

Appendix A

Biological Review (#95-200-104)

**Battelle**

Pacific Northwest Laboratories
Battelle Boulevard
P. O. Box 999
Richland, Washington 99352
Telephone (509) 376-5345

May 23, 1995

Ms. Penny C. Berlin
Westinghouse Hanford Company
P. O. Box 1970, MSIN N3-13
Richland, WA 99352

Dear Ms. Berlin:

BIOLOGICAL REVIEW OF THE SOLID WASTE RETRIEVAL COMPLEX, ENHANCED RADIOACTIVE AND MIXED WASTE STORAGE FACILITY, INFRASTRUCTURE UPGRADES, AND CENTRAL WASTE SUPPORT COMPLEX, 200 West Area, #95-200-104 (Amendment 1)

Project Description:

- This is an amendment letter to the original #95-200-104 dated May 17, 1995. All changes have been underlined.
- A set of maps showing the area of the survey using GPS equipment has been included with the amendment letter.
- Construction of the Enhanced Radioactive Mixed Waste Storage Facility, the Retrieval Complex (Trench 4C-T04), the construction of the Central Waste Support Complex, and the associated infrastructure upgrades such as telecommunications, water and electrical utilities, roads and sanitary sewer. Two new north-south roads will be constructed. A Denver Avenue will be constructed between 16th and 22nd Streets (approximately 1.0 mile), a Eugene Avenue will be constructed between 22nd and 23rd Streets (approximately 0.25 mile), and existing Hanford Site roads (16th, 19th, 22nd and 23rd) will be extended to meet Eugene Avenue, upgraded and asphalt surfaced. A sanitary sewer drain field will be constructed to the west of Eugene Avenue between 22nd and 23rd Streets and water utilities will be installed to the east along 16th and 19th Street to an existing tie-in point. The total area of disturbance will be approximately 36 ha (89 acres) and of this area to be disturbed, approximately 20 ha (50 acres) contains priority habitat.

Survey Objectives:

- To determine the occurrence in the project area of plant and animal species protected under the Endangered Species Act (ESA), candidates for such protection, and species listed as threatened, endangered, candidate, sensitive, or monitor by the state of Washington, and species protected under the Migratory Bird Treaty Act,
- To evaluate the potential impacts of disturbance on priority habitats and protected plant and animal species identified in the survey.

Survey Methods:

- Pedestrian and ocular reconnaissance of the proposed site was conducted by G. Fortner, and M. R. Sackschewsky on May 9, 1995. The Braun-Blanquet cover-abundance scale (Bonham 1989) was used to determine percent cover of dominant vegetation,
- Priority habitats and species of concern are documented as such in the following: Washington Department of Fish and Wildlife (1993, 1994), U. S. Fish and Wildlife Service (1985, 1994a & b) and Washington State Department of Natural Resources (1994).

Penny C. Berlin
95-200-104 (Amendment 1)
Page 2 of 3

Survey Results:

- Vegetative habitat within the corridor of the proposed Denver Avenue between 16th Street and 23rd Street consists primarily of big sagebrush (*Artemisia tridentata*) at 10 to 25% cover and an average height of 1.5 m, cheatgrass (*Bromus tectorum*) at 5 to 10% cover, Sandberg's bluegrass (*Poa sandbergii*) at 1 to 5% cover, and Russian thistle (*Salsola kali*) at 1 to 5% cover in the vicinity. Staked-pod milkvetch (*Astragalus sclerocarpus* - state monitor level 3) was also observed on this section of the proposed site,
- Vegetative habitat between Dayton Avenue and the proposed Denver Avenue and between 22nd Street and the southern boundary of the WRAP Building consists primarily of big sagebrush at 10 to 25% cover and an average height of 1.5 m, cheatgrass at 5 to 10% cover, Sandberg's bluegrass at 1 to 5% cover, and Russian thistle at 1 to 5% cover in the vicinity. Staked-pod milkvetch was also observed on this section of the proposed site,
- Vegetative habitat between 22nd Street and 23rd Street and west of the proposed Denver Avenue to the proposed Eugene Avenue consists primarily of big sagebrush at 10 to 25% cover and an average height of 1.75 m, cheatgrass at 5 to 10% cover, Sandberg's bluegrass at 5 to 10% cover, and spiny hopsage (*Grayia spinosa*) 1 to 5% cover and staked-pod milkvetch at <1% cover. Loggerhead shrikes (*Lanius ludovicianus* - federal candidate level 2 and state candidate) and sage sparrows (*Amphispiza belli* - state candidate) were observed to be resident in the area. A red-tailed hawk (*Buteo jamaicensis*) and western meadowlarks (*Sturnella neglecta*) were also observed on this section of the proposed site,
- Vegetative habitat between 22nd Street and 23rd Street and west of the proposed Eugene Avenue for the sanitary sewer drain field consists primarily of big sagebrush at 5 to 10% cover and an average height of 1.75 m, cheatgrass at 5 to 10% cover, Sandberg's bluegrass at 1 to 5% cover, and staked-pod milkvetch at <1% cover. Loggerhead shrikes and sage sparrows were observed to be resident in the area. Western meadowlarks were also observed on this section of the proposed site.
- Vegetative habitat within the corridor of the raw water tie-in along 19th Street and south of 19th Street has been previously disturbed and consists primarily of herbicided gravel substrate and asphalt,
- Vegetative habitat within the corridor of the raw water tie-in along 16th Street consists primarily of big sagebrush at 10 to 25% cover and an average height of 1.75m, cheatgrass at 5 to 10% cover, Sandberg's bluegrass at 5 to 10% cover, and Russian thistle at 1 to 5% cover.

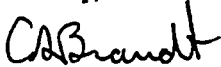
Considerations and Recommendations:

- The biological survey team noted damage to the sagebrush had already occurred due to vehicular traffic by the survey team for the proposed roads on this site.
- Sagebrush habitat is considered a priority habitat by the state of Washington and is used for nesting/breeding/foraging by loggerhead shrikes and sage sparrows, and as habitat for northern sagebrush lizards (*Sceloporus graciosus* - federal candidate level 2). Development of this site will contribute to further fragmentation of the remaining habitat on the Hanford Site and will remove approximately 20 ha (50 acres) directly as a result of this project.
- DOE-RL is suggesting mitigation via offsite habitat enhancement for losses of mature sagebrush habitat over 1 ha in area. Because development planned under the W-112 and W-113 projects exceeds 1 ha, habitat enhancement will be necessary to offset impacts to key Hanford biological resources.
- To minimize adverse impacts to bird species of concern we recommend that all habitat removal on the proposed site be restricted to those months preceding and following March through July to avoid interference with breeding/nesting periods.

Penny C. Berlin
95-200-104 (Amendment 1)
Page 3 of 3

- No other plant and animal species protected under the ESA, candidates for such protection, or species listed by the Washington state government were observed in the vicinity of the proposed sites.
- No adverse impacts to other species or habitats of concern are expected to occur from the proposed action.

Sincerely,



CA Brandt, Ph.D.
Project Manager
Ecological Compliance Assessment

CAB:glf

cc: Gary Wells

Penny C. Berlin
95-200-104 (Amendment 1)
Page 4 of 3

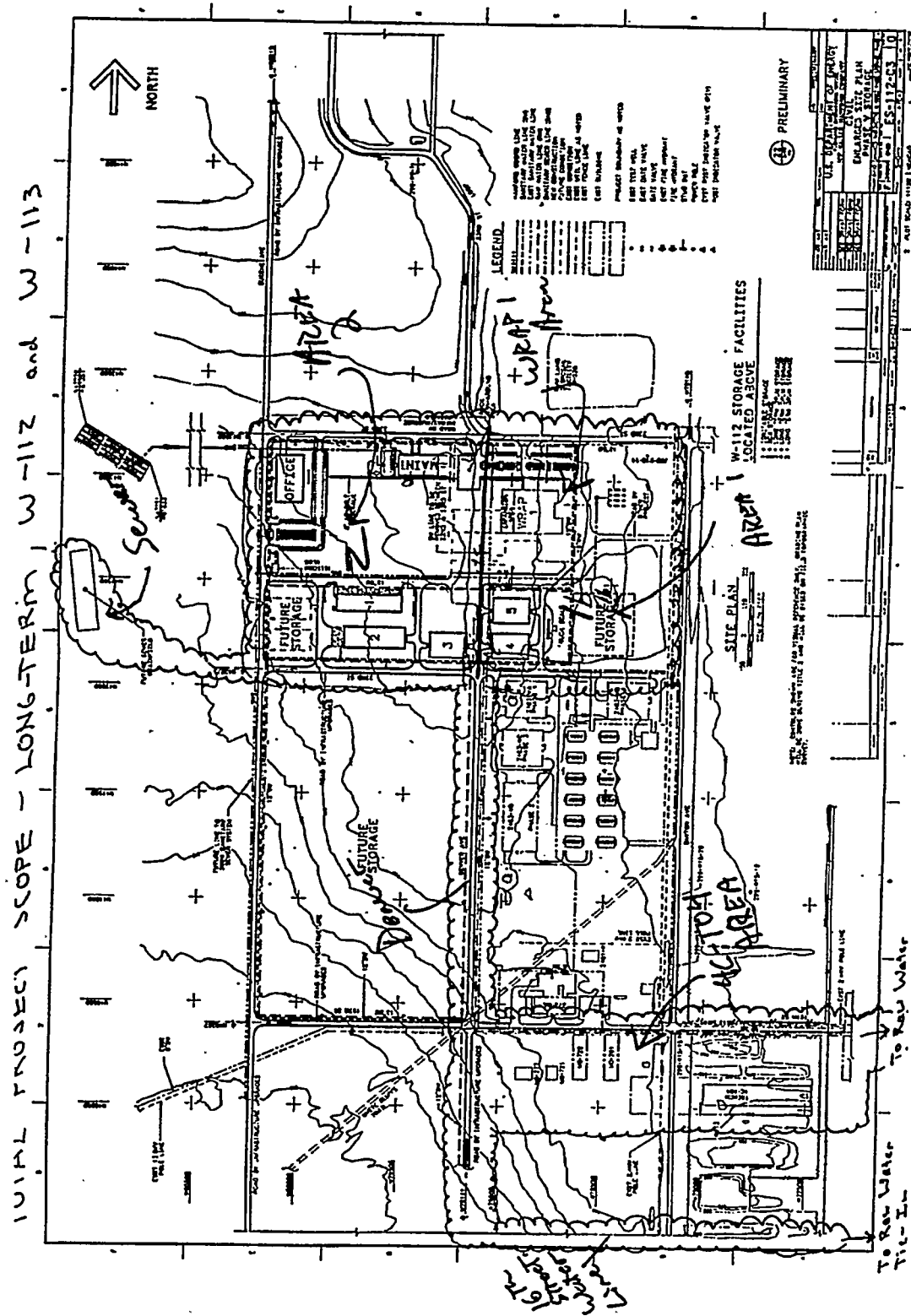
REFERENCES

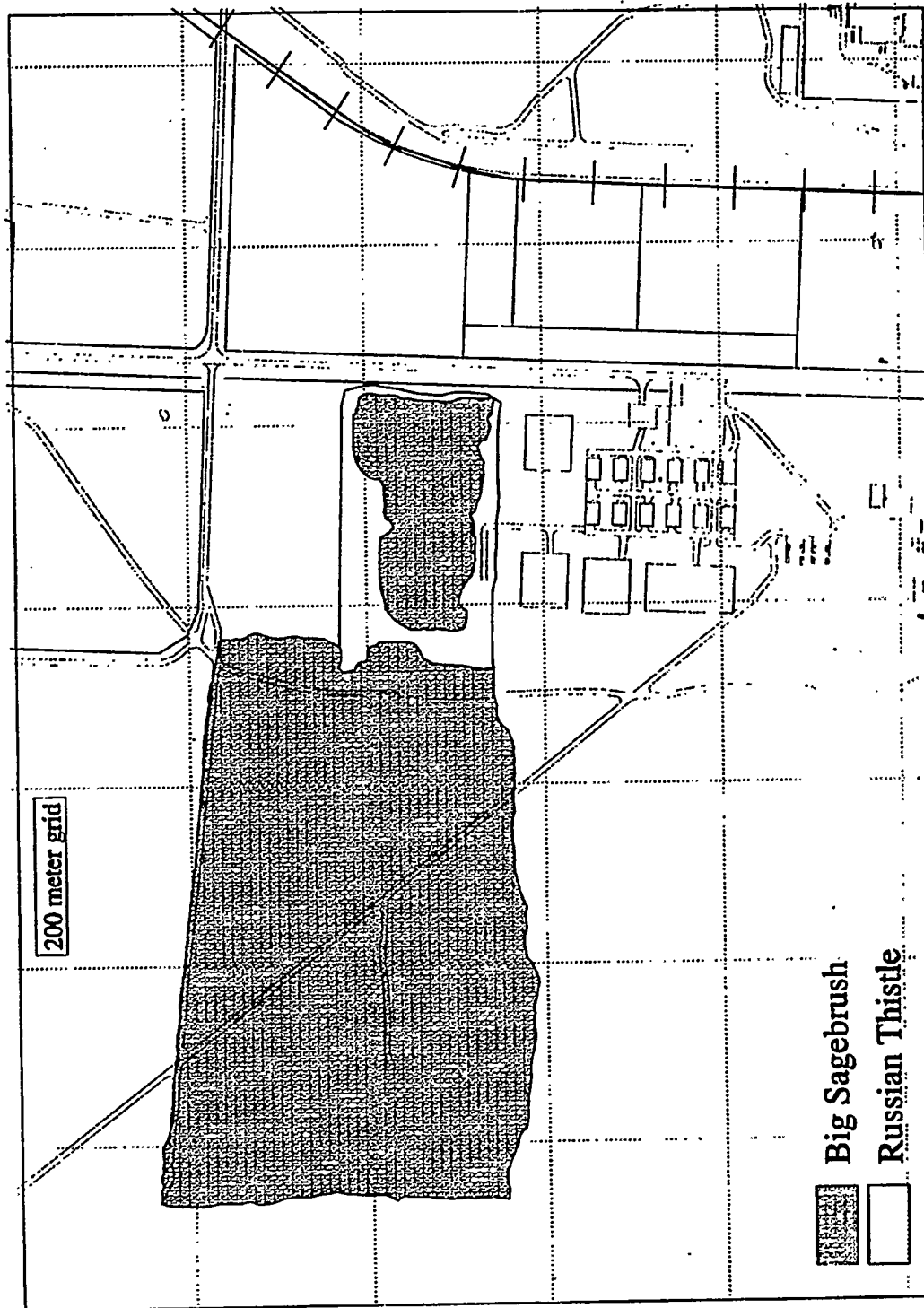
- Bonham, Charles D. 1989. Measurements for Terrestrial Vegetation, published by John Wiley & Sons, Inc. pp. 127-128.
- U. S. Fish and Wildlife Service. 1985. Revised List of Migratory Birds; Final Rule. 50 FR 13708 (April 5, 1985).
- U. S. Department of Interior, U. S. Fish and Wildlife Service. 1992a. Endangered and Threatened Wildlife and Plants. 50 CFR 17.11 and 17.12. (August 29, 1992).
- U. S. Fish and Wildlife Service. 1994b. Endangered and Threatened Wildlife and Plants, Animal Candidate Review for Listing as Endangered or Threatened Species, Proposed Rule, 50 CFR 17. (November 15, 1994).
- Washington Department of Fish and Wildlife. 1993. Priority Habitats and Species. pp. 22.
- Washington Department of Fish and Wildlife. 1994. Species of Special Concern in Washington. (April 1994).
- Washington Department of Natural Resources. 1994. Endangered, Threatened & Sensitive Vascular Plants of Washington. (January 1994).

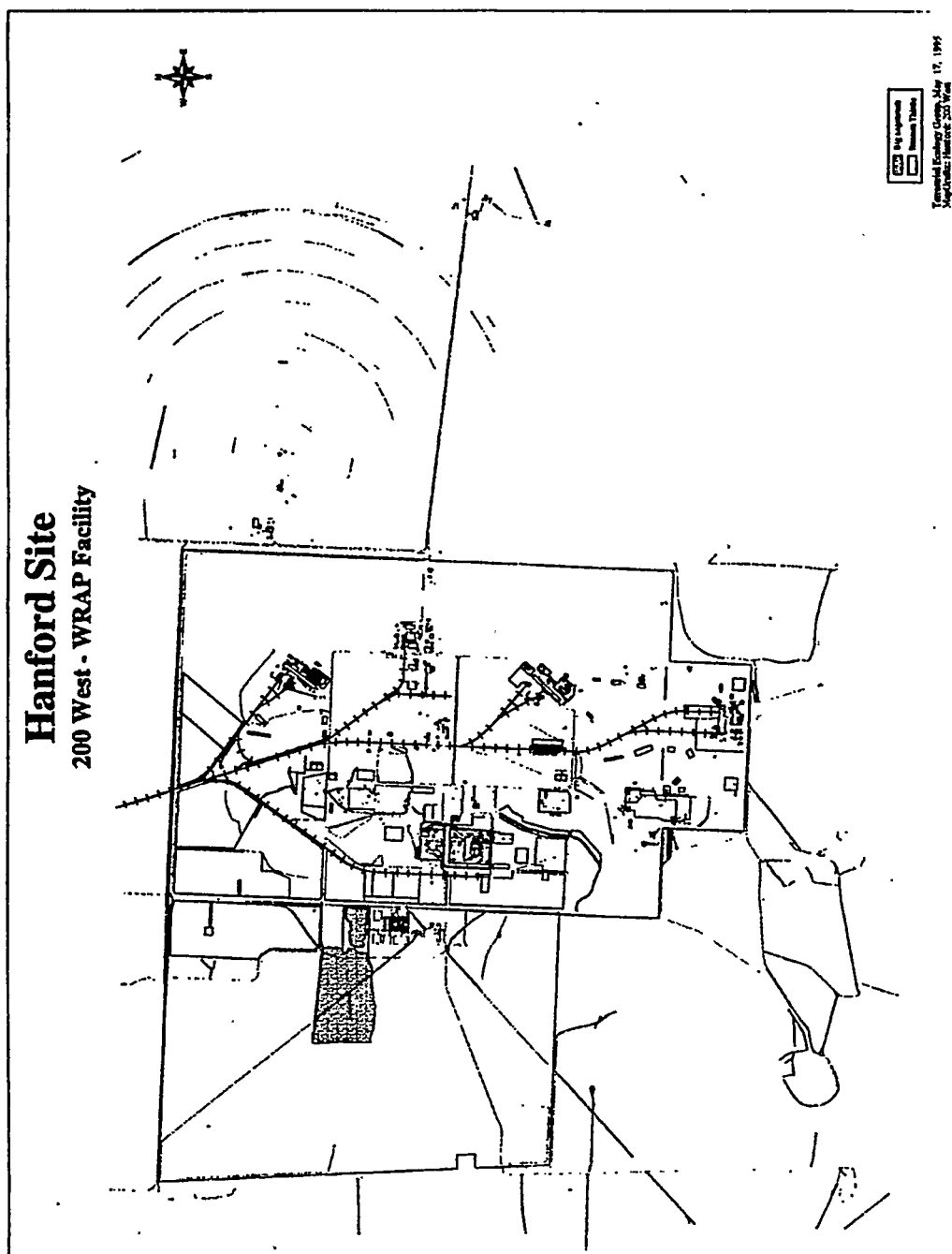
ACREAGE CALCULATIONS FOR PROJECT W112 / W113

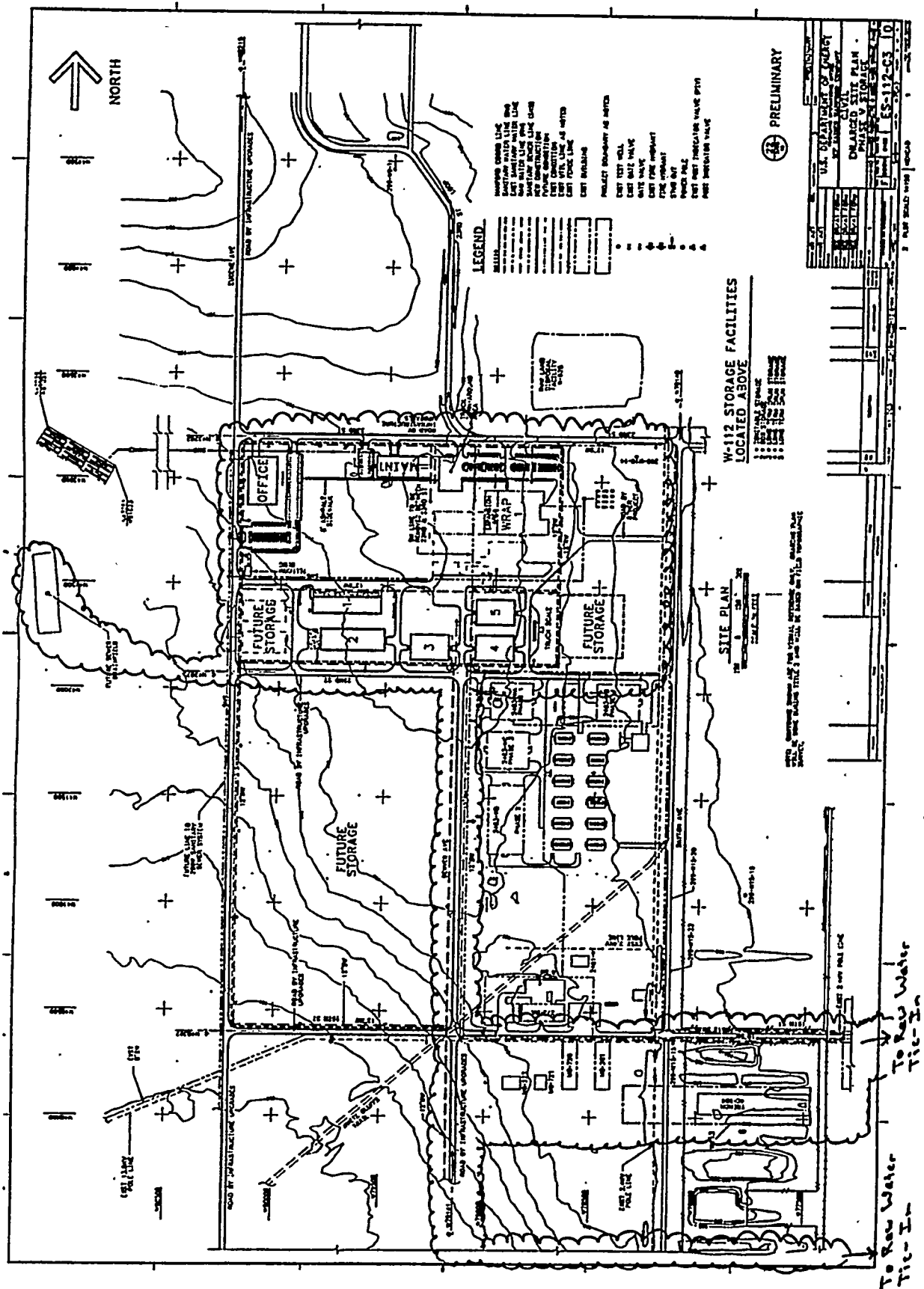
<u>AREA</u>	<u>ACREAGE</u>	
"Area 1" - Between Dayton and Denver, 22nd and WRAP 1 -	12 acres	(8 priority)
"Wrap 1 Area" - previously disturbed -	10 acres	(0 priority)
"Area 2" - between Denver and Eugene, 22nd and 23rd -	28 acres	(28 priority)
"Sewer Area" assume 800'x40' pipeline, 125'x400' drainfield -	2 acres	(2 priority)
Denver avenue from 22nd to 16th street (assume 1 mile long, 100'wide) -	12 acres	(12 priority)
16th street water line (assume 2000'x40') -	2 acres	(0 priority)
"4C-T04 Area" - assume 2000'x500' -	23 acres	(0 priority)
TOTAL	89 acres	(50 priority)

Note - Areas 1 and 2 are shown on attached habitat maps.









**Battelle**

Pacific Northwest Laboratories
Battelle Boulevard
P.O. Box 999
Richland, Washington 99352
Telephone (509)

September 18, 1995

Mr. Eric G. Erpenbeck
Westinghouse Hanford Company
P. O. Box 1970, MSIN G3-15
Richland, WA 99352

Dear Mr. Erpenbeck:

BIOLOGICAL REVIEW OF THE SOLID WASTE RETRIEVAL COMPLEX, ENHANCED RADIOACTIVE AND MIXED WASTE STORAGE FACILITY, INFRASTRUCTURE UPGRADES, AND CENTRAL WASTE SUPPORT COMPLEX, 200 West Area, #95-200-104 (Amendment 2)

Project Description:

- This is an amendment letter to #95-200-104 (Amendment 1) dated May 23, 1995.
- Construction of the Enhanced Radioactive Mixed Waste Storage Facility, the Retrieval Complex (Trench 4C-T04), the construction of the Central Waste Support Complex, and the associated infrastructure upgrades such as telecommunications, water and electrical utilities, roads and sanitary sewer. Existing Hanford Site roads (22nd and 23rd) will be extended 650 feet (198 m) to the west beyond the WRAP I facility, upgraded and asphalt surfaced. A sanitary sewer drainfield will be constructed to the west of 22nd Street and a dirt access road for the sanitary drainfield will be extended 650 feet (198 m) west to the drainfield and will be located approximately 400 feet (122 m) north of 22nd street. The total area of disturbance will be approximately 18.6 ha (46 acres) and of this area to be disturbed, approximately 14.5 ha (36 acres) contains priority habitat.

Survey Objectives:

- To determine the occurrence in the project area of plant and animal species protected under the Endangered Species Act (ESA), candidates for such protection, and species listed as threatened, endangered, candidate, sensitive, or monitor by the state of Washington, and species protected under the Migratory Bird Treaty Act,
- To evaluate the potential impacts of disturbance on priority habitats and protected plant and animal species identified in the survey.

Survey Methods:

- Pedestrian and ocular reconnaissance of the proposed site was conducted by G. Fortner, and M. R. Sackschewsky on May 9, 1995. The Braun-Blanquet cover-abundance scale (Bonham 1989) was used to determine percent cover of dominant vegetation,
- Priority habitats and species of concern are documented as such in the following: Washington Department of Fish and Wildlife (1993, 1994), U. S. Fish and Wildlife Service (1985, 1994a & b) and Washington State Department of Natural Resources (1994).

Mr. Erpenbeck
95-200-104 (Amendment 2)
Page 2 of 4



Survey Results:

- Vegetative habitat within the corridor of the formerly proposed Denver Avenue between 22nd Street and 23rd Street consists primarily of big sagebrush (*Artemisia tridentata*) at 10 to 25% cover and an average height of 1.5 m, cheatgrass (*Bromus tectorum*) at 5 to 10% cover, Sandberg's bluegrass (*Poa sandbergii*) at 1 to 5% cover, and Russian thistle (*Salsola kali*) at 1 to 5% cover in the vicinity. Stalked-pod milkvetch (*Astragalus sclerocarpus* - state monitor level 3) was also observed on this section of the proposed site,
- Vegetative habitat between Dayton Avenue and the formerly proposed Denver Avenue and between 22nd Street and the southern boundary of the WRAP Building consists primarily of big sagebrush at 10 to 25% cover and an average height of 1.5 m, cheatgrass at 5 to 10% cover, Sandberg's bluegrass at 1 to 5% cover, and Russian thistle at 1 to 5% cover in the vicinity. Stalked-pod milkvetch was also observed on this section of the proposed site,
- Vegetative habitat between 22nd Street and 23rd Street and west of the formerly proposed Denver Avenue to the formerly proposed Eugene Avenue consists primarily of big sagebrush at 10 to 25% cover and an average height of 1.75 m, cheatgrass at 5 to 10% cover, Sandberg's bluegrass at 5 to 10% cover, and spiny hopsage (*Grayia spinosa*) 1 to 5% cover and stalked-pod milkvetch at <1% cover. Loggerhead shrikes (*Lanius ludovicianus* - federal candidate level 2 and state candidate) and sage sparrows (*Amphispiza Belli* - state candidate) were observed to be resident in the area. A red-tailed hawk (*Buteo jamaicensis*) and western meadowlarks (*Sturnella neglecta*) were also observed on this section of the proposed site,
- Vegetative habitat between 22nd Street and 23rd Street and west of the formerly proposed Eugene Avenue for the sanitary sewer drainfield consists primarily of big sagebrush at 5 to 10% cover and an average height of 1.75 m, cheatgrass at 5 to 10% cover, Sandberg's bluegrass at 1 to 5% cover, and stalked-pod milkvetch at <1% cover. Loggerhead shrikes and sage sparrows were observed to be resident in the area. Western meadowlarks were also observed on this section of the proposed site,
- Vegetative habitat of the proposed Phase II future site of 8 acres (an area approximately 600 feet south of 22nd Street and west 600 feet toward the sanitary drainfield and an area approximately 300 feet north of 22nd Street and west 600 feet toward the sanitary) consists primarily of big sagebrush at 10 to 25% cover and an average height of 1.75 m, cheatgrass at 5 to 10% cover, Sandberg's bluegrass at 5 to 10% cover, and spiny hopsage 1 to 5% cover and stalked-pod milkvetch at <1% cover. Loggerhead shrikes and sage sparrows were observed to be resident in the area. Western meadowlarks (*Sturnella neglecta*) were also observed on this section of the proposed site,

Considerations and Recommendations:

- The biological surveys mentioned above are for Phase I of the proposed project and are valid for only one year.
- The biological survey team noted damage to the sagebrush had already occurred due to vehicular traffic by the land survey team for the proposed roads on this site. This damage occurred along the formerly proposed Denver and Eugene Avenues between 16th and 23rd Streets and west from the formerly proposed Denver avenue to the proposed sanitary sewer drainfield. This damage was noted during the prime nesting season of the sage sparrow and the loggerhead shrike.
- Sagebrush habitat is considered a priority habitat by the state of Washington and is used for nesting/breeding/foraging by loggerhead shrikes and sage sparrows, and as habitat for northern sagebrush lizards (*Sceloporus graciosus* - federal candidate level 2). Development of this site will contribute to further fragmentation of the remaining habitat on the Hanford Site and will remove approximately 14.5 ha (36 acres) directly as a result of this project.

Mr. Erpenbeck
95-200-104 (Amendment 2)
Page 3 of 4



- DOE-RL is suggesting mitigation via offsite habitat enhancement for losses of mature sagebrush habitat over 1 ha in area. Because development planned under the W-112 and W-113 projects exceeds 1 ha, habitat enhancement will be necessary to offset impacts to key Hanford biological resources.
- To minimize adverse impacts to bird species of concern we recommend that all habitat removal on the proposed site be restricted to those months preceding and following March through July to avoid interference with breeding/nesting periods.
- No other plant and animal species protected under the ESA, candidates for such protection, or species listed by the Washington state government were observed in the vicinity of the proposed sites.
- No adverse impacts to other species or habitats of concern are expected to occur from the proposed action.

Sincerely,

A handwritten signature in black ink, appearing to read "CA Brandt", followed by a colon ":".

CA Brandt, Ph.D.
Project Manager
Ecological Compliance Assessment

CAB:glf

cc: Gary Wells

Mr. Erpenbeck
95-200-104 (Amendment 2)
Page 4 of 4



REFERENCES

- Bonham, Charles D. 1989. Measurements for Terrestrial Vegetation. published by John Wiley & Sons, Inc. pp. 127-128.
- U. S. Fish and Wildlife Service. 1985. Revised List of Migratory Birds; Final Rule. 50 FR 13708 (April 5, 1985).
- U. S. Department of Interior, U. S. Fish and Wildlife Service. 1992a. Endangered and Threatened Wildlife and Plants. 50 CFR 17.11 and 17.12. (August 29, 1992).
- U. S. Fish and Wildlife Service. 1994b. Endangered and Threatened Wildlife and Plants, Animal Candidate Review for Listing as Endangered or Threatened Species, Proposed Rule, 50 CFR 17. (November 15, 1994).
- Washington Department of Fish and Wildlife. 1993. Priority Habitats and Species. pp. 22.
- Washington Department of Fish and Wildlife. 1994. Species of Special Concern in Washington. (April 1994).
- Washington Department of Natural Resources. 1994. Endangered, Threatened & Sensitive Vascular Plants of Washington. (January 1994).

Appendix B

Cultural Resources Reviews (HCRC #95-200-104)

**Battelle**

Pacific Northwest Laboratories
Battelle Boulevard
P.O. Box 999
Richland, Washington 99352
Telephone (509) 376-8107

May 15, 1995

No Known Historic Properties

Ms. P. C. Berlin
Westinghouse Hanford Company
P. O. Box 1970/MSIN N3-13
Richland, WA 99352

Dear Ms. Berlin:

**CULTURAL RESOURCES REVIEW OF THE SOLID WASTE RETRIEVAL COMPLEX,
ENHANCED RADIOACTIVE AND MIXED WASTE STORAGE FACILITY, INFRASTRUCTURE
UPGRADES, AND CENTRAL WASTE SUPPORT COMPLEX. HCRC #95-200-104**

In response to your request received May 3, 1995, staff of the Hanford Cultural Resources Laboratory (HCRL) conducted a cultural resources review of the subject project, located in the 200 West Area of the Hanford Site. The entire project area has been previously submitted to the HCRL for review (HCRC #88-200-005, #92-200-001, #93-200-074, #94-200-169, #95-200-039), except for the future sewer drainfield located on the west edge of the project area, west of Eugene Ave and north of 22nd St.

Our literature and records review shows that portions of the project area have been disturbed by previous Hanford Site activities. It is very unlikely that any intact archaeological materials exist in such disturbed ground. Most of the project area located in undeveloped ground, except for the future sewer drainfield, has been surveyed previously by HCRL staff (HCRC #88-200-005 and HCRC #88-200-038). A portion of the historic White Bluffs Road is within the proposed complex. This road has been determined to be eligible for listing on the National Register of Historic Places (Register), however, that section of the road located within the fenced 200 West Area has been found to be a non-contributing element. Therefore, this portion of the road is not considered to be a historic property. One site and two isolated artifacts were also found during the surveys. The two artifacts were collected and the site, a historic trash scatter, is not eligible for listing on the Register.

A survey of the proposed future sewer drainfield was completed by HCRL staff on May 9 and 12, 1995. No archaeological sites or isolates were recorded during this survey. The attached map shows the areas that have been surveyed in the project vicinity.

It is the finding of the HCRL staff that there are no known historic properties within the proposed project area. The workers, however, must be directed to watch for cultural materials (e.g., bones, artifacts) during all work activities. If any are encountered, work in the vicinity of the discovery must stop until an HCRL archaeologist has been notified, assessed the significance of the find, and, if necessary, arranged for mitigation of the impacts to the find. The HCRL must be notified if any changes to project location or scope are anticipated. This is a Class III and V case, defined as a project which involves new construction in a disturbed, low-sensitivity area and in an undisturbed area.

Ms. P. C. Berlin
May 15, 1995
Page 2



Copies of this letter have been sent to Dee Lloyd, DOE, Richland Operations Office, as official documentation. A survey report, which will also be transmitted to Dee Lloyd, will follow this letter shortly to complete the cultural resources documentation. If you have any questions, please call me on 376-8107. Please use the HCRC number above for future correspondence concerning this project.

Very truly yours,

A handwritten signature in dark ink, appearing to read "N. A. Cadoret".

N. A. Cadoret
Technical Specialist
Cultural Resources Project

Concurrence:

A handwritten signature in dark ink, appearing to read "P. R. Nickens".

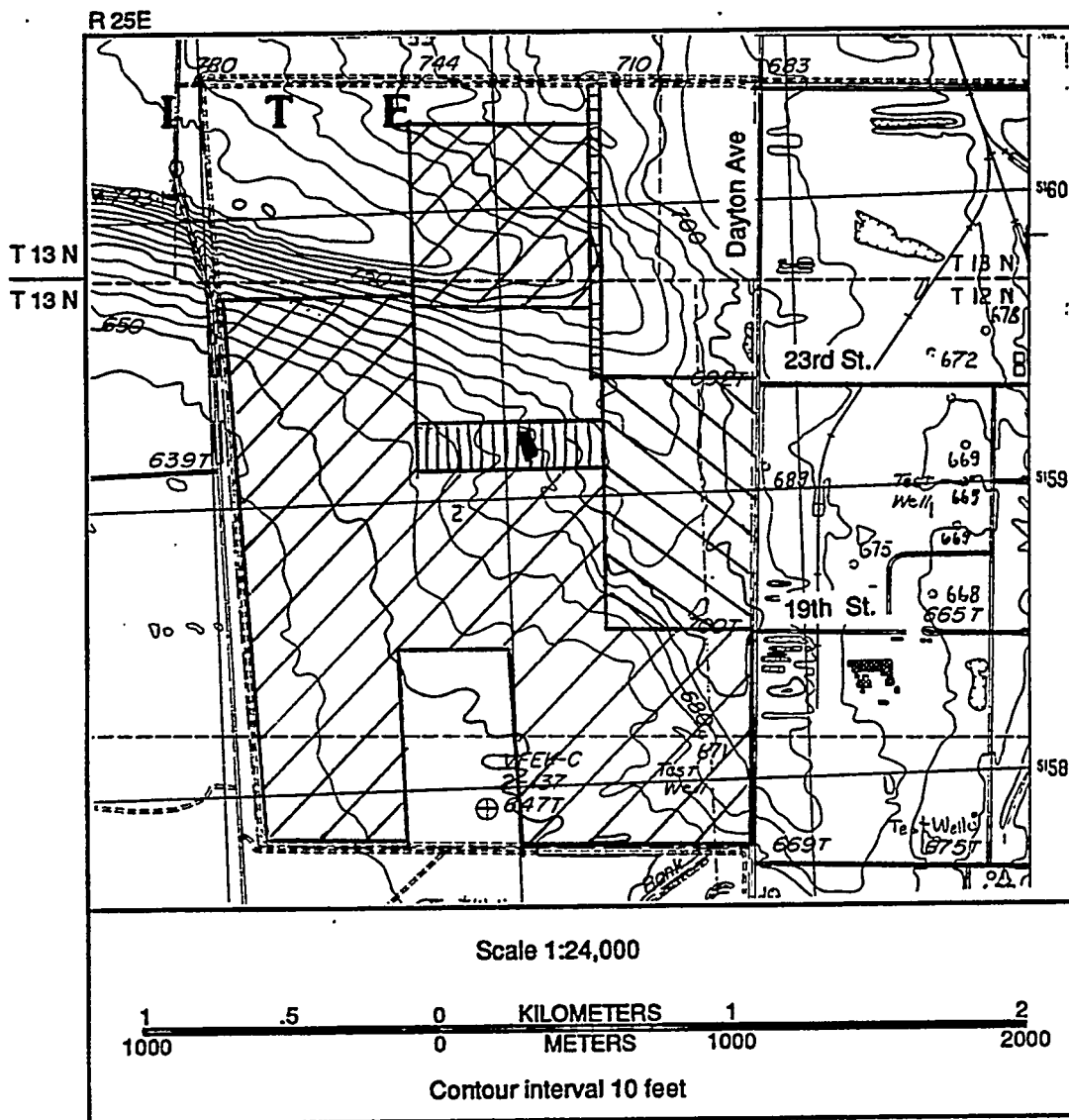
P. R. Nickens, Project Manager
Cultural Resources Project

Attachment

cc: D. Lloyd, RL (2)
T. Clark
File/LB

Hanford Cultural Resources Laboratory
Pacific Northwest Laboratory

RIVERLAND QUADRANGLE, WASHINGTON - USGS 7.5 MINUTE MAP, 1986 EDITION



Surveyed for HCRC #88-200-038.



Future sewer drainfield



Surveyed for HCRC #88-200-005.

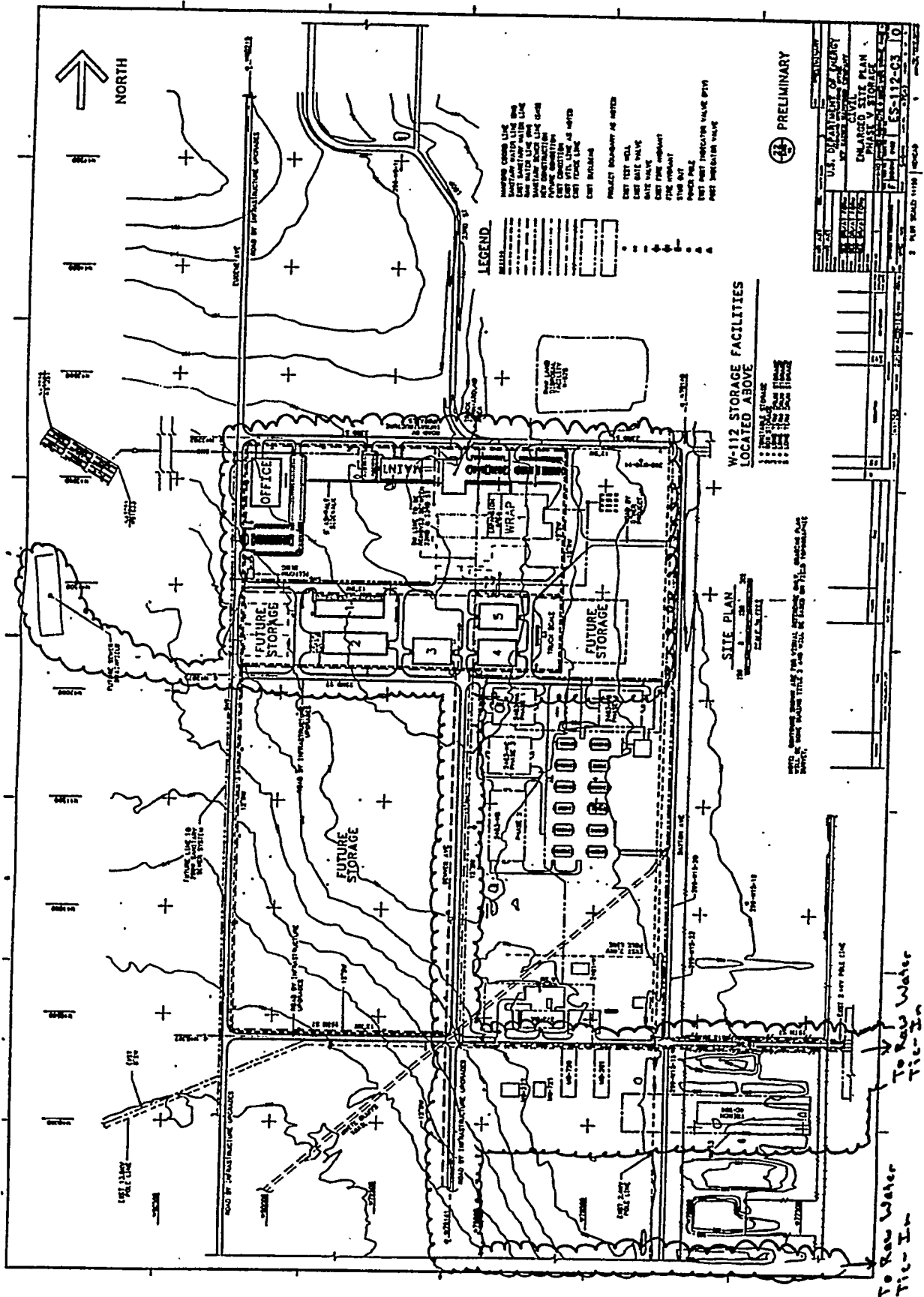


Surveyed for HCRC #95-200-039.



Surveyed for HCRC #95-200-104.

Surveys conducted by the HCRL in the vicinity of the Solid Waste Retrieval Complex, HCRC#95-200-104.



**Department of Energy**

Richland Operations Office
P.O. Box 550
Richland, Washington 99352

95-TEP-222

Ms. Mary M. Thompson
State Historic Preservation Officer
Office of Archaeology and Historic Preservation
Washington Department of Community,
Trade and Economic Development
P.O. Box 48343
Olympia, Washington 98504-8343

Dear Ms. Thompson:

CULTURAL RESOURCE REVIEW OF THE SOLID WASTE RETRIEVAL COMPLEX, ENHANCED
RADIOACTIVE AND MIXED WASTE STORAGE FACILITY, INFRASTRUCTURE UPGRADES, AND
CENTRAL WASTE SUPPORT COMPLEX

Enclosed you will find a survey (HCRC #95-200-104) completed by the U.S. Department of Energy, Richland Operations Office (RL). The review of the Solid Waste Retrieval Complex, Enhanced Radioactive and Mixed Waste Storage Facility, Infrastructure Upgrades, and Central Waste Support Complex showed that the entire project area had been previously submitted as HCRC Numbers, 88-200-005, 92-200-001, 93-200-074, 95-200-039, except for a future drainfield.

In accordance with 36 CFR 800.4, RL has made a good faith effort to identify historic properties at these proposed locations and to evaluate the eligibility of these properties to the National Register of Historic Places (Register). A literature and records review and site surveys, where required, have indicated that the projects do not contain historic properties or will not affect historic properties eligible for the Register.

Therefore, in accordance with 36 CFR 800.4(d), we are providing documentation supporting these findings to your office and soliciting any comments you may

Ms. Mary M. Thompson
95-TEP-222

-2-

have. If the scope of these undertakings are revised, your office will be notified. If any archaeological or additional historical resources are discovered during project activities, work will be halted and your office consulted immediately.

Sincerely,



Dee W. Lloyd, Manager
Cultural Resources Program
Environmental Assurance,
Permits, and Policy Division

Office of Archaeology
and Historic Preservation

Enclosures:
HCRC #95-200-104

cc: J. Van Pelt, CTUIR, w/encl
P. R. Nickens, PNL



STATE OF WASHINGTON

DEPARTMENT OF COMMUNITY, TRADE AND ECONOMIC DEVELOPMENT

OFFICE OF ARCHAEOLOGY AND HISTORIC PRESERVATION

111 21st Avenue S.W. • P.O. Box 48343 • Olympia, Washington 98504-8343 • (360) 753-4011

June 15, 1995

Mr. Dee Lloyd, Manager
Cultural Resources Program
Department of Energy
Richland Field Office, Mail Stop 85-15
Post Office Box 550
Richland, Washington 99352

Log: 060995-08-DOE

Re: Solid Waster Retrieval Complex, Enhance Radioactive and Mixed Water Storage Facility, Infrastructure Upgrades, and Central Waste Support Complex

Dear Mr. Lloyd:

Dee

Thank you for contacting the Washington State Office of Archaeology and Historic Preservation (OAHP) regarding the above referenced action.

In response, I concur with your determination that this action will have no effect upon cultural resources eligible for listing in the National Register of Historic Places. From the information in the documentation, it appears that significant cultural resources have not been identified in the project area as a result of survey efforts. Segments of the White Bluffs Road in the project area have been determined to be non-contributing to this otherwise eligible resource. As a result of this finding, further communication with OAHP on this action is not necessary. However, in the event cultural resources are uncovered or the scope of the project changes significantly, please contact this office for further consultation.

Again, thank you for the opportunity to comment. Should you have any questions, please feel free to contact me at (360) 753-9116.

Sincerely,

Greg Griffith
Gregory A. Griffith
Comprehensive Planning Specialist

GAG:lms

cc: David Harvey

Appendix C

EA Comments and Responses



STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

P.O. Box 47600 • Olympia, Washington 98504-7600
(360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006

July 10, 1995

Mr. Paul F. X. Dunigan, Jr.
U. S. Dept of Energy
PO Box 550
Richland WA 99352

Dear Mr. Dunigan:

Thank you for the opportunity to comment on the environmental assessment for the Solid Waste Retrieval Complex, Enhanced Radioactive and Mixed Waste Storage Facility, Infrastructure Upgrades, and Central Waste Support Complex, Richland, Washington (DOE/EA-0981D). Consistent with the Department of Ecology's responsibilities as Washington State's coordinator for National Environmental Policy Act documents, we are forwarding comments from the State of Washington, Department of Fish and Wildlife (WDFW) and the Department of Ecology.

Ecology comments:

There seems to be no coordination with the Systems Engineering Study just completed for meeting milestone M-33. This milestone was established for the study of global Hanford needs in terms of new facilities to manage various waste streams, one of which is the transuranic waste in low level burial grounds. The study resulted in a set of alternatives which do not appear to have been considered in this assessment.

U.S. Department of Energy fiscal year 1996 and 1997 budgets lack any funding for transuranic waste retrieval. Ecology questions the appropriateness of spending scarce Hanford clean-up monies on environmental assessments for unfunded projects such as this and the supplemental analysis environmental assessment for the Waste Receiving and Processing Facility Module 2A. Ecology also requests information on when transuranic waste will be retrieved.

If you have any questions on the comments from Ecology, please contact Mr. Moses Jaraysi with our Nuclear Waste Program at (509) 736-3016.


Mr. Paul F. X. Dunigan, Jr.
July 10, 1995
Page 2

Fish and Wildlife comments:

The focus of WDFW's concerns is the loss of habitat in the area of proposed roadways and the resulting need for mitigation. Please refer to the attached letter for specific comments.

If you have any questions on the comments made by Washington Fish and Wildlife, please call Mr. Jay McConnaughey at (509) 736-3095.

Sincerely,



Barbara J. Ritchie
Environmental Review Section

BJR:ri
95-4703

Attachment

cc: Ron Effland, Kennewick
Moses Jaraysi, Kennewick
Jay McConnaughey, Kennewick



State of Washington
DEPARTMENT OF FISH AND WILDLIFE

1701 S. 24th Ave., Yakima, WA 98902-5720 Tel. (509) 575-2740

7 July 1995

Ms. Barbara Ritchie, NEPA Coordinator
Environmental Review section
State of Washington
Department of Ecology
P.O. Box 47703
Olympia, WA 98504-7703

Dear Ms. Ritchie:

Subject: Review of Environmental Assessment: *Solid Waste Retrieval Complex, Enhanced Radioactive and Mixed Waste Storage Facility, Infrastructure Upgrades, and Central Waste Support Complex, Richland Washington*, document DOE/EA-0981D.

General Comments

WDFW received this document on 14 June, 1995 and finds it inadequate in avoiding shrub steppe habitat. In reviewing this document, I found it to contain several passages which were redundant and a lack of information regarding the subject in other portions.

I visited the proposed site on 6 July, 1995 and observed stakes marking the proposed extension of 19th St. to Eugene Ave and stakes marking the proposed Eugene Ave. It appears U.S. Department of Energy (USDOE) considers the Environmental review process just a formality for this project. The biological survey team from Battelle observed damage to the sagebrush by the survey team in the area of the proposed roads (please refer to first bullet under "Considerations and Recommendations, Appendix A). USDOE is steward of the natural resources on the Hanford Site. As a responsible steward, USDOE should not allow damage to natural resources by its personnel or contractors to occur during surveying of a proposed action. A proposed action may not be the selected alternative after review by other governments. Furthermore, USDOE neglects to include natural resource values (cost of mitigating for destruction of habitat) into the equation of arriving at the preferred alternative (total cost of the project). All alternative actions should integrate natural resource values.

Ms. Barbara Ritchie
7 July, 1995
Page 2 of 4

Specific Comments

Page S-2, first paragraph, fourth sentence. Request this sentence be changed to read "The project will be reviewed with the Washington Department of Fish and Wildlife (WDFW) and a mitigation plan developed and implemented to compensate for the destruction of priority shrub steppe from this project."

Page S-2, first paragraph, last sentence. If loggerhead shrike *Lanius ludovicianus* or sage sparrow *Amphispiza belli* are observed nesting on the proposed construction site, construction activities would have to cease until the nesting season (March through July) is over. These species nests are protected by the Migratory Bird Treaty Act.

Page 1-2, first paragraph. As steward of natural resources on the Hanford Site, USDOE should be integrating natural resource values into the decision making process. It is clear here in this paragraph that natural resource values are not even a factor in the decision making process. Continued fragmentation and destruction of habitat will accelerate the decline of shrub steppe flora and fauna on the Hanford Site.

Page 2-1, Section 2.0, first paragraph, second sentence. Does the proposed 139 million dollars include funds for mitigation of destruction of shrub steppe? If not, WDFW requests all alternatives be re-evaluated to consider avoiding impacts to shrub steppe habitat. Please provide the cost analysis used to justify this proposed action and alternative actions.

Page 2-1, Section 2.1, first paragraph, fifth sentence. Please clarify where the Retrieval Complex is located, or indicate in Figure 2.

Page 2-3, Figure 2. There are discrepancies between the figure and text regarding the roads, especially 19th St. and Eugene Ave. Batelle's biological survey comments conflict also with the text on page 2-10, bullet starting with "Access Roads". Please refer to Appendix A, underlined paragraph under Project Description. Eugene Ave should not extend south of 22nd St. 19th St. should not extend from proposed Denver Ave to proposed Eugene Ave. Please delete these portions of 19th St. and Eugene Ave. (outside the bubble area which reflects the footprint of the proposed action) from the diagram. If these portions are part of the proposed action, please justify their use. It is apparent that USDOE is planning for future use which may not occur given budget reductions. Unnecessary fragmentation of priority shrub steppe will occur if these road segments are constructed.

Page 2-10, section 2.3, first bullet, fourth sentence. Please clarify the confusion between this sentence and the diagram in Figure 2.

Ms. Barbara Ritchie
7 July, 1995
Page 3 of 4

Page 2-10, section 2.3, first bullet , fifth sentence. Please clarify how far 16th and 19th Streets would be extended. These roads should extend no farther than the proposed Denver Ave. to eliminate unnecessary fragmentation of priority shrub steppe. Please include road 16th St. in figure 2.

Page 2-11, bullet "Other", last sentence. Request sentence read " In order to compensate for destruction of priority shrub steppe, this proposed action would implement mitigation in accordance with the Hanford Biological Resource Mitigation Strategy."

Page 3-1, section 3.2.2. This appears to be a viable alternative which would avoid impacts to shrub steppe (50 acres of priority shrub steppe) and reduce project costs since infrastructure upgrades would not have to occur. Please provide a cost analysis for this alternative action.

Page 3-2, Section 3.3.1. This appears to be a viable option in conjunction with the previous comment. Please provide a cost analysis savings if this were to occur.

Page 3-3, Section 3.4.1. This is the current state of operation and is still a viable option. Please provide a cost savings analysis for not constructing new facilities.

Page 4-1, Section 4.1, third paragraph, last sentence. The 220 West area does contain State designated Priority shrub steppe which is important wildlife habitat for state and federal listed wildlife species.

Page 5-4, Section 5.1.8, fourth paragraph, second sentence. this statement is not true, the sagebrush lizard could also be impacted. A one day biological survey is inadequate to determine the presence or absence of this species.

Page 5-4, Section 5.1.8, fifth sentence, last sentence. Request sentence read " In order to compensate for destruction of priority shrub steppe, this proposed action would implement mitigation in accordance with the Hanford Biological Resource Mitigation Strategy."

Page 5-17, Section 5.7.3, second paragraph, last sentence. Same comment as previous comment.

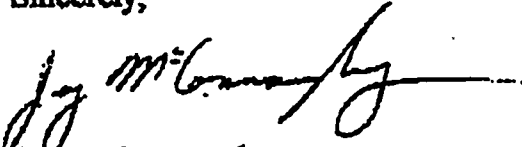
Ms. Barbara Ritchie

7 July, 1995

Page 4 of 4

Thank you for the opportunity to comment on this EA. If you have any questions in regard to these comments, please contact me at 509-736-3095.

Sincerely,



Jay McConnaughey
Habitat Biologist, Hanford Site

cc: Ecology

Dave Lundstrom

Geoff Tallent

Department of Fish and Wildlife

Ted Clausing

Lisa Fitzner



Department of Energy
Richland Operations Office
P.O. Box 550
Richland, Washington 99352

95-SWT-459

AUG 23 1995

Ms. Barbara J. Ritchie, NEPA Coordinator
Environmental Review Section
State of Washington
Department of Ecology
P. O. Box 47703
Olympia, Washington 98504-7703

Dear Ms. Ritchie:

RESPONSE TO COMMENTS ON THE ENVIRONMENTAL ASSESSMENT (EA) FOR THE SOLID WASTE RETRIEVAL COMPLEX, ENHANCED RADIOACTIVE AND MIXED WASTE STORAGE FACILITY, INFRASTRUCTURE UPGRADES, AND CENTRAL WASTE SUPPORT COMPLEX, RICHLAND, WASHINGTON (DOE/EA-0981D)

Thank you for your comments on the subject EA. Responses to your comments are presented below.

The first comment in your letter expressed concern about the apparent lack of coordination between the NEPA Process and the Systems Engineering Study recently completed for the Hanford Federal Facility Agreement and Consent Order (Tri-Party Agreement) milestone M-33. The proposed action for this EA is consistent with the results of the Systems Engineering Study.

The M-33 milestone was established to study the global needs of the Hanford Site. The Systems Engineering Report acknowledges, "Wastes and materials with well-defined paths established for storage, processing, and/or disposal (i.e., LLW), and waste and materials being managed under other Tri-Party Agreement milestones (i.e., TRU destined for WRAP 1, etc)...are not included in the scope of this study."

The purpose of the EA is to evaluate the environmental impacts of the proposed action to retrieve the approximately 10,000 drums of TRU and suspect TRU from Trench 4 of the 218-W-4C burial grounds. In the Record of Decision (ROD) for the Final Defense Waste EIS (HDW-EIS), DOE determined it would retrieve and process all TRU and suspect TRU waste that have been retrievably stored at the Hanford Site since 1970. This EA tiers down from the decision of the HDW-EIS ROD.

The second comment was concerned with FY 1996 and FY 1997 budgets and their lack of funding for TRU retrieval. It is correct that no funding has been identified to support Project W-113, Phase I Retrieval, in FY 1996 or FY 1997. However, this EA supports the National Environmental Policy Act (NEPA) documentation for two projects, Phase I Retrieval (W-113) and Phase V Storage (W-112). At the time this EA was developed, both projects were validated and funded at target levels.

Ms. Barbara Ritchie
95-SWT-459

-2-

AUG 23 1995

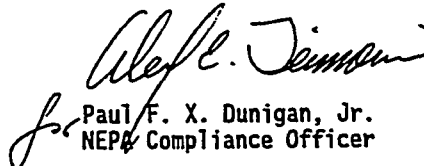
With budget reductions at the Hanford Site, TRU retrieval was determined to be low priority workscope and funding was shifted to support higher priority work at Hanford (e.g., the Spent Fuel Program and Tank Waste Remediation Systems). Phase V Storage is still funded. The current schedule shows award of the construction contract in mid-September 1995 and operation in early FY 1997, subject to completion of the NEPA review. When funding is restored for Phase I Retrieval, NEPA documentation will be in place to support construction and retrieval operations.

Ecology also questioned the appropriateness of spending scarce Hanford clean-up monies on the Supplemental Analysis (SA) in light of the anticipated privatization of WRAP 2A. At the time the NEPA documentation was being prepared, which was very early in the project's lifetime, funding was in place to support the design and construction of WRAP 2A. The SA was already at DOE-HQ for review and approval when the design was terminated. The decision was made to complete the NEPA process for WRAP 2A because it may be beneficial for privatization efforts. The SA was completed with no additional funding provided by the projects.

Your letter also forwarded comments from the State of Washington, Department of Fish and Wildlife, for our consideration. Attached are responses to those comments.

Should you have any questions or comments on the proposed action please call Roger Gordon, of the Waste Programs Division, on (509) 372-2139. Questions concerning the NEPA process should be directed to me, on (509) 376-6667.

Sincerely,


Paul F. X. Dunigan, Jr.
NEPA Compliance Officer

WPD:RMG

Attachment

cc w/attach:

A. Conklin, DOH

R. Effland, Ecology-Kennewick

J. McConnaughey, Wildlife (Ecology-Kennewick)

G. Tallent, Ecology

cc w/o attach:

R. H. Engelmann, WHC

ATTACHMENT**Response to Comments from
State of Washington, Department of Fish & Wildlife**

Comment #1. I visited the proposed site on July 6, 1995, and observed stakes marking the proposed extension of 19th St. to Eugene Ave and stakes marking the proposed Eugene Ave. It appears U.S. Department of Energy (USDOE) considers the Environmental review process just a formality for this project. The biological survey team from Battelle observed damage to the sagebrush by the survey team in the area of the proposed roads (please refer to first bullet under "Considerations and Recommendations, Appendix A). USDOE is steward of the natural resources on the Hanford Site. As a responsible steward, USDOE should not allow damage to natural resources by its personnel or contractors to occur during surveying of a proposed action. A proposed action may not be the selected alternative after review by other governments. Furthermore, USDOE neglects to include natural resource values (cost of mitigating for destruction of habitat) into the equation of arriving at the preferred alternative (total cost of the project). All alternative actions should integrate natural resource values.

Response: The damage to the sagebrush occurred during a topography survey of the area necessary to complete the project Preliminary Design site drawings. Survey stakes were in turn used by the PNL survey teams (cultural and biological) to identify the area to characterize. Although some damage to the sagebrush habitat is inevitable when defining the proposed action, care is taken to minimize any damage or disruption to the habitat. Cost of mitigation is included in the estimated total cost of the project.

Comment #2. Page S-2, first paragraph, fourth sentence. Request this sentence be changed to read "The project will be reviewed with the Washington Department of Fish and Wildlife (WDFW) and a mitigation plan developed and implemented to compensate for the destruction of priority shrub steppe from this project."

Response: A habitat enhancement strategy is being discussed with the WDFW and others that is relative to the entire Hanford Site. A specific mitigation plan for this proposed action will be defined consistent with the site-wide habitat enhancement strategy depending on when and if specific projects are implemented. Therefore, the text in the EA summary and in Chapter 5 regarding mitigation will not be changed.

Resolution to comments (cont.)

Comment #3. Page S-2, first paragraph, last sentence. If loggerhead shrike *Lanius ludovicianus* or sage sparrow *Amphospiza belli* are observed nesting on the proposed construction site, construction activities would have to cease until nesting season (March through July) is over. These species nests are protected by the Migratory Bird Treaty Act.

Response: Agree. As stated in the EA on page 5-4, section 5.1.8, and on page S-2 there is no intent to interfere with the nests or nesting presence during the nesting season (March through July), and construction schedules will be modified as necessary to avoid impacts.

Comment #4. Page 1-2, first paragraph. As steward of natural resources on the Hanford Site, USD OE should be integrating natural resource values into the decision making process. It is clear here in this paragraph that natural resource values are not even a factor in the decision making process. Continued fragmentation and destruction of habitat will accelerate the decline of shrub steppe flora and fauna on the Hanford Site.

Response: DOE recognizes the importance of natural resources and considers them in the decision-making process. The EA notes the proposed project would impact some shrub-steppe habitat and indicates the loss of habitat would be discussed with the WDFW and mitigative actions would be taken as necessary in accordance with the habitat enhancement strategy.

Comment #5. Page 2-1, Section 2.0, first paragraph, second sentence. Does the proposed \$139 million dollars include funds for mitigation of destruction of shrub steppe? If not, WDFW requests all alternatives be re-evaluated to consider avoiding impacts to shrub steppe habitat. Please provide the cost analysis used to justify this proposed action and alternative actions.

Response: It is believed the EA adequately addresses the basis for citing the proposed project in the 200 West Area in an area used for waste management operations. The \$139 million does include funding for any mitigation of lost habitat.

Comment #6. Page 2-1, Section 2.1, first paragraph, fifth sentence. Please clarify where the Retrieval Complex is located, or indicated in Figure 2.

Response: A note will be placed on Figure 2 adjacent to Trench 4C-T04 to indicate the "Retrieval Complex".

Resolution to comments (cont.)

Comment #7. Page 2-3, Figure 2. There are discrepancies between the figure and text regarding the roads, especially 19th St. and Eugene Ave. Battelle's biological survey comments conflict also with the text on page 2-10, bullet starting with "Access Roads". Please refer to Appendix A, underlined paragraph under Project Description. Eugene Ave should not extend south of 22nd St. 19th St. should not extend south from proposed Denver Ave to proposed Eugene Ave. Please delete these portions of 19th St. and Eugene Ave. (outside the bubble area which reflects the footprint of the proposed action) from the diagram. If these portions are part of the proposed action, please justify their use. It is apparent that USDOE is planning for future use which may not occur given budget reductions. Unnecessary fragmentation of priority shrub steppe will occur if these road segments are constructed.

Response: The text on page 2-10, Access Roads, will be clarified to note that the 16th, 19th, 22nd, and 23rd St. road extensions would be "west of Dayton Avenue to Denver Avenue" as reflected in Figure 2. Eugene Avenue south of 22nd Street and 19th Street west of Denver Avenue will be removed from Figure 2 since they do not now exist and are not part of the proposed action.

Comment #8. Page 2-10, section 2.3, first bullet, fourth sentence. Please clarify the confusion between this sentence and the diagram in Figure 2.

Response: See response to comment 7.

Comment #9. Page 2-10, section 2.3, first bullet, fifth sentence. Please clarify how far 16th and 19th Streets would be extended. These roads should extend no farther than the proposed Denver Ave. to eliminate unnecessary fragmentation of priority shrub steppe. Please include road 16th St. in figure 2.

Response: See response to comment 7. In addition, 16th Street will be added to Figure 2 (similar to 19th Street) ending at Denver Avenue.

Comment #10 Page 2-11, bullet "Other", last sentence. Request sentence read "In order to compensate for destruction of priority shrub steppe, this proposed action would implement mitigation in accordance with the Hanford Biological Resource Mitigation Strategy."

Response: No change is planned to this sentence. It is believed the sentence as written clearly indicates that mitigative action will be taken.

Resolution to comments (cont.)

Comment #11 Page 3-1, section 3.2.2. This appears to be a viable alternative which would avoid impacts to shrub steppe (50 acres of priority shrub steppe) and reduce project costs since infrastructure upgrades would not have to occur. Please provide a cost analysis for this alternative action.

Response: A detailed cost analysis was not prepared for this alternative and the EA discussion was qualitative in nature with respect to storage. This alternative was deemed not to be a viable storage alternative because the anticipated cost of upgrading the 2101-M Building to RCRA standards was expected to exceed the cost of new construction. Please refer to page 3-2, section 3.2.2, last four sentences of the paragraph.

Comment #12 Page 3-2, Section 3.3.1. This appears to be a viable option in conjunction with the previous comment. Please provide a cost analysis if this were to occur.

Response: A detailed cost analysis was not prepared for this alternative. The EA indicates that the No-Action alternative does not meet DOE's purpose and need for the proposed action. It is not a viable option.

Comment #13 Page 3-3, Section 3.4.1. This is the current state of operation and is still a viable option. Please provide a cost savings analysis for not constructing new facilities.

Response: See response to comment 12.

Comment #14 Page 4-1, Section 4.1, third paragraph, last sentence. The 200 West area does contain State designated Priority shrub steppe which is important wildlife habitat for state and federal listed wildlife species.

Response: Agree. The EA indicates in Section 4.4, Ecology, that the State of Washington considers the sagebrush habitat as priority habitat.

Comment #15 Page 5-4, Section 5.1.8, fourth paragraph, second sentence. This statement is not true. The sagebrush lizard could also be impacted. A one day biological survey is inadequate to determine the presence or absence of this species.

Resolution to comments (cont.)

Response: A sentence will be added to Section 5.1.8, 4th paragraph to read "Although the northern sagebrush lizard was not observed in the area of the proposed action, the loss of sagebrush could impact this species that relies on the sagebrush habitat."

Comment #16 Page 5-4, Section 5.1.8, fifth sentence, last sentence.
Request sentence to read "In order to compensate for destruction of priority shrub steppe, this proposed action would implement mitigation in accordance with the Hanford Biological Resource Mitigation Strategy."

Response: We believe this comment refers to the fifth paragraph of Section 5.1.8. See our response to comment 4.

Comment #17 Page 5-17, Section 5.7.3, second paragraph, last sentence.
Same comment as previous comment.

Response: See response to comment 4.2

*Nez Perce***ENVIRONMENTAL RESTORATION & WASTE MANAGEMENT**

P.O. BOX 365 • LAPWAI, IDAHO 83540-0365 • (208) 843-7375 / FAX: 843-7378

July 24, 1995

Mr. Paul F.X. Dunigan, Jr.
NEPA Compliance Officer
Department of Energy
P.O. Box 550
Richland, Washington 99352

Dear Mr. Dunigan:

The Nez Perce Tribe Department of Environmental Restoration and Waste Management (ERWM) has received and reviewed a copy of Environmental Assessment, Solid Waste Retrieval Complex, Enhanced Radioactive and Mixed Waste Storage Facility, Infrastructure Upgrades, and Central Waste Support Complex; U.S. Department of Energy, Richland, Washington, June 1995; DOE/EA-0981. The Nez Perce ERWM has provided comments, included with this letter.

Since 1855, reserved treaty rights of the Nez Perce Tribe in the Mid-Columbia have been recognized and affirmed through a series of Federal and State actions. These actions protect the interests of the Nez Perce to use their usual and accustomed resources in the Hanford Reach of the Columbia River and elsewhere. Accordingly, the Nez Perce Tribe ERWM has the support of the U.S. Department of Energy (DOE) to participate in and monitor certain DOE activities. The Nez Perce Tribe ERWM program responds to documents calling for comments from DOE.

The Nez Perce Tribe recognizes the need to cost effectively retrieve, transport and store transuranic waste from the Hanford Site's low level waste burial grounds. The ERWM has several comments which we feel should be initiated for improvement of the plan:

- * The Nez Perce understand the necessity to construct a waste storage facility, on a total of 89 acres of land, of which 50 acres is prime sagebrush habitat. It needs to be pointed out that sagebrush/steppe habitat is considered a "priority" habitat by the state of Washington and that several wildlife species classified as sensitive rely on this habitat for their existence. Wildlife species at this site that have been classified as sensitive species by the state and/or federal governments include Sage Sparrows (state candidate), Swainson's Hawks (federal and state candidate), Long Billed Curlews (federal candidate, state monitor), Burrowing Owls (state and

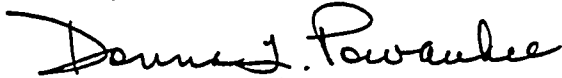
federal candidate), Grasshopper Sparrows (State Monitor), Prairie Falcons (state monitor), Sagebrush Lizard (federal candidate), and Loggerheaded Shrikes (federal and state candidate).

- * The Nez Perce Tribe feels that the loss of this habitat necessitates that a mitigation plan be written to compensate for the loss of the 50 acres of undisturbed sagebrush habitat. This mitigation plan should address how impacts will be minimized, reduced or compensated. This mitigation plan should be worked on and approved by the Hanford Natural Resource Trustee Council.
- * The Tribe requests that construction should not take place between March and July of each year in order to not compromise the nesting season of the Loggerheaded Shrike and Sagebrush Sparrow.
- * A positive attribute of the Environmental Assessment was the inclusion of a cultural survey. The Nez Perce Tribe requests the right to be notified of plans to perform cultural surveys in conjunction with future environmental assessments. Tribal cultural resource personnel would like to be present during the cultural surveys in order to better assess Indian related historical presence. Further, the Tribe would like to be notified prior to construction of this and other facilities, and offered the option of providing cultural resource oversight during the construction process.
- * The purpose of this facility, as designated in the Environmental Assessment, is to provide storage of transuranic waste prior to shipment and or treatment at the Waste Isolation Pilot Project. This sounds like an interim storage facility. Once all the transuranic wastes are removed from the trench and shipped to the Waste Isolation Pilot Project, the facility may no longer be needed. The Tribe asks that if the use of this structure is no longer necessary in the future, the structure be removed and the site be returned to natural habitat conditions.
- * The Nez Perce Tribe is concerned that if the Waste Isolation Pilot Project is not completed this facility would be required to hold waste for an indefinite period of time. Is this facility being constructed to facilitate long term storage if necessary?
- * The Nez Perce Tribe is concerned that waste from non-Hanford facilities could be stored at this location. We would like to voice our opposition to the use of this facility for storage of wastes from outside the Hanford site.
- * The Nez Perce Tribe encourages DOE to carefully delegate responsibility and plan activities to minimize impacts to the ecosystem related to this project.

The Nez Perce Tribe ERWM office appreciates the opportunity to provide comments on **Environmental Assessment, Solid Waster Retrieval Complex, Enhanced Radioactive and Mixed Waste Storage Facility, Infrastructure Upgrades, and Central Waste Support Complex, DOE/EA-0981.**

If you wish to discuss Nez Perce ERWM's comments further please contact ERWM's Technical Staff at (208) 843-7375.

Respectfully submitted,



Donna L. Powauke
ERWM Manager

In Concurrence: 

Samuel N. Penney, Chairman
Nez Perce Tribal Executive Committee

cc: John Wagoner, DOE-RL, Site Manager
Kevin Clarke, DOE-RL, Indian Programs Manager
Steve Alexander, Ecology, Perimeter Areas Section Manager
Douglas Sherwood, EPA, Hanford Project Manager
Annabelle Rodriguez, DOE-RL, Secretary



Department of Energy
Richland Operations Office
P.O. Box 550
Richland, Washington 99352

95-SWT-460

Ms. Donna Powaukee
Nez Perce Tribe
P.O. Box 365
Lapwai, Idaho 83540

Dear Ms. Powaukee:

RESPONSE TO NEZ PERCE TRIBE COMMENTS ON DRAFT ENVIRONMENTAL ASSESSMENT
DOE/EA-0981 ON PROJECTS W-112/-113

Reference: Letter from P. F. Dunigan, RL, to Ms. D. Powaukee, Nez Perce
Tribe, "Environmental Assessment Review", dated June 9, 1995.

Thank you for your comments on the Environmental Assessment (EA) which was
forwarded to you in the reference letter. Your comments have been reviewed
and responses to each comment are attached.

Again, thank you for your comments. If you have any questions on the proposed
action, please call Mr. Roger Gordon of the Waste Programs Division on
(509) 372-2139. Questions concerning the National Environmental Policy Act
(NEPA) process may be directed to myself on (509) 376-6667.

Sincerely,

A handwritten signature in cursive script that reads "Paul F. X. Dunigan, Jr.".

Paul F. X. Dunigan, Jr.
NEPA Compliance Officer

WPD:RMG

Attachment

cc: R. Engelmann, WHC, w/o attch

Attachment

Resolution to Comments

Comment #1. The Nez Perce understand the necessity to construct a waste storage facility, on a total of 89 acres of land, of which 50 acres is prime sagebrush habitat. It needs to be pointed out that sagebrush/steppe habitat is considered a "priority" habitat by the State of Washington and that several wildlife species classified as sensitive rely on this habitat for their existence. Wildlife species at this site which have been classified as sensitive species by the State and/or Federal governments include Sage Sparrow (state candidate), Swainson's Hawks (federal and state candidate), Long Billed Curlew (federal candidate, state monitor), Burrowing Owls (state and federal candidate), Grasshopper Sparrows (state monitor), Prairie Falcons (state monitor), Sagebrush Lizard (federal candidate), and Loggerheaded Shrikes (state and federal candidate).

Response: It is recognized in the EA, Section 4.4, that the sagebrush habitat is considered priority habitat by the State of Washington. A Biological Review was completed for portions of the proposed site and documented in Appendix A. The Biological Review determined the occurrence in the projected area of plant and animal species (including those identified in your comment) protected under the Endangered Species Act, candidates for such protection, and species listed as threatened, endangered, candidate, sensitive, or monitored by the State of Washington, and species protected under the Migratory Bird Treaty Act. The Biological Review also evaluates the potential impacts of disturbances on priority habitats and protected plant and animal species identified in the survey.

Comment #2. The Nez Perce Tribe feels that the loss of this habitat necessitates that a mitigation plan be written to compensate for the loss of the 50 acres of undisturbed sagebrush habitat. This mitigation plan should address how impacts will be minimized, reduced or compensated. This mitigation plan should be worked on and approved by the Hanford Natural Resources Trustee Council.

Response: In order to minimize impacts to lost sagebrush habitat, this proposed action would be reviewed and a mitigative action plan developed in accordance with the Hanford Site strategy for habitat enhancement which will be discussed with the State of Washington Department of Fish and Wildlife. The mitigation action plan is required by DOE NEPA regulations.

The NEPA process is distinct from CERCLA. This EA is written under the applicable NEPA requirements. The Department of Energy appreciates the Nez Perce Tribe, and the other Natural Resource Trustees, for taking an active role in the NEPA process. However, DOE-RL believes the Natural Resource Trustee Council is not the

appropriate forum for resolving NEPA issues concerning non-CERCLA activities.

Comment #3. The Tribe requests that construction should not take place between March and July of each year in order to not compromise the nesting season of the Loggerhead Shrike and Sagebrush Sparrow.

Response: Project construction schedules will be adjusted to minimize impact on these species by avoiding site construction activities during the nesting season (March through July). This wording will be added to Chapter 5 section.

Comment #4. A positive attribute of the Environmental Assessment was the inclusion of a cultural survey. The Nez Perce Tribe requests the right to be notified of plans to perform cultural surveys in conjunction with future environmental assessments. Tribal cultural resource personnel would like to be present during the cultural surveys in order to better assess Indian related historical presence. Further, the Tribe would like to be notified prior to construction of this and other facilities, and offered the option of providing cultural resource oversight during the construction process.

Response: Pacific Northwest Laboratories, Cultural Resources Project Office is responsible for conducting the cultural surveys and documenting the results in a survey report. The Nez Perce Tribe is welcome to participate in performing cultural surveys and will be notified when future surveys are required in support of other EAs. In addition the Tribe will be notified prior to construction and offered the option of providing cultural resource oversight.

Comment #5. The purpose of this facility, as designated in the Environmental Assessment, is to provide storage of transuranic waste prior to shipment and or treatment at the Waste Isolation Pilot Project. This sounds like an interim storage facility. Once all transuranic wastes are removed from the trench and shipped to the Waste Isolation Pilot Project, the facility may no longer be needed. The Tribe asks that if the use of this structure is no longer necessary in the future, the structure be removed and the site be returned to natural habitat conditions.

Response: In addition to storing transuranic waste prior to shipment to the Waste Isolation Pilot Plant (WIPP), the storage facility will also provide RCRA compliant storage for mixed waste before treatment. It is anticipated that when the facilities are no longer necessary, the structure will be decommissioned and the site restored. This will be stated in the EA in the description of the proposed alternative.

Comment #6. The Nez Perce Tribe is concerned that if the Waste Isolation Pilot Project is not completed this facility would be required to hold waste for an indefinite period of time. Is this facility being constructed to facilitate long term storage if necessary?

Response: The scheduled opening date for the WIPP is June, 1998. If the decision is made not to open WIPP, each site will have to provide storage capacity for transuranic waste for an indefinite period of time until other options are evaluated. The storage facility discussed in the EA will be designed to provide a useful operating life of 30 years.

Comment #7. The Nez Perce Tribe is concerned that waste from non-Hanford facilities could be stored at this location. We would like to voice our opposition to the use of this facility for storage of wastes from outside the Hanford site.

Response: DOE is committed to proceeding with cleanup actions at several sites across the DOE complex. Currently, Hanford is a receiver of offsite wastes supporting these cleanup activities. The wastes being received from offsite are currently being stored in the Central Waste Complex and/or being disposed of in the Low-Level Burial Grounds. Since the proposed storage facility discussed in the EA will provide RCRA compliant storage, it is possible for them to be used for the storage of wastes from these offsite DOE facilities.

Comment #8. The Nez Perce Tribe encourages DOE to carefully delegate responsibility and plan activities to minimize impacts to the ecosystem related to this project.

Response: DOE will follow appropriate local, state and federal requirements. In addition, DOE directs contractors to follow all appropriate requirements and to responsibly and reasonably carry out contractual obligations.

**Department of Energy**

Richland Operations Office
P.O. Box 550
Richland, Washington 99352

SEP 20 1995

95-SWT-591

Ms. Donna Powaukee
Nez Perce Tribe
P.O. Box 365
Lapwai, Idaho 83540

RESPONSE TO NEZ PERCE TRIBE COMMENTS ON ENVIRONMENTAL ASSESSMENT (EA)

Reference: Letter, P. F. Dunigan, DOE-RL, to Ms. D. Powaukee, Nez Perce Tribe, "Response to Nez Perce Tribe Comments on Draft Environmental Assessment DOE/EA-0981 on Projects W-112/-113", dated August 11, 1995.

The purpose of this letter is to discuss several responses to the Nez Perce Tribe comments transmitted in the referenced letter. Specifically, I would like to further discuss RL's response to your second and third comment.

Your second comment was concerned with the loss of 50 acres of undisturbed sagebrush habitat, and the Nez Perce Tribe felt the loss of this habitat necessitated a mitigation plan be written to compensate for this loss. RL's response to your comment was this action would be reviewed and a mitigative action plan would be developed in accordance with the Hanford Site strategy for habitat enhancement which is being discussed with the State of Washington Department of Fish and Wildlife (WDFW).

Since this letter was forwarded to you, measures to avoid and minimize impacts as a result of this project have been reevaluated. The anticipated loss of mature sagebrush habitat has been reduced substantially by a change in project scope. The original scope of the project (attachment 1) included a footprint of approximately 89 acres, of which 50 acres of priority habitat would have been destroyed. Since then, the scope of the project has been significantly reduced to reduce the habitat loss. The new proposed footprint (attachment 2) is 46 acres and 36 of which are priority habitat. In addition, the proposed storage complex will be constructed in two phases. The first phase would construct three long-term drum storage buildings and administrative support facilities, which would remove an estimated 28 acres of mature habitat. The second phase of the project includes the construction of two additional storage buildings, an ignitable waste storage building, and a box waste storage building. Initiating the second phase will be done at a later date,

Ms. D. Powaukee
95-SWT-591

-2-

SEP 28 1995

and only if the need for the buildings still exists. RL is currently evaluating the possibility of siting the Box and Ignitables buildings to a previously disturbed area east of the three Long-Term Storage Buildings which would further reduce the loss of habitat from 36 acres to 28 acres.

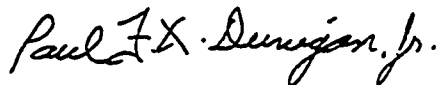
A mitigation action plan will not be developed for this project. As you know, a Hanford site-wide mitigation program is being developed by DOE, in cooperation with the WDFW, U.S. Fish and Wildlife Service (USFWS), and the Indian Tribes. The development of the program is in a draft stage. DOE would compensate for priority habitat loss in accordance with the Sitewide Mitigation Strategy.

Compensation for lost habitat values would be accomplished by enhancing the habitat value of an area west of the 200 West Area that has had no sagebrush component for many years due to past fires, but has the other components of a mature habitat (e.g., understory species). A portion of this area is also being considered for mitigation in connection with the Cross Site Transfer Project and the mitigation work would be coordinated. Compensation for lost habitat value for the Solid Waste Operations Complex Project would be done at a ratio of three acres of replacement for each one acre of habitat destroyed. The proposed action in the subject EA has been revised to address these mitigating steps. A total of \$500K has been set aside by this project to support implementing this mitigation strategy. Specific replanting objectives will be identified in the EA.

Your third comment requested the construction should not take place between March and July of each year in order to not compromise the nesting season of the Loggerhead Shrike and Sagebrush Sparrow. DOE's response was construction schedules would be adjusted to minimize impacts on these species by avoiding site construction activities during the nesting season. To clarify this point, the site construction activities discussed involve clearing and preparation of undisturbed areas only, and do not include construction activities in already disturbed areas.

Thank you again for your comments. If you have any questions concerning this project, you may call Mr. Roger Gordon, of the Waste Programs Division, on (509) 372-2139. Questions concerning the NEPA process may be directed to myself on (509) 376-6667.

Sincerely,



Paul F. X. Dunigan, Jr.
NEPA Compliance Officer

WPD:RMG

Attachments

8-21-1995 4:00PM

FROM USFWS-MOSES LAKE, WA 509 765 9043

P.2

**United States Department of the Interior****FISH AND WILDLIFE SERVICE**

Ecological Services

517 South Buchanan

P.O. Box 1157

Moses Lake, Washington 98837

(509) 765-6125 FAX: (509) 765-9043

August 21, 1995

Paul F. Dunnigan
U.S. Department of Energy
Richland Operations Office
P.O. Box 550, MS A5-15
Richland, WA 99352

Subject: Environmental Assessment: Solid Waste Retrieval Complex, Enhanced Radioactive and Mixed Waste Storage Facility, Infrastructure Upgrades, and Central Waste Support Complex, document number DOE/EA-0981, August 1995

Dear Mr. Dunnigan:

This letter transmits comments from the U.S. Fish and Wildlife Service (Service) on the subject document. The Service recommends that U.S. Department of Energy (USDOE) develop an Environmental Impact Statement (EIS) for this project. If USDOE determines that a Finding of No Significant Impact (FONSI) is appropriate, specific mitigation plans to compensate for the loss of shrub steppe habitat should be spelled out in the Record of Decision accompanying the FONSI.

Service recommendations are based on impacts of the project to mature shrub steppe habitat. The National Biological Survey considers native shrub steppe in Washington and Oregon to be an endangered ecosystem, and reports that greater than 90% of this habitat type has been lost (Noss et al. 1995). The Hanford Site encompasses one of the few remaining large blocks of shrub steppe habitat, and we consider this area to be very important for maintaining the biota dependent on this habitat type in the State of Washington. Specifically, the unburned "old growth" habitat of the central plateau is critical for maintaining biodiversity and enhancing recovery of surrounding burned areas. The project would involve the loss of 50 acres of mature shrub steppe habitat. While by itself, this habitat loss may not be large, our concern is for the cumulative impacts this project and others may have on this nearly irreplaceable natural resource. This year alone, 165 acres of mature shrub steppe have been cleared for the Environmental Restoration Disposal Facility, and future

8-21-1995 4:00PM

FROM USFWS-MOSES LAKE, WA 529 765 9843

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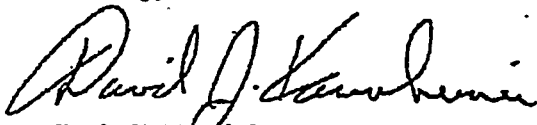
activity will remove up to 1,024 acres; the Safe Interim Storage (SIS) project would remove 23 acres; and Project L-116, 200 Area Sanitary Sewer System would remove 50 acres. It seems likely that other projects impacting mature shrub steppe habitat are being planned or under development which the Service is unaware. Continuation of this rate of impact over the years would result in a significant impact to priority habitat through destruction, and through fragmentation and degradation which would reduce the habitat value of the surrounding areas.

The document states "In order to minimize impacts of lost sagebrush habitat, this proposed action would be reviewed and mitigative action taken as necessary in accordance with the Hanford Site strategy for habitat enhancement presently being discussed with the WDFW." We fully support the commitment to mitigation and suggest that the document specify compensatory mitigation to fully address impacts. However, the Service has two areas of concern. First, the Hanford Site strategy (assuming this refers to the Biological Resources Mitigation Strategy, or BRMIS) is still in draft stage, has uncertain future funding, and has no assurances of receiving USDOE commitment. The Service recommends that an option be developed to go forward with compensatory mitigation on an individual basis if the BRMIS is not available. Second, the document only identifies coordination with the WDFW. The Service shares co-trusteeship with USDOE and the State for many of the natural resources which would be impacted by this project. We recommend that USDOE coordinate mitigation planning not only with the Service, but with the Hanford Natural Resource Trustee Council, as this is an action in response to a CERCLA release.

We encourage USDOE to consider preconstruction activities which would support restoration activities at this or other projects, such as seed collection and salvage of shrubs, bunchgrasses, cryptogams, etc. These types of preconstruction activities would have to occur up to a year prior to construction, and must be carefully planned.

We thank you for the opportunity to provide comments to this document, and request a direct response regarding your decision to proceed with an EIS or a FONSI. Please contact myself or Liz Block at the letterhead phone number if you have any questions.

Sincerely,



David C. Kappheimer
Field Supervisor
Moses Lake Field Office

lb/

8-21-1995 4:01PM

FROM USFWS-MOSES LAKE, WA 929 765 9043

P. 4

Reference cited:

Noss, R.F., E.T. LaRoe III, and J.M. Scott. 1995. Endangered ecosystems of the United States: A preliminary assessment of loss and degradation. Biological Report 28. U.S. Department of the Interior, National Biological Service. Washington, D.C. 58pp.

- c: U.S. Department of Interior, Portland (Preston Slegner)
U.S. Bureau of Land Management, Spokane (Jake Jakabosky)
U.S. Department of Energy, Richland (Paul Kube)
U.S. Environmental Protection Agency, Richland (Larry Gadbois)
Oregon Department of Energy, Salem (Susan Hughes)
WA Department of Ecology, Olympia (Geoff Tallent)
WA Department of Fish and Wildlife (Jay McConnaughey)
WA Department of Fish and Wildlife (John Carleton)
Confederated Tribes of the Umanilla Indian Reservation, Pendleton (Janet Ebaugh)
Nez Perce Tribe, Lapwai (Dan Landeen)
Yakama Indian Nation (Deborah Borrero)

**Department of Energy**

Richland Operations Office
P.O. Box 550
Richland, Washington 99352

EOT 10 1995

95-SWT-587

Mr. David C. Kaumheimer
Field Supervisor, Ecological Services
U.S. Department of the Interior
Fish and Wildlife Service
P. O. Box 1157
Moses Lake, Washington, 98837

Dear Mr. Kaumheimer:

ENVIRONMENTAL ASSESSMENT: SOLID WASTE RETRIEVAL COMPLEX, ENHANCED RADIOACTIVE AND MIXED WASTE STORAGE FACILITY, INFRASTRUCTURE UPGRADES, AND CENTRAL WASTE SUPPORT COMPLEX, DOE/EA-0981, AUGUST 1995

Thank you for your comments on the subject Environmental Assessment (EA). This purpose of this letter is to respond to your comments.

The U.S. Department of Energy (DOE), Richland Operations Office (RL's) primary mission is the clean up of the Hanford Site following its earlier mission of weapons production and energy development. In addition, RL understands its obligation to preserve and appropriately manage the natural resources that are under its stewardship. In your letter, dated August 21, 1995, the Fish and Wildlife Service (FWS) expressed concerns with the loss of mature shrub steppe habitat across the Hanford Site, specifically the 50 acres of habitat which would be removed as a result of this project.

Measures to avoid and minimize impacts have been applied to the extent feasible. The anticipated loss of mature sagebrush habitat has been reduced substantially by a change in project scope. The original scope of the project (attachment 1) included a footprint of approximately 89 acres, of which 50 acres of priority habitat would have been destroyed. Since then the scope of the project has been significantly reduced to reduce the habitat loss. The new proposed footprint (attachment 2) is 46 acres, 36 of which are priority habitat. In addition, the proposed storage complex will be constructed in two phases. The first phase would construct three long-term drum storage buildings and administrative support facilities, which would remove an estimated 28 acres of mature habitat. The second phase of the project includes the construction of two additional storage buildings, an ignitable waste storage building, and a box waste storage building. Initiating the second phase will be done at a later date, and only if the need for the buildings still exists. RL is currently evaluating the possibility of siting

Mr. D. C. Kaumheimer
95-SWT-587

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OCT 10 1995

the Box and Ignitables buildings to a previously disturbed area east of the three Long-Term Storage Buildings which would further reduce the loss of habitat from 36 acres to 28 acres.

Another concern expressed in your letter was the Hanford Site strategy (Biological Resources Mitigation Strategy (BRMS)) is still in draft stage, has uncertain future funding, and has no assurance of receiving RL commitment. The FWS recommends that an option be developed to go forward with compensatory mitigation on an individual basis if the BRMS is not available. As you know, a Hanford site-wide mitigation program is being developed by DOE, in cooperation with the State of Washington Department of Fish and Wildlife, U.S. Fish and Wildlife Service (USFWS), and the Indian Tribes. The development of the program is in a draft stage. Until the BRMS is completed, DOE would compensate for priority habitat loss in accordance with the draft Sitewide Mitigation Strategy.

Compensation for lost habitat values would be accomplished by enhancing the habitat value of an area west of the 200 West Area that has had no sagebrush component for many years due to past fires, but has the other components of a mature habitat (e.g., understory species). A portion of this area is also being considered for mitigation in connection with the Cross-Site Transfer Project and the mitigation work would be coordinated. Compensation for lost habitat value for the Solid Waste Operations Complex Project would be done at a ratio of three acres of replacement for each one acre of habitat destroyed. The proposed action in the subject EA has been revised to address these mitigating steps. A total of \$500K has been set aside by this project to support implementing this mitigation strategy. Specific replanting details will be identified in the EA.

As an extra measure, RL is extending an invitation to the Indian Tribes to allow salvage of plants which would be removed as a result of Phase I of this project. The salvage must be used to replant other areas on the Hanford Site, such as the initial site of the Environmental Molecular Science Laboratory which was disturbed during construction.

Mr. Roger Gordon, of the Waste Programs Division, met with Ms. Liz Block of your staff, and with Mr. Jay McConnaughey, WDFW, at the NRTC meeting in Toppenish on September 11, 1995. Mr. Gordon briefed Ms. Block and Mr. McConnaughey on the reductions in the Project scope, as well as discussed steps being taken to minimize the impacts to the habitat. Ms. Block appeared very pleased with the reduction in the project footprint, especially the elimination of roads which would have fractured several acres of priority habitat. During the discussion, Ms. Block and Mr. McConnaughey recommended this project proceed with mitigation in the area west of the 200 West Area that has had no sagebrush component for many years due to past fires as a stand alone project and not wait until the BRMS is adopted which may still be a year away. Specific language was added to the EA which will allow this project to proceed as a stand alone and would compensate for priority habitat loss in accordance with the draft Sitewide Mitigation Strategy. Mr. Gordon concluded the meeting feeling that both Ms. Block and Mr. McConaughy were

Mr. D. C. Kaumheimer
95-SWT-587

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OCT 10 1995

very pleased with the approach and the attitude Mr. Gordon was taking towards minimizing impacts to the habitat and mitigation activities.

A final point raised by your letter is that the FWS recommends RL coordinate mitigation planning not only with the FWS, but with the Hanford Natural Resource Trustee Council (NRTC), as this is an action in response to a CERCLA release. RL appreciates the FWS, and the other Natural Resource Trustees, taking an active role in the NEPA process, however, this action is not a CERCLA release. This EA is written under the applicable NEPA requirements. Although this action is not a CERCLA action, RL is developing the BRMS in cooperation with member tribes and agencies of the NRTC.

Thank you again for your comments. If you have any questions concerning this project, please call Mr. Roger Gordon, of the Waste Programs Division, on (509) 372-2139. Questions concerning the NEPA process may be directed to me on (509) 376-6667.

Sincerely,


Paul F. X. Dunigan, Jr.
NEPA Compliance Officer

WPD:RMG

Attachments

cc w/attachs:
L. Block, FWS
J. McConnaughey, WDFW