



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, JACKSONVILLE DISTRICT
701 SAN MARCO BOULEVARD
JACKSONVILLE, FLORIDA 32207-8175

December 14, 2021

Programs and Project Management Division
Military/Interagency and International Services Branch

Karen M. Black
Facilities Services, Planning & Project Management
School Board of Brevard County
2700 Judge Fran Jamieson Way
Viera, FL 32940

Dear Ms. Black:

The U.S. Army Corps of Engineers (Corps) has evaluated Brevard Public Schools concerns on the right-of-entry form for the Naval Air Station Banana River Off-Base Disposal Area Remedial Investigation / Feasibility Study. The following paragraphs list Brevard Public Schools concerns, provided via email on July 14, 2021, in bold followed by the Corps response.

1. **Per the Jessica Lunsford Act, U.S. Army personnel would be required to obtain a badge as is required for all contractors.** The Corps has determined that it is in our best interest for all project related work to be performed when students are not present and support Brevard County Schools staff being present during the investigation.
2. **The U.S. Army Corps of Engineers (USACE) must provide a Certificate of Insurance naming Brevard Public Schools, 2700 Judge Fran Jamieson Way, Viera, FL 32940 as Certificate Holder and Additional Insured.** The Corps is providing a letter of self-insurance to Brevard Public Schools for government employees acting within the scope of employment. The Corps cannot require our contractor(s) to add property owners as an additional insured. Paragraph four of the right-of-entry establishes rights and limitations related to damages and liability.
3. **Staff from Brevard Public Schools department of Environmental Health and Safety must be present during any testing performed.** Brevard Public Schools department of Environmental Health and Safety may be present during any testing performed. In accordance with the Accident Prevention Plan (APP) and Uniform Federal Policy for Quality Assurance Project Plan (UFP-QAPP), the Corps and our contractor retain the right to limit Brevard Public Schools employee presence due to unsafe conditions. Development of the APP and UFP-QAPP is ongoing. The documents will be made available prior to the start of field work.

4. **Any work being performed on school property must be scheduled in advance and be pre-approved by the school Principal.** Any work being performed on Sea Park Elementary school property will be scheduled no less than two weeks in advance and will be coordinated with the Sea Park Elementary school principal.
5. **Any work being performed on school property must be performed during scheduled school breaks, whenever possible.** The Corps has determined that it is in our best interest for all project related work to be performed when students are not present.
6. **Please clarify how public relations will be handled pertaining to school staff as well as the general public.** The Corps will communicate directly with the principal and designated staff members, and the school will be responsible for sharing that information with the school staff and parents. The Corps can provide support via briefings and Question & Answer and/or Frequently Asked Question handouts. We suggest school faculty and staff encourage those asking questions to contact us directly. The Corps is responsible for communicating with the general public, and we focus our communication toward those who own property within the Off-Base Disposal Area and those who have requested to be kept informed. We communicate via email (for those who requested emails) and U.S. mail. We can add the principal, teachers, and others to the email list if the individual sends an email to FUDS.Florida@usace.army.mil requesting to be added to the email list. We also post information on the project website (www.saj.usace.army.mil/BananaRiver). We can be reached directly at (800) 710-5184 or FUDS.Florida@usace.army.mil.

If you have any questions regarding this letter or other project related matters, please contact Andrew Rebman, Project Manager, at (904) 232-1430 or by email at Andrew.J.Rebman@usace.army.mil. You may also contact the undersigned at (904) 232-1758 or by email at John.E.Keiser@usace.army.mil.

Sincerely,

John E. Keiser, P.E.
DERP-FUDS Program Manager
Military/Interagency and International
Services Branch Programs and Project
Management Division

Enclosure