environment as stated above. Other members representing agencies should serve at the pleasure of that agency. The remaining board members shall be Stakeholders, appointed by a majority of the remaining Stakeholders and shall represent a broad cross-section of the surrounding communities.
- D. At a minimum, the Board shall meet quarterly. More frequent meetings may be held, if deemed necessary by the Stakeholders of the Board. Meetings will be approximately two hours in length, plus a public comment period that can be held in conjunction with each meeting and will be open to all present to clarify cleanup issues. Open discussion among the members is encouraged during the meeting.
- E. The Co-Chairs may cooperatively establish committees if deemed necessary.
- F. Co-Chairs will compile agenda items. Suggested topics will be provided to the Co-Chairs not later than two weeks prior to the meeting. The U.S. Army Corps of Engineers shall be responsible for providing written notification to all Board members of the upcoming meetings. Board meetings will be open to the general

public and to the news media. However, unless invited by a Board member, visitors may not participate in meetings except for scheduled public comment periods and will not have voting privileges. The visitors may not participate in meeting agendas except for scheduled question and answer segments and will not have voting authority.

- G. The U.S. Army Corps of Engineers shall be responsible for recording and disseminating meeting minutes that should include any list of action items and the designated party responsible for follow up. A written list of attendees at each meeting will be recorded and incorporated into the meeting minutes.
- H. A copy of the Board meeting minutes will be sent to all Board members.
- I. The Board, with the aid of Technical Assistant for Public Participation (TAPP; provided as needed), will be asked to review and comment on various environmental restoration documents. A reasonable amount of time will be allowed for such review. The TAPP will submit written comments to the Community Co-Chair as well as a complete presentation to the board at regularly scheduled RAB meetings.
- J. Final documents, TAPP comments reviewed by the Board, responses to action items and meeting minutes will become part of the Information Repository/Administrative Record located at Aurora Public Library, Reference Section, 14949 E. Alameda Dr. Aurora, CO. Additionally, information is made available on the project web site: <http://www.flbgr.org>.


VII. Effective date and amendments

- A. The effective date of this revised charter shall be the date on which a majority of the Stakeholders enact a resolution approving it.
- B. This Charter may be amended by a two-thirds majority vote of the Stakeholders present at the meeting following the one at which the amendment was proposed.

VIII. Termination: This Charter will be terminated upon completion of requirements as stated in applicable federal and state agreements. However, after implementation of the final remedial action, it may be terminated earlier upon a two-thirds majority vote of the Stakeholders of the Board.

IX. Signatories to the Restoration Advisory Board Charter

IN WITNESS WHEREOF, we have set our hands this 16 day of APRIL 2008



Restoration Advisory Board U.S. Army Corps of Engineers, Co-Chair

Restoration Advisory Board Community Co-Chair

Exhibit A
Former Lowry Bombing and Gunnery Range
Restoration Advisory Board
(a/o 01/15/08)

Jerry Hodgson (Co-Chair)
U.S. Army Corps of Engineers, Omaha District
Attn: CEMRO-MD-HA
222 S. 15th Street
Omaha, NE 68102
Office: 402-221-7709
Fax: 402-221-7796
Jerry.L.Hodgson@usace.army.mil

Joyce Bartell
Home: 303-343-0384
Cell: 303-819-3220
jbartell@recycleamerica.com

Sylvia Crowell
U.S. Air Force
Sylvia.crowell@randolf.af.mil

Larry Falsetta
19165 E. Prentice Circle
Centennial, CO 80015
Cell: 303-378-8993
lfalsetto@aol.com

Joe Freund
15460 E. Batavia Drive
Aurora, CO 80011
Office: 303-341-9310
Home: 303-841-7901
Fax: 303-360-8332
jfreund@myedl.com

Mark Harding
Range View Metropolitan District
5650 York Street
Commerce City, CO 80022
Office: 303-292-3456
Home: 303-777-6765
Fax: 303-292-3475
mharding@purecyclewater.com

Bob Hastings
Phone: 303-261-9440
eclecticct@aol.com

Karan Holmes
U.S. Navy

Phone: 360-396-0080
karan.holmes@navy.mi

Julio Iturreria
Public Works and Development
Arapahoe County
10730 E, Briarwood Ave., Suite 100
Centennial, CO 80112
Office: 720-874-6657
Fax: 303-798-6054
jiturreria@co.arapahoe.co.us

Carol MacLennan
Tri-County Health Department
7000 East Belleview, Suite 301
Greenwood Village, CO 80111-1628
Office: 303-220-9200
Direct: 303-846-6232
Fax: 303-220-9208
cmaclenn@tchd.org

Pete Pagano
Phone: 303-791-0538
ppaganojen@aol.com

Lynn Robbio Wagner (Alternate)
Tri-County Health Department
4201 E. 72 Avenue Suite D.
Commerce City, CO 80022
Office: 303-220-9200
Fax: 303-220-9208
lwagner@tchd.org

Jeffrey Swanson
Colorado Department of Public Health and Environment
HMWMD-FF-B2
4300 Cherry Creek Drive South
Denver, CO 80246-1530
Office: 303-692-3416
Home: 303-979-7084
Cell: 303-905-2294
Fax: 303-759-5355
jrswanso@smtpgate.dphe.state.co.us

James Schrack
City of Aurora
Planning Department
Comprehensive Planning Division
15151 East Alameda Parkway
Aurora, CO 80012
Office: 303-739-7555

Cell: 303-434-2332
Fax: 303-739-7268
jschrack@auroragov.org

Melissa Yoder
State Land Board
1313 Sherman Street, #621
Denver, CO 80203
Office: 303-866-3454
Fax: 303-866-3152
melissa.yoder@state.co.us