

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION

**ORDER R2-2003-0097**

**AMENDMENT OF SITE CLEANUP REQUIREMENTS CONTAINED IN  
ORDER NO. R2-2003-0076 TO REFLECT NEW FACILITY OWNERSHIP FOR:**

**CALIFORNIA STATE COASTAL CONSERVANCY**

**HAMILTON ARMY AIRFIELD  
NOVATO, MARIN COUNTY**

**INBOARD AREA AND COASTAL SALT MARSH**

The California Regional Water Quality Control Board, San Francisco Bay Region (hereinafter called the Board), finds:

1. **Regional Board Orders:** On August 20, 2003 the Board issued Order No R2-2003-0076, adopting Site Cleanup Requirements for the United States Department of Defense, U.S. Army Corps of Engineers, San Francisco District, California State Lands Commission.

Order R2-2003-0076 prescribes Site Cleanup Requirements (SCRs) for the inboard area and adjacent coastal salt marsh of Hamilton for the purpose of providing an enforceable mechanism for implementing the Record of Decision/Remedial Action Plan. The order includes general provisions and tasks necessary to contain and remediate soil and sediment pollution at the site as identified and required in the ROD/RAP. Finding 11 of Order R2-2003-0076 states that in the event new information becomes available, the Board may modify the dischargers named in the Order.

2. **Reason for Amendment:** On October 2, 2003, the Board was informed that the ownership of the property was transferred to the State Coastal Conservancy upon recordation of the deed on October 1, 2003. The purpose of this Order is to amend the Site Cleanup Requirements contained in Order No. R2-2003-0076 to account for this change in ownership, as well as to add the property owner, namely State Coastal Conservancy, as a discharger.
3. **CEQA:** This is an existing facility. Therefore, this action is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301, Title 14 of the California Code of Regulations.
4. **Notification:** The Board has notified the dischargers of its intent under California Water Code Section 13304 to amend the Site Cleanup Requirements.

**IT IS HEREBY ORDERED**, that Order No. R2-2003-0076 shall be amended as follows:

- A. The State Coastal Conservancy is added as a discharger to the Order.
- B. Findings 3 and 10 shall be revised with the following underlined additions and strikeout deletions:
  1. **Finding 3, Paragraph 1, Site History:** The U.S. Army Air Corps constructed Hamilton Army Airfield on reclaimed tidal wetlands in 1932. The site, previously known as Marin Meadows, had been used as ranch and farm land since it was part of the Mexican Land Grant. Military operations began in December 1932, first as a base for bombers and later as a base for transport and fighter aircraft. The base was renamed Hamilton Air Force Base in 1947 when it was transferred to the newly created U.S. Air Force (USAF). In 1974, the USAF deactivated the Base and initiated transfer of the property to other military or government agencies. In 1975, as part of the transfer process, the residential portion of the installation, along with support facilities, was transferred to the U.S. Navy. Custodial management of other areas was taken over by the General Services Administration (GSA). In 1976, the Army was given permission to use the runway and ancillary facilities and several other buildings for regular Army and Army Reserve operations. A parcel in the hanger area went to the U.S. Coast Guard in 1983. The Army continued to use portions of Hamilton on a permit basis until 1984, when the Army officially acquired portions of the airfield and property management responsibilities were transferred to the Presidio of San Francisco. Also, in 1984, the State of California resolved a title dispute with the United States over certain lands subject to tidal action, including the CSM. In 1988, the property was declared surplus property under the Base Realignment and Closure Act (BRAC). Minor Army, U.S. Army Reserve, and United States Coast Guard operations were permitted to use the runway and ancillary facilities until aircraft operations were discontinued in 1994. The property transferred ownership from the U.S. Army to the State Coastal Conservancy on October 1, 2003.
  2. **Finding 10, Named Dischargers:** The U.S. Army BRAC and the Army Corps are both named as dischargers, because the U.S. Army was ~~is~~ the owner and was and is the operator of the property and because of evidence that the dischargers have caused or permitted waste, or threaten to cause or permit waste, to be discharged to soils or sediments at the HAAF IA where it has or threatens to cause a discharge into waters of the State. The State Coastal Conservancy is named as a discharger because it is the owner of the property. In the case of the Army Corps, the threat of discharge occurs due to grading of polluted soil and/or breaching of the bay front levee to be conducted as part of the HWRP. The Army is also named a discharger because of evidence that it has caused pollutants to be discharged to soils or sediments in the CSM that have caused a discharge into waters of the State. Under the ROD/RAP, developed in accordance with

CERCLA and the NCP, the Army BRAC program agrees to be responsible for conducting the environmental response actions detailed in the ROD/RAP and the Army Corps, through implementation of the HWRP, is responsible for conducting the environmental assurance actions detailed in the ROD/RAP.

The California State Lands Commission is named as discharger in this Order due solely to its ownership of the tidal and submerged lands in portions of the CSM. However, the Army is responsible for compliance with the investigation and remediation tasks of this Order. The Board will look to the Army for full compliance with this Order.

October 29, 2003

Date

Loretta K. Barsamian

Loretta K. Barsamian  
Executive Officer