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State of Washington
DEPARTMENT OF FISH AND WILDLIFE

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

February 9, 2000

Mr. Keith Klein
U.S. Department of Energy
Richland Operations Office
P.O. Box 550
Richland, WA 99352

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Subject: U.S. Department of Energy Participation on the Hanford Natural Resource Trustee Council

Dear Mr. Klein:

Recently, our representative on the Hanford Natural Resource Council received an email message (dated January 12, 2000) from Mr. Jamie Zeisloft, stating that due to budget constraints, U.S. Department of Energy (USDOE) plans to reduce its participation on the Council. He also stated that the time available from the Council's administrative secretary would be reduced. Washington Department of Fish and Wildlife (WDFW) has concerns with these decisions and requests your reconsideration.

The Council was formed under a Memorandum of Agreement (MOA) signed by the Nez Perce Tribe, Confederated Tribes and Bands of the Umatilla Nation, Confederated Tribes and Bands of the Yakama Nation, State of Washington (Department of Ecology and WDFW), State of Oregon, U.S. Department of Interior (Fish and Wildlife Service and Bureau of Land Management) and USDOE. The Council subsequently agreed to meet on a regular basis, which currently involves six meetings per year.

We are concerned that meeting less frequently would not fulfill the intent of the MOA, the Comprehensive, Environmental Response, Compensation, and Liability Act, the National Contingency Plan and Executive Orders. The statutory, regulatory and executive order framework emphasizes that USDOE should "...seek to coordinate the assessments, investigations, and planning...(of removal and remedial studies and investigations)...with such Federal and State trustees." Mr. Zeisloft's action is also inconsistent with the intent of the Assistant Secretary's *Policy on Integration of Natural Resources Concerns into Response Actions*. We believe that it is beneficial to USDOE and to Hanford's natural resources to pursue a pro-active and innovative approach to addressing the potential natural resource liabilities at Hanford.

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WDFW and USDOE share the common goal of protecting the Columbia River and its ecosystem. To achieve this goal, the Council and all of its members need to sustain at least the current level of effort. We do not believe that short term USDOE budgetary constraints provide sufficient justification to reduce participation. Please reconsider USDOE's commitment to the Council and to the efficient development of long term solutions to natural resource issues at Hanford. If you wish to discuss these comments, please contact Jay McConnaughey (509-736-3095) or Ted Clausing (509-457-9314) of my staff.

Sincerely,



Dale Bambrick *for*
Regional Director

cc: Hanford Natural Resources Trustee Council, Susan Hughs, Chair
Ted Clausing, WDFW
Jay McConnaughey, WDFW