



BOARD OF COUNTY COMMISSIONERS

Public Works Department

2725 Judge Fran Jamieson Way  
Building A, Room 201  
Viera, Florida 32940

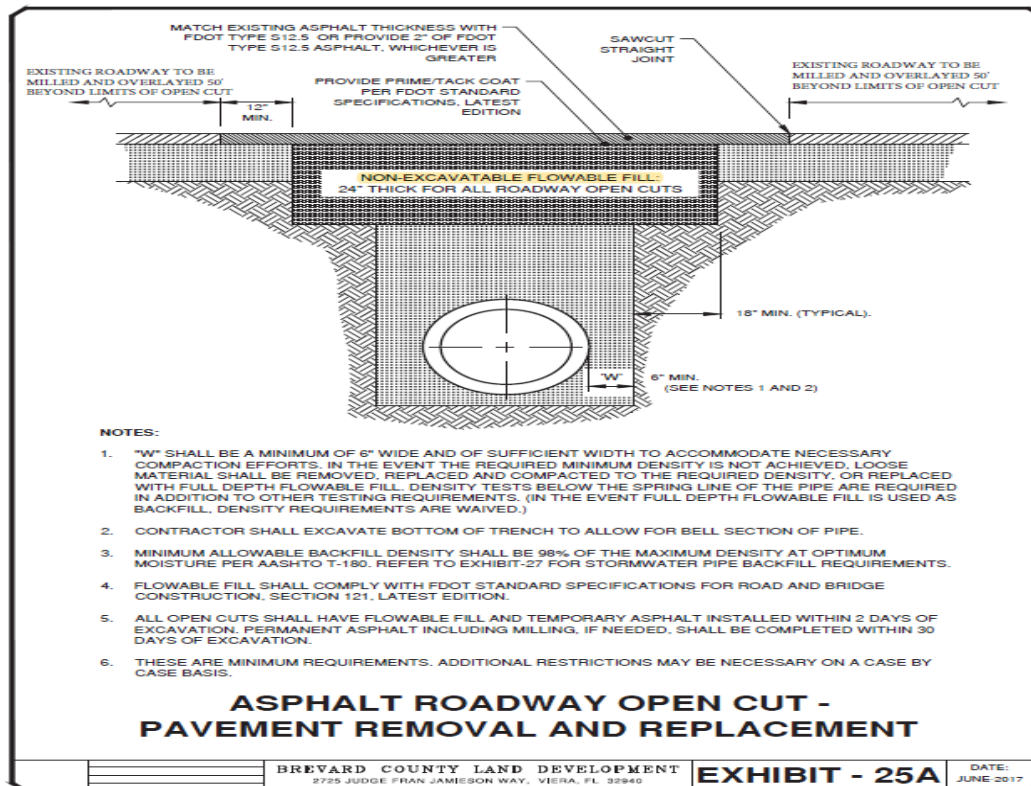
To Whom it May Concern,

While it is the desire of County Staff to help expedite the Naval Air Station Banana River Off-Base Disposal Area Remedial Investigation / Feasibility Study (“FUDS Study”) to be brought before the Board of County Commissioners soonest, we remain concerned with the Right-of-Entry form provided in its current form. The County’s concerns are similar to that of Brevard Public Schools. Therefore, the County is requesting similar considerations via a supplemental letter as those afforded to Brevard Public Schools. Specifically:

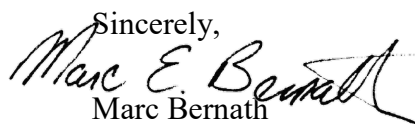
- 1) The County is requesting that staff from the Brevard County Public Works Department be present during any testing performed, subject to the need for the Corps and its contractor to implement the Accident Prevention Plan (“APP”) and Uniform Federal Policy for Quality Assurance Project Plan (“UFP-QAPP”) to limit County presence due to unsafe conditions. A copy of the APP and UFP-QAPP will be made available to the County prior to the start of field work. Based on the amount of County-owned property within the area to be studied, the Corps or its contractor shall provide no less than two weeks advance notice for the work to be conducted.
- 2) With respect to public relations, the area that will be part of the FUDS Study is both commercial and residential in character. The County is responsible for ensuring that its existing infrastructure, including roadways and public utilities, which may be impacted by certain activities as part of the FUDS Study, remains functional to the general public.
  - a. In order to limit such impacts and preemptively address concerns from residents, business owners, and the general public, the County is requesting that the Corps communicate directly with the Director of Public Works Department (Marc Bernath – [marc.bernath@brevardfl.gov](mailto:marc.bernath@brevardfl.gov)), Director of Natural Resources Management (Virginia Barker – [virginia.barker@brevardfl.gov](mailto:virginia.barker@brevardfl.gov)) and designated staff members (Rachel Gerena, Engineering Manager – [rachel.gerena@brevardfl.gov](mailto:rachel.gerena@brevardfl.gov); Christine Verrett, Special Projects Coordinator III – [christine.verrett@brevardfl.gov](mailto:christine.verrett@brevardfl.gov)) as it relates to work in the designated area(s).
  - b. The County is requesting support via briefings and Question and Answer and/or Frequently Asked Question handouts.
  - c. With the Corps consent, the County will encourage those asking questions to directly contact the Corps.
  - d. County personnel interested in keeping up-to-date with the project will send an email to [FUDS.Florida@usace.army.mil](mailto:FUDS.Florida@usace.army.mil) in order to be added to the email distribution list.

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- 3) The County is requesting that any damage caused to the County's property as a result of any work conducted under the Right-of-Entry be repaired, replaced, or otherwise returned to its pre-investigation condition to the standards established under the Brevard County Code and Florida Department of Transportation standards, including, but not limited to, the asphalt roadway open cut – pavement removal and replacement attached hereto.



- 4) While it is understood this is largely a study, there is language in the Right-of-Entry form regarding "digging test pits and/or selected objects". The County requires the Corps to submit a plan for the County's review and concurrence regarding its official notification and coordination process with the County as well as how it plans to address/remediate any contamination in the event it is uncovered during this phase.

Sincerely,  
  
Marc Bernath  
Public Works Director