



# United States Department of the Interior

**FISH AND WILDLIFE SERVICE**  
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September 26, 1994

John Wagoner  
Department of Energy  
Richland Operations Office  
Mail Stop A7-50  
P.O. Box 550  
Richland, Washington 99352

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Dear Mr. Wagoner:

The purpose of this letter is to convey to you two important concerns the U.S. Fish and Wildlife Service (Service) has regarding the ongoing North Slope Cleanup:

1. The need for Service review of the results of landfill sampling prior to the finalization of a CERCLA Action Assessment Report to meet milestone M-16-82; and,
2. The need for revegetation of disturbed areas resulting from the North Slope Cleanup to restore the habitat and prevent infestation by noxious weeds.

As both the probable future land manager of the North Slope and a natural resource trustee, the Service has a strong interest in these two issues.

The Service must make an independent assessment of whether cleanup activities have adequately addressed our concerns and requirements prior to transfer of the land on the North Slope. We request that a briefing be provided to Service staff by the U.S. Army Corps of Engineers (ACOE) and other contractors who are conducting the North Slope cleanup activities. The briefing should provide a review of cleanup activities and an overview of sampling methods and analytical results. Additionally, we request access to data files to conduct an independent assessment. The briefing and data review should be conducted as soon as practical, and definitely prior to the release of a final Action Assessment Report for the Expedited Response Action on the North Slope. We feel that coordination between the Service and the ACOE or other contractor who is developing the Action Assessment Report would be beneficial to all participants.

Recent site visits by Service, ACOE, and Battelle Pacific Northwest Laboratory (PNL) staff revealed that offroad vehicle use and related destruction of vegetation and soil integrity were

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much more extensive than warranted (enclosure). Also, for some areas, flagged routes were provided to prevent destruction to habitat or cultural resources, and vehicle impacts occurred in areas other than the flagged routes. This is in direct conflict with the intent stated in the final cleanup plan that "Disturbances to existing vegetation will be kept to a minimum to protect the fragile shrub-steppe habitat. Vehicles will be required to remain on existing roads or on the designated tracks to minimize trampling of vegetation (Document DOE/RL-93-47, page 32)." If left alone, these disturbances may eventually recover. However, further damage to trails created for cleanup activities would be expected in areas receiving recreational use. The Service strongly recommends that immediate actions be taken in areas with significant recreational use to prevent additional damage from offroad vehicles on trails and roads created for cleanup. Specifically, enforcement personnel should be posted at the PSN 12/14 cleanup area during the current hunting season. This area receives heavy recreational use, and cleanup activities have created the opportunity for extensive access into, and destruction of, high quality mature shrub steppe habitat.

Revegetation from disturbances at landfill areas and excess road disturbances must be addressed. The above referenced document states that "Disturbed areas will be reseeded, preferably with native vegetation adapted to the Hanford environment. Plantings will be made in consultation with the U.S. Fish and Wildlife Service and Washington Department of Wildlife (sic)." This very limited information in the final document remained unchanged from draft versions in spite of comments in two letters from the Service (July 19, 1993; and January 11, 1994) requesting that detailed plans for revegetation efforts be provided. To our knowledge, consultation on revegetation plans has not been initiated to date.

The Service is hereby requesting initiation of the revegetation consultation process. We request that reseeded be conducted on disturbed areas this autumn (1994) prior to snowfall and/or freezing temperatures to avoid infestation by noxious weeds and to minimize the continuing injury and degradation to the habitat. We also request that a meeting be arranged as soon as possible and include appropriate agencies and groups, so that revegetation issues can be addressed in a timely manner.

Our past correspondence and other communications have clearly indicated the Service's concerns for avoiding impacts to vegetation during cleanup and revegetating those areas for which impacts could not be avoided. It is disturbing that this concern to avoid cleanup impacts was seemingly disregarded and that the second concern has received little attention to date. Under the National Contingency Plan, the Department of Energy (Energy) is the natural resource trustee for resources on Energy lands, which imparts responsibility for the management of those resources to the benefit of the public trust. Additionally, loss or impairment of habitats during remedial actions, which are not subsequently restored, are injuries that are recoverable under a natural resource damage assessment (NRDA). As Energy has previously expressed its desire to minimize and address NRDA injuries during remediation, expeditious restoration of the impacted habitats would be beneficial to both Energy and the impacted natural resources.

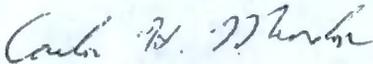
The Service is deeply concerned that funding for revegetation and restoration work identified in the North Slope documents was not included in the project budget although it will apparently be diverted from other 1995 project budgets (Walter Perro, ACOE, personal communication, September 8, 1994). This oversight is inexcusable in light of:

1. The fact that impacts related to cleanup occurred on land that is managed for habitat and wildlife, so that restoration should have been a high priority; and,
2. Our clearly indicated concerns regarding avoiding and minimizing vegetation and habitat impacts.

Habitat restoration and monitoring costs must be included in the budgets of all Hanford cleanup projects.

Please contact myself or Liz Block, at our Moses Lake Field Office (509/765-6125) to arrange meetings on the restoration and revegetation issue and on the briefing and review of the North Slope Expedited Response Action. If you have any questions, do not hesitate to contact me.

Sincerely,



*For* David C. Frederick  
State Supervisor

lb/jmc

Enclosure

- c: USFWS, Portland (Abbey Kucera)
- USFWS, Columbia NWR, Othello (Dave Goeke)
- BLM, Spokane (Jake Jakobosky)
- COE, Richland (Walter Perro)
- DOE, Richland (Charles Pasternak)
- EPA, Richland (Dennis Faulk)
- Oregon DOE, Salem (Dirk Dunning)
- Washington DOE, Olympia (Dib Goswami, Geoff Tallent)
- WDFW, Olympia (John Carleton)
- WDFW, Yakima (Ted Clausing)
- Battelle Pacific Northwest Laboratory, Richland (Charlie Brandt)
- Confederated Tribes of the Umatilla Indian Reservation, Pendleton (Chris Burford)
- Hanford Advisory Board, Edmonds (Sue Gould)
- Nez Perce Tribe, Lapwei, ID (Dave Conrad)
- Yakama Indian Nation, Yakima (Mike Bauer)