



**DEPARTMENT OF THE AIR FORCE  
377TH AIR BASE WING (AFGSC)**



MEMORANDUM FOR THE RECORD

FROM: 377 ABW/CC

SUBJECT: Establishment of a Restoration Advisory Board (RAB)

1. In accordance with DoDM 4715.20, *Defense Environmental Restoration Program (DERP) Management*, Encl 3, para 16.c(3), this memorandum for record documents my decision not to establish a RAB for Kirtland Air Force Base (KAFB) at this time. I based my decision on a determination that there is not sufficient and sustained community interest in establishing a RAB for Air Force environmental restoration programs (ERP) at KAFB.

2. A RAB is an opportunity for stakeholder involvement in the environmental restoration process at Department of Defense (DoD) installations. 32 C.F.R. §202.1(a)(1). It is a forum for early and continued exchange of information and dialogue between DoD installations, regulatory agencies, tribes, and the community. 32 C.F.R. §202.1(b)(2). RAB members review progress, participate in dialogue with, and provide comments and advice to the installation's decision makers on environmental restoration matters; however, they do not make any decisions. 32 C.F.R. §202.1(b)(3). A RAB should be established when there is sufficient and sustained community interest, and any of the following criteria are met: the closure of the installation involves the transfer of property to the community; at least fifty local citizens petition the installation for creation of a RAB; federal, state, tribal or local government representatives request the formation of a RAB; or the installation determines the need for a RAB. 32 C.F.R. § 202.2(a)(1)–(4). As noted above and in the RAB Rule Handbook issued by the Office of the Secretary of Defense, sustained interest shows commitment from the community and is an important factor when deciding if a community is prepared to maintain a RAB during an installation's environmental activities. The installation commander ultimately approves the establishment of a RAB or signs a memorandum documenting the decision not to form a RAB if there is no sufficient and sustained community interest. AFI 32-7020, *The Environmental Restoration Program* (Certified current 18 April 2016), para. 11.4.1.

3. On March 28, 2016, Ms. Kathryn Lynnes, SAF/IEE, Kirtland Air Force Base (KAFB (with Mr. Dennis McQuillan, NMED courtesy-copied), received a petition entitled "Petition for Formation of a Restoration Advisory Board ("RAB") for Kirtland Air Force Base Jet Fuel Spill Pursuant to 32 CFR 202.2 (92 Federal Register 27610 (May 12, 2006))" from Dave McCoy, Executive Director of Citizen Action. This petition had 80 signatures. In response to the petition, and because it was time for the biennial solicitation to gauge community interest in establishing a RAB for its ERP, KAFB disseminated interest surveys in October 2016. The methods for conducting this survey included: an email announcement to approximately 1,000 email addresses from the ERP, Bulk Fuels Facility (BFF) and New Mexico Environment Department (NMED) email/ mailing lists; a mailer sent to approximately 214 addresses, also from the ERP, BFF and

NMED email/ mailing lists; and a door-to-door effort, where 326 houses were visited in the Siesta Hills and Elder Homestead neighborhoods. A total of 1,540 individuals were surveyed. The survey was also reported in at least one newspaper article in *The Santa Fe New Mexican*. The survey stated that the focus of a RAB would be on all ERP projects, not just the BFF. The survey clarified the definition and purpose of a RAB and the level of commitment expected of RAB members. Fewer than ten percent of the people surveyed responded, with only 46 people stating they were willing to serve on a RAB and provided their contact information.

4. On 26 January 2017, KAFB conducted a Town Hall meeting to outline the scope and responsibilities associated with forming and serving on a RAB, and where the public was invited to share their opinion regarding establishment of a RAB. The meeting was widely publicized through email notification to the same lists to which the survey was sent; through social media posting; through an advertisement and an article published in the *Albuquerque Journal*; through an article in the KAFB base newspaper, *The Nucleus*; and through information distribution through neighborhood and community associations adjacent to KAFB. 30 government personnel and 21 private citizens attended the meeting. The primary focus of public comments were the BFF remediation efforts. At the end of the meeting, attendees were invited to complete a form if interested in serving on a RAB; 8 people responded, 3 of whom were affiliated with the same organization, Citizen Action.

5. Several state and local government agencies, political offices, and key community members weighed in on the issue either at the Town Hall meeting or at other opportunities. The Albuquerque Bernalillo County Water Utility Authority (Water Authority), NMED, Albuquerque Environmental Health Department (AEHD) and the Mayor's Office, and Bernalillo County Commissioner Hart-Stebbins' Office all stated that a RAB was not necessary at this time. Albuquerque City Councilman Pat Davis voiced his support for the RAB. Some key community members stated that they were not in support of forming a RAB as it would eliminate on-going BFF project outreach efforts the community has come to value and rely upon for timely project updates, and it would create a potential barrier between members of the public and the Air Force and NMED on BFF. Other key constituents and local elected representatives were surveyed, and showed little to no interest in the establishment of a RAB.

6. Based upon this information, I conclude that there is not enough interest in forming a RAB. KAFB made a good-faith effort to determine whether or not there is a sufficient and sustained interest in the community to establish a RAB through the level and breadth of interest solicitation, Town Hall meeting notification, and follow-up meetings. Only 5 of the 46 people who responded to the survey and provided their contact information attended the Town Hall meeting, despite the fact that they all had received notice of the meeting. Additionally, only 8 people at the Town Hall meeting offered to serve on a potential RAB. Notably, 3 of those people were from Citizen Action, the group which had sent the petition back in March 2016. Moreover, the majority of the government agencies who had weighed in stated that the RAB was either not necessary, or had shown no interest for its establishment. Based on these factors, I conclude that there is no sufficient and sustained interest in the community to establish a RAB at this time.

7. The focus of the citizen petition and comments at the Town Hall meeting were solely on the BFF remediation efforts, and there was no indication of any community interest in other ERP projects on KAFB. However, the scope of a RAB's focus must be broader than one restoration site or activity to include all restoration activities on base. *See* 10 U.S.C. § 2705(f). KAFB currently has strong public engagement on the BFF remediation and is effectively addressing community concerns about transparency and oversight regarding the BFF project. Part 6.1.11 of KAFB's Hazardous Waste Treatment Facility Operating Permit (HWTF Permit No. NM9570024423 – "RCRA Permit") contains a robust community relations plan requirement, which is exceeded with the BFF efforts. The BFF technical team and public information process, including the regular public meetings, field trips, workshops, technical deep dives and other regular public engagement already achieves significant public involvement. Each technical briefing and related developments are open to public comment, and questions and concerns are addressed in a public forum, where news media and the general public have access. All documents related to the project are available to the public. The BFF project includes oversight from various regulatory agencies, to include NMED; Water Authority; AEHD; the Environmental Protection Agency; and local, state, and federal elected representatives. The RAB will potentially take away from the current BFF engagement program as it will divert resources away from the current programs and into the RAB. This is due to Federal Regulations that prohibit using federal/public funds to support duplicative efforts, in this case, project outreach activities. Programs which risk discontinuation include project-specific meetings, field trips, visits with neighborhood and community associations, and partnerships with regulators. All of these programs have been vital to maintaining robust community engagement on the BFF project—engagement which has been praised and valued by members of the community.

8. KAFB will continue the active community relations programs that currently exist regarding Air Force restoration efforts. KAFB will review community interest to establish a RAB at least every 24 months, while environmental restoration activities are still ongoing, per the *RAB Rule Handbook*, Office of the Secretary of Defense (March 2007), page 6; and AFI 32-7020, *The Environmental Restoration Program* (Certified current 18 April 2016), para. 11.4.1.

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