

CORE VALUES

*Historical info
on Core Value
Development*

We represent governments entrusted with the stewardship of natural resources on, or affected by, Hanford. We have legal and ethical obligations to manage these resources responsibly. From government to government, our jurisdictions differ as do our interests and responsibilities. Together, however, we share responsibility for all natural resources at Hanford.

What are natural resources:

Natural resources are the elements of the environment of use, importance, or value to our constituencies. Examples of natural resources are: plants, animals, land, air, and water. Natural resources provide physical and biological services to humans and other animals and plants, and to the ecosystem as a whole. Natural resources have value derived from their use, potential use, or by virtue of their existence.

Why a council:

The Council is intended to facilitate the coordination and cooperation of the trustees in their efforts to minimize impacts to, and restore, natural resources. Cooperation among our governments is the most efficient way to meet our stewardship responsibilities and is of the greatest benefit to the natural resources.

Our Values:

The shared values of the Trustees include:

- Natural resources on, or affected by, Hanford are unique and of extraordinary value;
- It is a legal and ethical obligation to manage responsibly the natural resources on, or affected by, the Hanford site;
- Natural resources are best managed holistically;
- It is most efficient to integrate natural resource management into Hanford planning and cleanup;
- The degradation and destruction of natural resources and their services should be avoided or minimized;
- Hanford planning and cleanup should lead to a general improvement in natural resource conditions; and
- There is a connection between natural resources, the services they provide, and the health and quality of life of our constituencies.

RECEIVED
DEC 19 2007

EDMC

Paul
Kube (002)
DRAFT 10/19/95

Mr. John Wagoner
Manager, U.S. Department of Energy
Richland Operations Office
P.O. Box 550
Richland, Wa. 99352

Dear Mr. Wagoner:

Disagreement has arisen at meetings of the Hanford Natural Resource Trustee Council (NRTC) concerning the appropriate scope of Council activities. The arguments supporting each side are summarized below.

Representatives of the U.S. Department of Energy to the NRTC state that the position of the U.S. Department of Energy, Richland Operations Office (RL) is that the appropriate focus for the NRTC should be limited to the damages to natural resources ¹ ~~from~~ caused by releases or potential releases of Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) hazardous substances. Issues beyond CERCLA should be resolved using the ~~appropriate and established~~ public involvement processes, regulatory authority, ~~and involvement and appropriate~~ government to government relationships ~~and interactions~~.

~~The other~~ Hanford Trustees agree with RL that CERCLA should be the major focus of the NRTC. However, ~~the other~~ Trustees believe that the NRTC should not be strictly limited to CERCLA. *also*

Although DOE-RL has the ultimate authority to manage natural resources on the Hanford Site, DOE-RL shares natural resource management authority with the other members of the NRTC. It is in DOE-RL's interest to cooperatively work with those trustees with who it shares this authority because the NRTC provides a convenient forum to discuss these issues.

In addition, successful implementation of the DOE's "Ecosystem Management" policy requires NRTC involvement. The policy requires DOE-RL to act as a wise steward of the natural resources located on the entire Hanford Site. As the name of the policy indicates, "Ecological Management" requires policies which manage a resource as a whole, instead of according to artificial, legally derived, boundaries.² DOE-RL should be committed to the involvement of our

¹"Natural resources are defined as "land, fish, wildlife, biota, air, water, groundwater, drinking water, supplies, and other such resources belonging to, managed by, held in trust by, appertaining to or otherwise controlled by the United States, any State or local government, any foreign government, and Indian tribe, or, if such resources are subject to a trust restriction or alienation, any member of an Indian tribe." CERCLA section 101(16). "Natural resources" may also include the "supporting ecosystems" associated with biotic resources. 40 CFR 300.600(b).

²The publication announcing the policy stated, "[w]e, the employees of the Department of Energy, promise to care responsibly for the vast lands and facilities entrusted to us. In fulfilling our critical mission, we will make use of these resources wisely and in a way that minimizes our impact on the land and our neighboring communities ..." DOE/FM-0002.

respective organizations in the development of such policies. Therefore, we believe it is within the appropriate scope of the NRTC to discuss any issues related to the formation and implementation of site-wide ecosystem management policies.

Natural resource trustees must focus on the resource as a whole, not just the resources within CERCLA Operable Unit boundaries. Natural Resource Trustees, including DOE, are authorized by CERCLA section 107(f) to act as Trustees in the public interest with regard to natural resources. Natural Resource Trusteeship derives primarily from resource management responsibility, regardless of the geographic location of the resource. This management responsibility is not limited or constrained by CERCLA.³ Therefore, natural resource trustees must focus on the resource, regardless of its location on or beyond a CERCLA Operable Unit boundary.

In addition, DOE has a duty to cooperate with other Natural Resource Trustees under the Resource Conservation and Recovery Act (RCRA). The natural resource damage assessment provisions of CERCLA apply to releases of CERCLA hazardous substances, pollutants or contaminants from any facility or vessel. This applies to releases handled under RCRA, as well as CERCLA.⁴

Activities analyzed under the National Environmental Policy Act (NEPA) are also appropriate issues for the NRTC because many of these activities potentially involve the release of a CERCLA hazardous substance. In many instances on the Hanford Site, but for the release or potential release of a CERCLA hazardous substance, the NEPA documentation would not be required. In addition, as stated above, principles of "Ecosystem Management" and natural resource management requires Trustees to focus on the entire resource, not just portions. Therefore, NEPA issues are appropriate for the NRTC.

~~Cultural issues are also closely linked with natural resource issues for the tribes. The services provided by natural resources are directly related to tribal cultural concerns. These issues must be taken into account when RL takes restoration actions. Therefore, cultural issues as they relate to natural resources, are appropriate issues for the NRTC.~~

We trust this letter clarifies the issues and raises them to the appropriate level of management. If RL disagrees with the other Trustees' concerning these issues, please provide us with your rationale through your representatives Paul Kube or Jamie Zeisloft. We look forward to the quick resolution of this issue and hope for continued productive dialogue.

³For example, the Secretary of the Interior shall act as trustee for natural resources managed or protected by the Department of the Interior. Examples of these resources include: "migratory birds; certain anadromous fish, endangered species, and marine mammals; federally owned minerals; and certain federally managed water resources." 40 CFR 300.600(b)(2). This management authority goes beyond the administrative, procedural and substantive provisions of CERCLA.

⁴CERCLA Section 101(14); RCRA Section 3001.

Mr. John Wagoner
USDOE
Richland

*DOE on 10/10/95
for 2000 CERCLA
Trustee Council*

*Trustee
Draft*
DRAFT
9/8/95

Dear Mr. Wagoner:

At recent meetings of the Hanford Natural Resource Trustee Council an apparent disagreement between USDOE and the other Trustees on the scope of Council activities has surfaced. At issue is whether council activities should be limited to ~~the~~ impacts to natural resources from CERCLA actions or whether the Council's scope more broadly encompasses impacts to natural resources from all Hanford activities. This letter is to ^{clarify} ~~clarify~~ the other trustees' position that the Council is not limited to CERCLA impacts.

All participants ^{on} in the Trustee Council, including USDOE, have mandates for natural resource trusteeship which extend beyond CERCLA. CERCLA does not grant trusteeship, rather it ^{recognizes} ~~reflects~~ the existing broader authorities, ^{such as NEPA,} ~~other~~

Many natural resource issues, including but not limited to CERCLA actions, are of common interest to the participants of the Trustee Council. We believe that the council is an appropriate forum to discuss and develop advice on any issues of shared interest. Clearly, the impacts of CERCLA actions are a priority for all trustees. However, how the council chooses to approach and prioritize CERCLA and other impacts should be at the discretion and ^{consensus} ~~consensus~~ agreement of all council participants. Artificial ^{constraints} ~~constraints~~ on the scope of the council ^{limit} ~~limit~~ the exchange of information and ideas, limit the ability of the trustees to fulfill their mandates, lead to inconsistent and incomplete discussions and recommendations, and are contrary to a holistic understanding of natural resources.

We trust this letter clarifies our opinion that the Council's scope is not limited to CERCLA impacts to natural resources. If your agency, as trustee, continues to disagree with the other Council participants on this matter, please provide us with your rationale through your representative, Paul Kube. We look forward to the quick resolution of this issue and continued productive dialogue on Hanford Site impacts to natural resources.

CORE VALUES

Who we are:

We represent governments entrusted with the stewardship of natural resources on, or affected by, Hanford. We have legal and ethical obligations to manage these resources responsibly. From government to government, our jurisdictions differ as do our interests and responsibilities. Together, however, we share responsibility for all natural resources at Hanford.

What are natural resources:

Natural resources are the elements of the environment of use, importance, or value to our constituencies. Examples of natural resources are: plants, animals, land, air, and water. Natural resources provide physical and biological services to humans and other animals and plants, and to the ecosystem as a whole. Natural resources have value derived from their use, potential use, or by virtue of their existence.

Why a council:

The Council is intended to facilitate the coordination and cooperation of the trustees in their efforts to minimize impacts to, and restore, natural resources. Cooperation among our governments is the most efficient way to meet our stewardship responsibilities and is of the greatest benefit to the natural resources.

What is our purpose:

The Council will provide guidance in support of the following values:

- Natural resources on, or affected by, Hanford are unique and of extraordinary value;
- It is a legal and ethical obligation to manage responsibly the natural resources on, or affected by, the Hanford site;
- Natural resources are best managed holistically;
- It is most efficient to integrate natural resource management into Hanford planning and cleanup;
- The degradation and destruction of natural resources and their services should be avoided or minimized;
- Valuable natural resources and their services which have been lost should be restored;
- A level of restoration which ^{addresses} compensates for past losses of natural resources and their services should be achieved; and
- There is a connection between natural resources, the services they provide, and the health and quality of life of our constituencies.

*DOE / Feb 6/96
 re: 8/2/95
 need to quality
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 to the compensation*

HANFORD NATURAL RESOURCE TRUSTEE COUNCIL

CORE VALUES

Who we are:

We represent governments entrusted with the stewardship of natural resources at Hanford. We have legal and ethical obligations to manage the resources responsibly. From government to government, our jurisdictions differ as do our interests and responsibilities. Together, however, we share responsibility for all natural resources at Hanford.

What are natural resources:

Natural resources are the elements of the environment of use, importance, or value to our constituencies. Examples of natural resources are: plants, animals, land, air, and water. Natural resources provide physical and biological services to humans and other animals and plants, and to the ecosystem as a whole. Natural resources have value derived from their use, potential use, or by virtue of their existence.

Why a council:

The Council is intended to facilitate the coordination and cooperation of the trustees in their efforts to holistically minimize impacts to, and restore, natural resources. Cooperation among our governments is the most efficient way to meet our stewardship responsibilities and is of the greatest benefit to the natural resources.

What is our purpose:

The Council will provide guidance in support of the following values:

- Natural resources at Hanford are unique and of extraordinary value;
- Natural resources are best managed holistically;
- It is most efficient to integrate natural resource management into Hanford planning and cleanup;
- It is a legal and ethical obligation to manage responsibly the natural resources of the Hanford site;
- The degradation and destruction of natural resources and their services should be avoided or minimized;
- Valuable natural resources and their services which have been lost should be ^{restored} replaced;
- Compensation should be made for past losses of natural resources and their services; and
- There is a connection between natural resources, the services they provide, and the health and quality of life of our constituencies.

FAX

DATE: June 26, 1995
FROM: Geoff Tallent
Ph. (360) 407-7112

	PHONE	FAX
TO: ✓ Liz Block	(509) 765-6128	(509) 765-9043
✓ Linda Goodey	(509) 946-3684	(509) 946-3733
✓ Paul Kube	(509) 373-9850	(509) 376-0306
✓ Kathy Leonard	(509) 372-9325	(509) 372-9702
✓ Paul Danielson	(208) 843-7375	(208) 843-7378

SUBJECT: NRTC Core Values Sub-Group

NUMBER OF PAGES (INCLUDING COVER SHEET): 3

COMMENTS:

This fax is a reminder that the NRTC Core Values Sub-Group will have a phone conference Tuesday, June 27, 1995, from 10:00 to 12:00 P.M.. The call will be initiated by Linda. The other participants will be called by the USDOE operator at the phone numbers listed above. If you need to be reached at a different number, please call Linda.

I have attached a copy of Jay McConnaughey's comments. I believe all of you have seen copies of the other comments. Other comments were made by Larry G., Kathy L., John H., and Liz B.. If any of you are missing those, please call me.

I look forward to talking with all of you. If you have any questions, please call me.

-Geoff

Geoff

I have the following comments on the draft core values.

Who we are:

First sentence. Recommend deleting the word "certain". Add "on the Hanford Site" at the end of the sentence.

Second sentence. Suggest replacing the word "manage" to "fulfill". Delete the phrase "the resources responsibly" and replace with "in our stewardship responsibilities are fulfilled"

Third sentence. Suggest replacing with "All governments represented on the council have varying jurisdiction or responsibilities or interests on the Hanford Site for their constituents.

The trustees are governments entrusted by their constituents with the stewardship of natural resources on the Hanford Site. We have legal obligations to fulfill our stewardship responsibilities for our constituents. All governments represented on the council have varying jurisdiction or responsibilities or interests on the Hanford Site for their constituents.

What are Natural resources

first sentence expresses the same idea as the last sentence. the third sentence puts man outside the system. We are only defining what natural resources are here. we do not have to identify who they are important to. Besides. if you refer back to the first section, You know who they are important to. Propose the following

Natural resources are: land, fish, wildlife, biota, air, surface water, and ground water. These resources may have value derived from their use, potential use, or by virtue of their existence.

Why a council

Propose the following

To create an environment which generates an exchange of opinions between governments regarding the natural resources and remediation process which may impact the natural resources on the Hanford Site and to assist the landholder with reducing injuries to the natural resources during this remediation process.

How are our interests satisfied.

Who will satisfy our interests? the landholder (USDOE). Suggest inserting "by the landholder" after the word satisfy.

Bullet 7. suggest replacing the word "using" with "creating". Otherwise you have not accounted for your losses.

Overheads

Attributes of a core value:

Suggest replacing "organizations and individuals" with "governments". An individual may have a different value than their government.

Core value brainstorm

first bullet. Suggest inserting the word "government" after the word individual

third bullet Concur with Kathy (comment # 6)

fifth bullet. Concur with Kathy (comment # 8)

sixth bullet. Concur with Kathy (comment # 9)

Hey . I got this done on Thursday evening so I won't have to come in on Saturday.

Jay

HANFORD NATURAL RESOURCE TRUSTEE COUNCIL

CORE VALUES

DOE needs a memo for adoption of core values - make necessary changes

Who we are:

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Why a council:

The Council is intended to facilitate the coordination and cooperation of the trustees in their efforts to ~~holistically~~ minimize impacts to, and restore, natural resources. Cooperation among our governments is the most efficient way to meet our stewardship responsibilities and is of the greatest benefit to the natural resources.

What is our purpose:

The Council will provide guidance in support of the following values:

- Natural resources at Hanford are unique and of extraordinary value;
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- It is most efficient to integrate natural resource management into Hanford planning and cleanup;
- It is a legal and ethical obligation to manage responsibly the natural resources of the Hanford site;
- The degradation and destruction of natural resources and their services should be avoided or minimized;
- Valuable natural resources and their services which have been lost should be ^{restored} replaced;
- ~~• Compensation should be made for past losses of natural resources and their services; and~~
- There is a connection between natural resources, the services they provide, and the health and quality of life of our constituencies.

[32] From: John A. Hall at ~PNL105 6/18/95 4:54PM (4815 bytes: 1 ln)
To: Geoff Tallent at Ecology Lacey
cc: Paul S Kube at ~DOE13, Kathleen M Leonard at ~WHC301, Linda C Goodey at
~MTC4
Subject: NRTC Core Values - Comments

----- Message Contents -----

Geoff

Below are some comments to the NRTC Core Values. I don't have an electronic original, so bear with my presentation.

Who we are:

1. In general, I liked the approach. I offer some minor changes for you to consider:
 - A) In the second sentence, consider changing "legal obligations" to "legal and ethical obligations." Can't governments be ethical as well adherent to the letter of the law?
 - B) In the third sentence, change "jurisdiction varies" to "jurisdictions differ." "Varies" indicates a changing state. You are trying to indicate that each government has a different jurisdiction, not that their individual jurisdictions are changing (varying).
 - C) In the last sentence, add a comma after "Together."
 - D) In the last sentence, consider changing "responsibility for" to "stewardship interest in."
 - E) Although "panoply" sounds nifty, does it actually capture the sense you want (considering its literal definition)? Consider changing the whole last sentence to read: "Together, however, we have stewardship interest in the entirety of Hanford's natural resources."

What are natural resources:

2. Although the definition reflects the CERCLA definition, I have always had some difficulty in understanding why "biota" doesn't subsume fish and wildlife. Because fish and wildlife are called out separately, does it mean plants are less important?

Why a council:

3. In general, I agree with Kathy's comments here. I would add that it may be best to start with some statement relative to CERCLA as this is the initial impetus for the NRTC having been formed in the first place. Still, I think it is important to retain the holistic approach as an important aspect that the NRTC brings to natural resource issues. From an ecological point of view, it is the only approach that makes sense. In sum, you need to capture here both the role of CERCLA and the role of a holistic approach in providing a rationale for the existence of the NRTC.

How are our interests satisfied:

4. I had trouble with this title. It seems to confuse what is intended to be conveyed to the reader. First, the bullets beneath now seem fuzzy if they are meant to be core values. Second, it leaves me confused as to who the subject of the verbs (or gerunds? - the construction is confusing enough; I

would change to a subject/verb construction) are in the bulleted items.
RL? NRTC? Who?

5. The "values" themselves I find somewhat vague and perhaps too general to convey a strong sense of what the NRTC wants to be considered. Consider changing this section to the following:

What are our core values:

Core values are principals or interests held in common by all members of the Council. The core values below have broad applicability and serve as the foundation from which we derive our specific positions, statements, or recommendations. Our core values are:

We believe that natural resource values should be an important consideration in removal and remedial action decisions, as well as in land and facility use planning at Hanford.

We believe that during Hanford Site cleanup and development it is vital to avoid and/or minimize additional natural resource injuries.

We believe that the best approach toward effective natural resource management at Hanford is a holistic approach in which the boundaries of decisions are determined ecologically and not by project or by administrative jurisdictions.

We recognize the uniqueness of Hanford's natural resources and the threats to those resources, not only at Hanford, but region-wide as well.

We believe in the value of cooperative relationships to achieve our goals.

We believe that natural resources that are newly injured should receive appropriate mitigation; whereas, those natural resources that were injured in the past should be appropriately restored.

The above "core values" are just examples of a possible way of conveying the values of the NRTC and are not necessarily a complete list of values. I'll leave you to decide if I left anything important out. This is all the time I can spend on this for now.

John

FAX**DATE:** June 13, 1995**FROM:** Geoff Tallent
Ph. (360) 407-7112

TO: Mike Bauer (509) ⁴⁵²⁻~~865~~-2503
 Deborah Berrero (509) 452-2503
 Liz Block (509) 765-9043
 Chris Burford &
 Janet Ebaugh (503) 276-0540
 John Carlton (360) 902-~~2496~~ 2946
 Dave Conrad,
 Rico Cruz,
 Paul Danielson
 Stan Sobczyk (208) 843-7378
 Dirk Dunning &
 Susan Coburn Hughes (503) 373-7806
 Larry Gadbois (509) 376-2396
 John Hall (509) ~~376-6968~~ 509-376-3968
 Jake Jacobosky (509) 536-1275
 Paul Kube (509) 376-0306
 Kathy Leonard (509) 372-9447
 Jay McConnaughey (509) 736-3030
 Callie Ridolfi (206) 682-5008

SUBJECT: Core Values Materials**NUMBER OF PAGES (INCLUDING COVER SHEET):** 9**COMMENTS:**

Fellow Council Members:

Attached are: (1) the comments by Kathy Leonard on the Draft Core Values, and (2) copies of the overheads from the core values presentation at the last meeting. Please consider these while developing your comments on the Draft Core Values. Remember, your comments are due to me by June 23, 1995. Please call me if you have any questions.

-Geoff

31 May 95

To: Geoff Tallent
From: Kathy Leonard
Subject: Comments to Core Values

Attached please find my comments for your consideration. Please call me if you have any questions regarding my thoughts. I hope they're helpful.

Comment 1 Suggest rewriting the "who we are" section to reflect the authority of trustees being derived under CERCLA. The statements that trustees have stewardship authority of certain resources and have the responsibility for the entire panoply of natural resources at Hanford is not completely correct. At least I believe it is not completely correct. I know it's difficult because agencies, e.g. fish and wildlife, have overlapping jurisdiction and authority/responsibility for the stewardship of the Hanford resources. Undoubtly certain individuals within RL would have all kinds of heartburn with the way it is stated now. I realize that the trustess have to look at their other responsibilities and obligations and integrate the actions accordingly so as to ensure a holistic approach rather than piecemeal. Suggest rewriting to say something like "We are governments entrusted by our constituencies and have legal obligations to ensure natural resources on the Hanford Site are protected for the benefit of the public, including preservation of environmental values. From government to government, our jurisdiction varies as do our other interests and responsibilities. However, as Trustees we have an obligation to seek compensation for injuries to trust resources and the services they provide."

Comment 2: Suggest rewriting "why a council" to reflect the coordination and cooperation efforts. We state this in the MOA. I feel it is equally appropriate here. Perhaps you can rewrite to say something like this: The council is intended to facilitate the coordination and cooperation of the Trustees in their efforts to holistically restore and minimize natural resources ~~injured as a result of or during cleanup of releases associated with the Hanford Site.~~ Cooperation among our governments, with our diversity of expertise and resources, is the best way to address natural resources, and their services, ~~as interconnected parts of a larger system.~~

Comment 3: In the "How are our interests satisfied" bullet 3, suggest rewriting to read "...services in ongoing and future work efforts".

Comment 4 In the "How are our intererests satisfied" bullet 6, suggest rewriting to read "...quickly in coordiantion with ongoing and future work efforts".

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- Comment 5: In the "How are our interests satisfied", insert bullet to read "Provide assistance with major land-use and land management decisions to ensure sustainable diversity of the Columbia Basin's shrub-steppe region. The point is, NRTC needs to be involved in the upfront planning in order to have meaningful, holistic input on methods used for environmental cleanup and restoration and specifically on the landscape where cleanup-related disturbances will occur."
- Comment 6: Core Value Brainstorm, suggest rewriting bullet 3 to read "mitigation and restoration".
- Comment 7: Core Value Brainstorm, suggest rewriting bullet 4 to read "...planning for protection and preservation of natural resources".
- Comment 8: Core Value Brainstorm, suggest rewriting bullet 5 to read "integrate environmental values locally and regionally".
- Comment 9: Core Value Brainstorm, suggest eliminating bullet 6.
- Comment 10: Core Value Brainstorm, suggest rewriting bullet 7 to read "Avoid and ..."
- I'm not sure what you had in mind with the brainstorm section so look at my comments in that light.

004

PURPOSE:

**TO CLEARLY COMMUNICATE THE NRTC'S
CORE VALUES, INTERESTS, AND CONCERNS.
ALSO TO EDUCATE THE HANFORD
COMMUNITY ABOUT OUR MANDATE,
PURPOSE, AND ROLE.**

A CORE VALUE IS:

**A COMMON PRINCIPAL OR INTEREST HELD
BY ALL MEMBERS OF THE COUNCIL FROM
WHICH WE DERIVE OUR SPECIFIC POSITIONS,
STATEMENTS, OR RECOMMENDATIONS.**

ATTRIBUTES OF A CORE VALUE:

- **ALL PARTICIPATING ORGANIZATIONS AND INDIVIDUALS HOLD IN COMMON**
- **APPLICABLE SITE-WIDE**
- **FUNDAMENTAL (SERVE AS A FOUNDATION)**
- **BRIEF**
- **GENERAL**

CORE VALUE BRAINSTORM:

- **COOPERATIVELY FULFILL INDIVIDUAL RESPONSIBILITIES**
- **SATISFY LEGAL OBLIGATIONS**
- **DEVELOP POSITIONS AND POLICIES FOR MITIGATION, ETC.**
- **ENCOURAGE SITE-WIDE PLANNING**
- **INTEGRATE NR VALUES**
- **REGIONAL/NATIONAL/GLOBAL CONTEXT**
- **MINIMIZE INJURY**
- **PROACTIVE BEHAVIOR**
- **TEAM WORK**
- **RESTORE WITH LOCALLY DERIVED SPECIES**
- **UNIQUENESS OF SHRUB-STEPPE**
- **LONG-TERM MONITORING**
- **PROVIDE TECHNICAL ASSISTANCE**
- **REMOVE CONTAMINATES FROM FLOOD PLAIN**
- **GREATER ECO. RISK ASSESSMENT**
- **INCLUDE LONG-TERM COSTS**

OUR RECOMMENDED FORMAT AND VALUES:

- **WHO WE ARE**
- **WHAT ARE NATURAL RESOURCES**
- **WHY A COUNCIL**
- **HOW ARE OUR INTERESTS SATISFIED**

WHAT NEXT:

- **NRTC REVIEW PROPOSAL**
- **COMMENTS TO VALUES TASK-FORCE**
- **REVISED STATEMENT PRESENTED TO TRUSTEES FOR ADOPTION.**



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 10 HANFORD PROJECT OFFICE

712 SWIFT BOULEVARD, SUITE 5

RICHLAND, WASHINGTON 99352

June 9, 1995

Hanford Natural Resource Trustees

Re: Comments on the Draft Trustee Core Values:
Handout from June 8, 1995

Dear Trustees:

Below are several comments relative to the draft Core Values statement handed out at the June 8, 1995 Hanford Natural Resource Trustee Council meeting. You have my kudos.

The "public trust doctrine" is an ancient principle of law that provides that governments hold certain property and natural resources in trust for the benefit of the public and, furthermore, have the duty and authority to protect and preserve such property and resources for public uses. Laws such as the Clean Water Act, CERCLA, and the Oil Pollution Act contains trustee language that attempts to capture and codify much of the public trust doctrine. Trustees predate the relatively recent environmental laws. By looking to those laws to define who you are, you may risk not encompassing the full intent of the public trust doctrine.

I think that you have done a fine job of not falling into the pitfall illustrated above. The draft core values handed out on June 8, 1995 clearly illustrate that the trustee council is focused on overall stewardship of the natural resources. With your roots in the public trust doctrine, (1) your core values remain intact regardless of the outcome of current debate over the trustee provisions during CERCLA reauthorization, and (2) your interest in site activities is preserved, regardless of an activity's designation relative to "CERCLA", "RCRA", "site infrastructure" et cetera. I think you've taken the right approach, and caution you to be cognizant of the consequences if you deviate from that approach as this is reviewed and revised for trustee signature.

Thank you for the opportunity to provide input. If you have any questions please call me at (509) 376-9884.

Sincerely,

Laurence E. Gadbois

Laurence E. Gadbois
Environmental Scientist

Distribution:

Mike Bauer, YIN
Liz Block, USFWS
Chris Burford, Janet Ebaugh, CTUIR
John Carleton, WDFW
David Conrad, Rico Cruz, Stan Sobczyk; Nez Perce Tribe
Linda Goodey, MACTEC
John Hall, ASCI / PNL
Susan Coburn Hughs, Oregon DOE
Jake Jakabosky, BLM
Paul Kube, DOE
Kathy Leonard, Bechtel
Jay McConnaughey, WDFW
Callie Ridolfi, Ridolfi Engineers / YIN
Geoff Tallent, Ecology

[39] From: Kathleen M Leonard at ~WHC301 5/31/95 12:05PM (4912 bytes: 2 ln, 1 fl)
To: Geoff Tallent at _Ecology_Lacey
cc: Paul S Kube at ~DOE13, Linda C Goodey at ~MTC4
bcc: Kathleen M Leonard
Subject: Core Values Comments

----- Message Contents -----

Text item 1:

see attached comments for your consideration. Call me if
you have any questions.....

File item 2: COREVAL.530 5/31/95 12:05PM

FAX TRANSMITTAL
Pages

FROM: Linda Goodey, phone 509-946-3684, fax 509-946-3733

DATE: May 30, 1995

TO: Hanford Natural Resource Trustee Council & Friends

SUBJECT: *Core Values Committee minutes*

Name	Phone	Fax
Liz Block	509-765-6128	509-765-9043
Chris Burford	503-276-0105	503-276-0540
Paul Kube	509-373-9850	509-376-0306
Stan Sobczyk	208-843-7375	208-843-7378
Geoff Tallent	360-407-7112	360-407-7151

cc: Kathy Leonard 509-372-9325 509-372-9702

Attached are the draft minutes from the Core Values conference call. Please call Geoff with comments and questions.

DRAFT

5/25/55

HANFORD NATURAL RESOURCE TRUSTEE COUNCIL

CORE VALUES

Who we are:

*on the Hanford Site
§ GVT, representatives*

*To ensure natural resources
are protected for the benefit
of the public, include provisions
of environmental values. We have
not only the right, but the
obligation to seek
compensation for
injuries to their
resources & their
services.*

We are governments entrusted by our constituencies with the stewardship of certain natural resources. We have legal obligations to manage the resources responsibly. From government to government, our jurisdiction varies as do our other interests and responsibilities. Together however, we have responsibility for the entire panoply of natural resources at Hanford.

What are natural resources:

Natural resources are the elements of the environment of use, importance, or value to our constituencies. Examples of natural resources are: land, fish, wildlife, biota, air, surface water, and ground water. Natural resources provide physical and biological services to both humans and the ecosystem as a whole. Natural resources may have value derived from their use, potential use, or by virtue of their existence.

Why a council:

The council is intended to facilitate the coordination & cooperation of the trustee's in their efforts to restore & minimize, holistically, natural resources injured as a result of or during cleanup of releases associated with the Hanford Site.

Because natural resources and their services are interconnected parts of a larger system, they are better addressed holistically. Cooperation among our governments, with our diversity of expertise and resources, is the best way to be holistic.

How are our interests satisfied:

- ① Understanding the present and future nature, extent, and value of the natural resources of the Hanford site, both locally and regionally.
- ② Understanding and approaching natural resource management holistically. *responsibly & just*
- ③ Efficiently integrating natural resource management into Hanford planning and cleanup.
- ④ Responsibly managing the natural resources of the Hanford site. *just*
- ⑤ Avoiding and minimizing the degradation or destruction of natural resources and their services. *then efficient integration of NR input into Hanford Planning & Cleanup.*
- ⑥ Replacing valuable lost natural resources and services quickly. *& w/ coordination*
- ⑦ Using identical or similar replacements for valuable lost natural resources or services.
- ⑧ Recognizing the connection between natural resources, the services they provide, and the health and quality of life of our constituencies.

PURPOSE:

**TO CLEARLY COMMUNICATE THE NRTC'S
CORE VALUES, INTERESTS, AND CONCERNS.
ALSO TO EDUCATE THE HANFORD
COMMUNITY ABOUT OUR MANDATE,
PURPOSE, AND ROLE.**

A CORE VALUE IS:

**A COMMON PRINCIPAL OR INTEREST HELD
BY ALL MEMBERS OF THE COUNCIL FROM
WHICH WE DERIVE OUR SPECIFIC POSITIONS,
STATEMENTS, OR RECOMMENDATIONS.**

ATTRIBUTES OF A CORE VALUE:

- **ALL PARTICIPATING ORGANIZATIONS AND INDIVIDUALS HOLD IN COMMON**
- **APPLICABLE SITE-WIDE**
- **FUNDAMENTAL (SERVE AS A FOUNDATION)**
- **BRIEF**
- **GENERAL**

CORE VALUE BRAINSTORM:

- ① - COOPERATIVELY FULFILL INDIVIDUAL RESPONSIBILITIES
- ② - SATISFY LEGAL OBLIGATIONS

- ③ - DEVELOP POSITIONS AND POLICIES FOR MITIGATION, ETC. *restoration*
- ④ - ENCOURAGE SITE-WIDE PLANNING *For protection's preservation of NATURAL resources*
- ⑤ - INTEGRATE NR VALUES *ENV values locally & regionally*
- ⑥ - REGIONAL/NATIONAL/GLOBAL CONTEXT
- ⑦ *AVOID* MINIMIZE INJURY
- ⑧ - PROACTIVE BEHAVIOR
- ⑨ - TEAM WORK
- ⑩ - RESTORE WITH LOCALLY DERIVED SPECIES
- ⑪ - UNIQUENESS OF SHRUB-STEPPE
- ⑫ - LONG-TERM MONITORING
- ⑬ - PROVIDE TECHNICAL ASSISTANCE
- ⑭ - REMOVE CONTAMINATES FROM FLOOD PLAIN
- ⑮ - GREATER ECO. RISK ASSESSMENT
- ⑯ - INCLUDE LONG-TERM COSTS

OUR RECOMMENDED FORMAT AND VALUES:

- **WHO WE ARE**
- **WHAT ARE NATURAL RESOURCES**
- **WHY A COUNCIL**
- **HOW ARE OUR INTERESTS SATISFIED**

WHAT NEXT:

- **NRTC REVIEW PROPOSAL**
- **COMMENTS TO VALUES TASK-FORCE**
- **REVISED STATEMENT PRESENTED TO TRUSTEES FOR ADOPTION.**

HANFORD NATURAL RESOURCE TRUSTEE COUNCIL

CORE VALUES

*Comments to Jeff by June 23rd
Get Brian's letter
Great presentation
3/15 comments*

Who we are:

We are governments entrusted by our constituencies with the stewardship of certain natural resources. We have legal obligations to manage the resources responsibly. From government to government, our jurisdiction varies as do our other interests and responsibilities. Together, however, we have responsibility for the entire panoply of natural resources at Hanford.

What are natural resources:

Natural resources are the elements of the environment of use, importance, or value to our constituencies. Examples of natural resources are: land, fish, wildlife, biota, air, surface water, and ground water. Natural resources provide physical and biological services to both humans and the ecosystem as a whole. Natural resources may have value derived from their use, potential use, or by virtue of their existence.

Why a council:

Because natural resources and their services are interconnected parts of a larger system, they are better addressed holistically. Cooperation among our governments, with our diversity of expertise and resources, is the best way to be holistic.

How are our interests satisfied:

Natural resources @ Hanford are unique biotica & extraordinary value. Understanding the present and future nature, extent, and value of the natural resources of the Hanford site, both locally and regionally.

Natural resources are best managed holistically. Understanding and approaching natural resource management holistically.

It is most efficient to efficiently integrating natural resource management into Hanford planning and cleanup.

Responsibly managing the natural resources of the Hanford site.

Avoiding and minimizing the degradation or destruction of natural resources and their services.

Replacing valuable lost natural resources and services quickly.

Using identical or similar replacements for valuable lost natural resources or services.

Recognizing the connection between natural resources, the services they provide, and the health and quality of life of our constituencies.

of Hanford natural

Realize

Hanford site

plants, animals

Flora & Fauna

the organisms

Biota's A biotic component

efficiency

All to

managed responsibly

should

avoided & minimized

Should be restored

no compensation



will be

May 22, 1995

Geoff:

Here is the document I put together for Paul in April. He wasn't real crazy about it because he was hoping for something that would give specific direction of what the Trustees wanted DOE/site managers to do. (The HOW part of the discussion today).

I have incorporated the HOW part with the basic core values document, along with a quick draft of today's meeting, and other drafts of values I attempted for your information.

Linda

Post-it® Fax Note	7671	Date	5/24/95	# of pages	6
To	Kathy Leonard	From	Linda Goodley	Co.	
Co./Dept.		Phone #	946-3684	Fax #	
Phone #	372-9325				
Fax #	372-9702				

DRAFT
HANFORD NATURAL RESOURCE TRUSTEE COUNCIL
CORE VALUES

HONOR LEGAL OBLIGATIONS

We will honor our obligations to our constituencies as required by law. Being Trustees for Hanford natural resources carries with it a great responsibility to our constituencies, our region, and the taxpayers of our nation.

ENGAGE IN PROACTIVE BEHAVIOR

We will work with the Department of Energy toward the development of a site-wide natural resource management plan. As a part of proactive behavior, we will encourage the implementation of a complete planning cycle for all projects prior to beginning a project, including protecting existing natural resources, minimizing injury to natural resources, funding mitigation activities when unavoidable natural resource injuries occur, and enhancing and restoring natural resources as appropriate. We expect that this proactive behavior will be instituted on an ecosystem-wide basis for the entire Hanford site and not just project by project. We will work to obtain recognition of Hanford as a national asset.

WORK AS A TEAM

The Hanford Natural Resource Trustee Council acknowledges the diversity of this group and has established an organization which recognizes individual Trustee responsibilities and sovereign Trustee status. We will operate in an open, accepting manner, focusing on collective Trustee interests whenever possible, making decisions by consensus while acknowledging minority viewpoints. We will submit Trustee policy statements to DOE whenever possible, while recognizing the responsibility of individual Trustees to express their opinions to DOE, as well. We commit to using sound science and economics as a basis to our processes.

GUIDING PRINCIPLES

Because the habitat of Hanford is unique and critical for maintaining biodiversity on a regional level, the Hanford Natural Resource Trustee Council embraces the following statements as vitally important to the administration of natural resources on the Hanford Site:

- Avoid and/or minimize irreversible and irretrievable commitment of resources.
- Early compensation for lost resources will minimize habitat loss over time and thus may minimize future costs.
- Mitigation or compensation for lost resources should be in-kind.
- Hanford cleanup should encompass long-term protection of natural resources.
- Protection of natural resource services and protection to human health are complementary and interconnected; and therefore should be evaluated equally.
- Natural resource protection must be integrated into the waste management and cleanup processes.
- Natural resources are interconnected, impacts during any activity must be evaluated holistically, taking into account activities at the main site as well as impacts from any support activities.

Core Values Committee
May 22, 1995
Draft Meeting Minutes

Attendees
Geoff Tallent
Paul Kube
Linda Goodey

The purpose of the Core Values Committee is to clearly communicate the Council's general values, interests, and concerns.

A core value: is general; all participating organizations should be able to support it; it is a fundamental value; it should be applicable site wide; it is inalienable; and it can function as a foundation for future activities. It will clearly articulate to others what the NRTC would like to see the programs in DOE do specifically in order to achieve success regarding natural resource stewardship.

Geoff's approach encompassed defining: who, what, why, and how.

The Core Values Committee came up with the HOW part of defining how natural resources should be managed:

- Avoiding and/or minimizing irreversible and irretrievable commitment of resources is a priority.
- Early compensation for lost resources is less costly
- mitigation or compensation should be in-kind (when you rip up shrub-stepp habitat, you should put shrub-stepp somewhere else)
- The habitat of Hanford is unique and critical for maintaining biodiversity on a regional level
- Hanford cleanup should encompass the long-term protection of natural resources
- Protection of natural resource services and protection to human health are complementary/interconnected
- Natural resource protection must be integrated into the waste management and cleanup processes
- Natural resources are interconnected: impacts must be evaluated holistically

ACTION: Geoff Tallent will create a draft by Wednesday, May 24, 1995, for the other members of the Core Values Committee to review. All comments should be returned to Geoff by May 26, 1995, and another conference call will be scheduled for the week of May 29.

HANFORD NATURAL RESOURCE TRUSTEE COUNCIL PURPOSE

The Council's purpose is to cooperatively enhance each member's individual obligation to fulfill its statutory natural resource trusteeship duties under applicable state and federal standards such as the Natural Resource Damage Assessment provisions of the Comprehensive Environmental Response Compensation and Liability Act and National Contingency Plan. Natural Resource Trustees have a responsibility and obligation to ensure natural resource restoration at sites that have been injured by hazardous substance releases or by the remediation of such releases. This authority and responsibility is distinguished from that of the U.S. Environmental Protection Agency and Washington State Department of Ecology who regulate the remediation/corrective action process.

HANFORD NATURAL RESOURCE TRUSTEE COUNCIL

CORE VALUES

The Objectives of this Council are:

To explore methods for cooperation in fulfilling individual trustee responsibilities through innovative, streamlined, cooperative methods which efficiently and effectively protect, enhance, and restore natural resources.

To ensure that legal obligations and constituencies are satisfied.

To develop positions for policies which address mitigation, restoration, biological resource management, and effective groundwater remediation elements.

To encourage the development of site-wide natural resource management planning. The Council seeks to ensure that all planning supports the management, mitigation, and restoration goals and objectives of the trustees, and encompasses good stewardship practices.

To ensure that natural resource values are fully integrated with Hanford decision making. The Council will strive to work with the U.S. Department of Energy and the regulatory agencies to avoid and/or minimize additional injury through timely provision of technical assistance.

HANFORD NATURAL RESOURCE TRUSTEE COUNCIL CORE VALUES

The Hanford Natural Resource Trustee Council is a group of agencies, organizations, and sovereign nations which are brought together under numerous statutes and regulations, including but not limited to 40 CFR Part 300, National Contingency Plan; 43 CFR Part 11 and 59, Natural Resource Damage Assessment Regulations; Treaties of 1855 with the Nez Perce, Umatilla, and Yakama Indian Tribes; Clean Water Act; Comprehensive Environmental Response, Compensation and Liability Act; Model Toxics Control Act; DOE Order 5400.4; Executive Order 12580, Superfund Implementation, January 23, 1987.

Mission Statement

The Hanford Natural Resource Trustee Council will work with U.S. Department of Energy to address natural resources impacted by past and current activities in a proactive manner to protect existing natural resources, reduce injury to resources during continued activities, restore damages to natural resources, and remediate those natural resources on the Hanford Site in a holistic and ecosystem manner.

HANFORD NATURAL RESOURCE TRUSTEE COUNCIL

CORE VALUES

ensure that legal obligations and constituencies are satisfied

explore methods for cooperation in fulfilling individual trustee responsibilities through innovative, streamlined, cooperative methods which efficiently and effectively protect, enhance, and restore natural resources

encourage the development of site-wide natural resource management planning

ensure that all planning supports the management, mitigation, and restoration goals and objectives of the trustees, and encompasses good stewardship practices

assist DOE in developing an understanding of how Hanford at the landscape level, fits into a broader context of regional and national natural resource management issues (holistic, ecosystem view)

encourage minimizing injury to natural resources in ongoing and future work efforts

ensure that mitigation is planned at the beginning of a project in order to minimize injury to resources and fund the process for mitigation of unavoidable injuries (proactive behavior).

develop positions for policies which address mitigation, restoration, biological resource management, and effective groundwater remediation elements

Natural Resource Trustee Council

Core Values

These values are established to ensure adequate planning is conducted that conforms to the values, interests, and expectations for natural resource protection and assessment that are held by constituent natural resource trustees of the Hanford Site.

The agreed upon values of the collective trustee council for natural resource management, protection, restoration and remediation at the Hanford Site does not in any way, represent the specific values of any individual trustee.

The following were agreed to by the council as major values that reflect their composite interest and agreement:

Address Columbia river issues using a holistic view of the system.

Represent a comprehensive resource management view point. Management, protection, and restoration should be done within the context of a landscape or ecosystem basis.

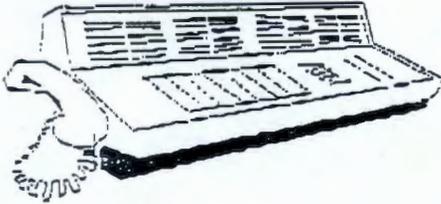
Incorporate natural resource sensitivity into the environmental restoration process. The NRTC will strive to avoid and minimize injury to natural resources in ongoing and future work efforts.

Local genomes/genotypes are preserved and healthy natural resource areas are protected from future development or other impacts.

U.S. Department of Energy, Richland Field Office

P.O. Box 550

Richland, WA 99352



Office of Environmental Assurance, Permits, and Policy

FAX NUMBER

(509) 376-0306

VERIFICATION NUMBER

(509) 376-5441

Date: _____

TO: Kathy Leonard

FAX NUMBER 372-9702

Office/Location _____

Telephone # _____

This Fax consists of _____

pages (excluding cover sheet)

From: Paul Kelly

Telephone # _____

Messages

FAX

DATE: May 18, 1995
FROM: Geoff Tallent
Ph. (360) 407-7112

Kathy 372-9702

	PHONE	FAX
TO: Liz Block	(509) 765-6128	(509) 765-9043
Linda Goodey	(509) 946-3684	(509) 946-3733
Paul Kube	(509) 373-9850	(509) 376-0306
Paul Danielson	(208) 843-7375	(208) 843-7378

SUBJECT: NRTC Core Values Sub-Group

NUMBER OF PAGES (INCLUDING COVER SHEET): 1

COMMENTS:

This fax is a reminder that the NRTC Core Values Sub-Group will have a phone conference Monday, May 22, 1995, from 1:00 to 3:00 P.M.. The call will be initiated by Linda. The other participants will be called by the USDOE operator at the phone numbers listed above. If you need to be reached at a different number, please call Linda.

My thoughts on an agenda are as follows:

- Identify Purpose of Core Values Sub-Group
- Revisit Similar Efforts from the Past - *Strategic Plan*
- Define Core Values
- Identify Core Values
- Refine into Proposal to the NRTC
- Identify Spokesperson

I look forward to talking with all of you. If you have any questions, please call me.

-Geoff