9501272
mm
0074483

RECEIVED
NOV 27 2007
EDMC

Hanford Natural Resource Trustee Council
Draft Record of Discussion
January 12, 1995
Richland, Washington

Attendees
Kristie Baptiste, Nez Perce Tribe
Lloyd Barkley, Confederated Tribes of the Umatilla Indian Reservation
Mike Bauer, Yakama Indian Nation
Liz Block, U.S. Fish and Wildlife Department
Charlie Brandt, Pacific Northwest Laboratory
Chris Burford, Confederated Tribes of the Umatilla Indian Reservation
John Carleton, Washington Department of Fish and Wildlife
Kevin Clarke, U.S. Department of Energy, Richland Operations Office
Kathleen Connor, U.S. Department of Energy, Richland Operations Office
Dave Conrad, Nez Perce Tribe
Bob Cook, Yakama Indian Nation
Rico Cruz, Nez Perce Tribe
Mike Deitrick, U.S. Army Corps of Engineers
Jean Dunkirk, Bechtel Hanford, Inc.
Dirk Dunning, State of Oregon Department of Energy
Janet Ebaugh, Confederated Tribes of the Umatilla Indian Reservation
Larry Gadbois, U.S. Environmental Protection Agency
Glenn Goldberg, U.S. Department of Energy, Richland Operations Office
John Hall, ASCI, Pacific Northwest Laboratory
Susan Coburn Hughes, State of Oregon Department of Energy
Jake Jakabosky, U.S. Bureau of Land Management
Paul Kube, U.S. Department of Energy, Richland Operations Office
Kathy Leonard, Bechtel Hanford, Inc.
Tara Lucas, Pacific Northwest Laboratory
Jay McConnaughey, Washington Department of Fish and Wildlife
Callie Ridolfi, Ridolfi Engineers and Associates, Inc.
Sandy Simmons, U.S. Army Corps of Engineers
Amanda Stegen, CH_2M Hill
Geoff Tallent, Washington State Department of Ecology
RueAnn Thomas, CH_2M Hill
Linda Tunnell, Westinghouse Hanford Company
Jeff VanPelt, Confederated Tribes of the Umatilla Indian Reservation
J. R. Wilkinson, Confederated Tribes of the Umatilla Indian Reservation

Mr. Jeff VanPelt, Program Manager, Cultural Resources Protection Program of the Confederated Tribes of the Umatilla Indian Reservation introduced Mr. Lloyd Barkley, Special Projects, Cultural Resources Technician, who gave a slide presentation on the Native American Nursery connected with the EMSL project. He discussed many of the challenges facing the project and how the tribes working together solved many of the challenges to create a successful program. Lloyd discussed the difficulties of creating solutions to situations that have never been addressed before, from keeping plastic ground cover from blowing away to discovering the best way to collect, preserve, and replant seeds, plants, and cuttings. Lloyd said they looked to science to get answers, but most of the answers weren't found in science. Because they chose not to do hydroseeding, the processes they did choose were very labor

intensive. The success of the project was due in part because traditional culture finally provided solutions that couldn't be found in science. By looking at plants and ground as a living being with a spirit, the crew members became a part of that spirit, and guided by tribal elders, they achieved success. The biodiversity of the ecosystem was stressed. Rather than choosing one or two plant species to revegetate the area, they worked with 30 to 35 of the 120 to 150 species available in the area. Because many plants at EMSL are used for food, medicine, and ceremonies, they are important to the life of entire cultures, and should be considered as valuable cultural resources.

Many Trustees expressed the importance of having a Hanford Site nursery to provide native species for the regevetation of restoration sites in an ecosystems approach. The Council Nursery letter was discussed. A draft put together by Chris Burford, Liz Block, and Allen Childs requested that DOE identify funding sources and develop and implement a native sources seed bank with the goal of ensuring successful restoration at CERCLA sites. All comments should be sent to Chris Burford by January 18. There will be a conference call to finalize the letter on Friday, January 20 at 2:00.

ACTION: All comments on the Nursery Letter should be sent to Chris Burford by January 18 in preparation for the conference call to discuss the letter on Friday, January 20, 1995.

NORTH SLOPE REVEGETATION

There was a question on the North Slope Revegetation issue. Glenn Goldberg indicated that DOE is waiting for resolution to the Trustees concerns and expectations regarding North Slope revegetation before starting other revegetation projects. A North Slope Committee was formed consisting of Glenn Goldberg, Paul Kube, Liz Block, Rico Cruz, Janet Ebaugh, Kathy Leonard, Jay McConnaughey, and John Hall with a meeting scheduled for Tuesday, January 17 to discuss an agenda and provide a framework for a general Council meeting scheduled for Friday, January 27, 1995.

ACTION: January 17, 1995, North Slope revegetation committee meeting to plan framework and agenda for the general Council meeting on January 27, 1995.

240 ROAD ISSUES

It seems there is no money for restoration for the 240 Road extension in 1995 or 1996. There were 17.9 acres impacted in high priority habitat during construction of the 240 Road. There was a question raised about whether, in this case, the Environmental Assessment is comparable to an Environmental Impact Statement in regard to requirements for mitigation. Jay said he could set up a meeting with Randy Small to discuss restoration issues with interested Council members. Jay McConnaughey and Mike Bauer will work on this issue. Paul Kube stated that although members of the Trustee Council are interested in mitigation issues, the 240 Road EA falls under NEPA, not CERCLA; therefore, it is an issue for the individual Trustees and not for the NRTC.

HORN RAPIDS LANDFILL

DOE is waiting to see how the North Slope revegetation proceeds and what kind of revegetation process the Trustee Council would like instituted before

continuing with the Horn Rapids Landfill. Preliminary discussions are proceeding with the Ecological Compliance Assessment Project at PNL, but there is currently no revegetation plan, no plan for what species will be planted, and no schedule. Other comments and concerns include:

- There were concerns about whether the proposed depth of topsoil would support plant growth.
- Theoretically, even though EPA has one year after revegetation has taken place, before it accepts completion of a remedial action, if the plants aren't doing well, the final sign-off of the document cannot take place.
- A PAS is being discussed and is on the agenda later in the day.

ERDF

There appears to be a multitude of problems about the mitigation language in the ERDF Record of Discussion, including:

- The last sentence talks about a site-wide mitigation plan, but currently, there is no funding to complete a site-wide mitigation plan.
- Although minimization was discussed, other techniques, such as acquiring land as mitigation, or salvage activities.
- The land should be video taped before it is disturbed to provide a visual record of existing habitat.
- There has been a process of choosing surrogate sites as a viable option, but the process has been sidetracked.
- The ROD language is very vague and doesn't seem to require any kind of mitigation.
- One Trustee indicated that DOE was asked to create a mitigation plan a year ago and still hasn't.
- Mitigation also means picking an appropriate time to do the work, such as before birds start nesting (March 1 for sage sparrows). If you push the work out a month, you may actually push until after the nesting season is complete.
- There should be a commitment to complete a site-wide mitigation plan, to salvage plants and topsoil to be used for remediation at other sites and to preserve genetic material.
- A concern is that bulldozing may begin, habitat will be destroyed, and funding for the project will disappear, leaving habitat destroyed for no reason.
- If ERDF is put on hold, than the 100 Area cleanup will be put on hold.
- If the project is going to start in March, is adequate information available regarding existing habitat and species, will surrogate sites provide relevant information, or will a study need to be done immediately to gather that information?
- The sagebrush lizard and burrowing owl have been put on the candidate list, and they may be in the area, there hasn't been enough assessment done regarding these species.
- It seems that the current language which commits resources and includes "Irretrievable and Irreversible" language precludes the pursuit for a damage assessment.

ACTION: Liz Block will check into what happened to the option of the surrogate site process.

ACTION: Larry Gadbois will get the ERDF ROD mitigation language to the Trustees tomorrow.

COMMITTEE REPORTS
Technical Committee: nothing to report.

Accounting Committee will look at Expedited Response Actions to determine what actions should be accounted for. Since many are RCRA sites, Geoff Tallent will do a RCRA overview. Once an accounting system is set up, the process will be mechanical to track and mitigate for the numerous small sites which are worked on.

ACTION: Liz Block is getting the ERAs to review.

ACTION: Geoff Tallent will do a RCRA overview.

Tolling Agreement Committee will meet tonight to discuss tolling agreement language.

ACTION: Tolling Agreement Committee will put together a draft tolling agreement for discussion at the next meeting.

Management Committee and outreach committee might be assisted by PNL support.

ACTION: Linda Tunnell will pull all action items together and distribute for review. All agenda items for the next meeting need to be sent to Linda by January 20, 1995.

CHARTER
Charter language was discussed and the Charter was rewritten.

ACTION: Geoff Tallent will get each member a clean copy of the charter so they can discuss it with their constituency. Each member will come to the next meeting with agency approval or suggested changes.

DOE BUDGET ISSUES
Although no final determinations have been made regarding budget size and cuts over the next two years, it is understood that there will be some reduction of money available for the Hanford Site. It would be beneficial for the Council to prepare a letter which would communicate the Council's focus, values, and concerns.

9501373
mm

Hanford Natural Resource Trustee Council Meeting
Draft Record of Discussion
January 13, 1995
Richland, Washington

Attendees
Kristie Baptiste, Nez Perce Tribe
Mike Bauer, Yakama Indian Nation
Liz Block, U.S. Fish and Wildlife Department
Charlie Brandt, Pacific Northwest Laboratory
Chris Burford, Confederated Tribes of the Umatilla Indian Reservation
John Carleton, Washington Department of Fish and Wildlife
Dave Conrad, Nez Perce Tribe
Bob Cook, Yakama Indian Nation
Rico Cruz, Nez Perce Tribe
Dirk Dunning, State of Oregon Department of Energy
Janet Ebaugh, Confederated Tribes of the Umatilla Indian Reservation
Larry Gadbois, U.S. Environmental Protection Agency
John Hall, ASCI, Pacific Northwest Laboratory
Susan Coburn Hughes, State of Oregon Department of Energy
Jake Jakabosky, U.S. Bureau of Land Management
Paul Kube, U.S. Department of Energy, Richland Operations Office
Kathy Leonard, Bechtel Hanford, Inc.
Tara Lucas, Pacific Northwest Laboratory
Jay McConnaughey, Washington Department of Fish and Wildlife
Callie Ridolfi, Ridolfi Engineers and Associates, Inc.
Geoff Tallent, Washington State Department of Ecology
RueAnn Thomas, CH_2M Hill
Linda Tunnell, Westinghouse Hanford Company

The Council reviewed the ERDF mitigation language and came up with the following language changes and additions to be presented at the 4:00 meeting today with EPA:

4. **Mitigate Ecological Impacts.** Construction of the ERDF will result in harmful impacts to the ecology of the ERDF site, transportation and utility corridors, and borrow sites (if the sites are needed). Significant value is attached to the natural resources at these sites. Mitigation measures to avoid or minimize ecological impacts have been incorporated into the alternatives. Additional steps will need to be taken to fully mitigate ecological impacts.

   An ERDF project-specific mitigation plan shall be developed in consultation with the Hanford Natural Resource Trustees and shall be incorporated into the Remedial Design for the ERDF.

   Mitigation measures shall include: (i) assessment of habitat values prior to construction with compensatory mitigation of the impacts based on the value of disturbed habitat; (ii) clearing of the site in preparation for construction outside the nesting season to ensure nesting birds are not destroyed; (iii) constructing the landfill in a sequential fashion on an as-needed basis to minimize habitat loss; (iv) use of the deep area-fill

trench configuration to minimize the amount of land disturbed at the ERDF; (v) initiating site clearing activities in the southern corner progressing to the north, to buffer the shrub-stepp habitat immediately south and east of the construction zone; (vi) revegetation and restoration of the site using locally adapted native species; and (vii) salvage of plant materials and top soil to be carried out as part of incremental clearing activities prior to trench excavation.

Compensatory mitigation shall include: (i) creation or improvement of habitat to provide similar habitat value, and/or (ii) actions to acquire or provide protection for similar habitat.

Executive Summary

Final bullet, page iii:

Mitigation measures to avoid or minimize ecological impacts have been incorporated into the selected remedy. Additional steps to fully mitigate ecological impacts will include development and implementation of an ERDF project mitigation plan.

STATUS OF THE BIOLOGICAL RESOURCES MANAGEMENT PLAN (BRMaP), John Hall
The BRMaP is expected to be funded. The proposed schedule is as follows: there will be a draft BRMaP out for RL review by May 1; after RL comments are incorporated, the Trustees will be getting a copy of the revised document around June 15. A version incorporating the comments will be reviewed by RL, with the final document due out around the end of September. Comments and questions included:

- The BRMaP will have to integrate, as appropriate, with the Hanford Cultural Resources Management Plan. Paul Nickens, PNL, will assist in this integration.
- Because there is a new DOE Order coming out based on ecosystems management, the Hanford Site planning and the BRMaP will need to be consistent with Order.
- There is an RFP from Bechtel working on cultural resources, the question becomes how do the two plans relate to each other?

STATUS OF THE BIOLOGICAL RESOURCES MITIGATION PLAN, John Hall
There is no funding to complete the BRMiP this year. (This plan is now referred to as a strategy, the BRMiS). Options are being explored, including getting funding assistance from projects.

Discussion on general mitigation issues included:
- There was an effort to have the 240 Road Access project help fund the plan, but potential sources of funding have been cut for FY 1995 and FY 1996 and there is no funding for a mitigation plan, impact assessment, or mitigation for the road itself.
- Since TWRS is referencing the plan, they may have an interest to complete the plan.
- If the BRMiP isn't going to be done, projects should quit referencing it in documentation.

- A mitigation plan should be required at the beginning of a project, and the funding locked in at that time.
- It may be possible to get a TPA milestone for the completion of the Biological Resource Mitigation Strategy.

ACTION: Geoff Tallent and Larry Gadbois will put together a letter addressing the BRMiS containing the following points: work that has already been done on it, Trustee support, other initiatives/documents that rely on this proposed strategy, the need to look for funding so it can be implemented in a couple of years. The letter's focus will be on CERCLA remediation activities, although the BRMiS will have RL program-wide applicability. A draft will be sent to Trustees for review before the next meeting so it can be discussed at the next meeting.

100 AREA DISCUSSION

The questions asked and comments made include:

- What is the perfect way we would like to see the 100 Area?
- It should be a fully functioning natural riverland ecology.
- If it should look like it did before agricultural development, does that mean a baseline from 1845, 1925, 1700?
- Anything that happens on the land should be compatible with the salmon.
- What about land use?

The following outline was a result of a brainstorming session including a variety of options:

ROUGH DRAFT
BRAINSTORMING SESSION
100 Area Vision

General concerns:

- Scheduling and sequencing
- Cumulative impacts
  - From multiple activities at one site
  - From multiple activities at several sites
- Trustee involvement
- Remedial design/remedial action
- Land use

Process/Action:

- Protect the Columbia River from further contamination and physical alterations
- Protect Native American cultural resources/uses
- Protect and enhance threatened and endangered species
- Protect and priority and critical habitat
- Protect ecosystem integrity
- Riparian corridor that maximizes natural resource services
- Protect and enhance salmon spawning grounds
- No off road vehicles or motorcycles along river

Vision:

- Large buffer area along river (one mile?)

- Healthy amphibian/mollusks/.../ populations
- Land use conducive to limited impact and ecological sustainability
- Vegetation along the river is predominantly native and similar to pre-development condition
- Native American cultural resources and use areas fully restored and protected
- Healthy and protected habitat for migratory and resident species
- Fully functioning, healthy river/land ecology (riparian)
- Salmon populations are increasing
- Tribes are utilizing fishing areas
- Groundwater reaching the river is clean
- All traces of reactor complexes are gone (except B Reactor)
- No waste burial grounds or disposal sites along the river

Policy:
- 100 Area vitally important
- Boarder Hanford Reach and fish in it
- Maximally protect it
- Salmon very important to tribes (and all the salmon depend on)

Specific
- Trustee Council will not accept "no action" on groundwater; natural attenuation into the river is not generally acceptable, unless the alternative is ecologically more damaging
- All waste or contamination removed or retrievable as conditioned by the ecological risk assessment
- Point of compliance is the near river wells outside of river effected (dilution) zone (50-100 feet from river edge) for MCL and aquatic compliance (acute and chronic)
- Ecological risk assessment
  - Based on multiple species
  - Based on multiple exposure pathways
- Evaluation of tradeoffs between:
  - Ecological risk from contaminants
  - Ecological risk from removal/cleanup
  - Human health risk to workers
  - Human health risk to non-workers
  - Budget
- Development of biologically supportable radiological exposure limits; one rad/day limit is unacceptably high
- Interim actions integrated to minimize ecological impacts both to existing natural resources and restored resources (evaluate what/when/how to restore without excessive duplication of effort)
- Apply restoration and mitigation preferentially to areas that will not have future impacts
- Develop mitigation for all interim actions
- Treat the entire Hanford Reach as one "site" to apply mitigation wherever it is most advantageous
- Treat the riparian corridor as an ecological unit - apply in-kind mitigation or restoration of lost services

ACTION ITEMS

ACTION: All comments on the Nursery Letter should be sent to Chris Burford by January 18 in preparation for the conference call to discuss the letter on Friday, January 20, 1995.

ACTION: January 17, 1995, North Slope revegetation committee meeting to plan framework and agenda for the general Council meeting on January 27, 1995.

ACTION: Liz Block will check into what happened to the option of the surrogate site process.

ACTION: Larry Gadbois will get the ERDF ROD mitigation language to the Trustees tomorrow.

ACTION: Liz Block is getting the ERAs to review.

ACTION: Geoff Tallent will do a RCRA overview.

ACTION: Tolling Agreement Committee will put together a draft tolling agreement for discussion at the next meeting.

ACTION: Linda Tunnell will pull all action items together and distribute for review. All agenda items for the next meeting need to be sent to Linda by January 20, 1995.

ACTION: Geoff Tallent will get each member a clean copy of the charter so they can discuss it with their constituency. Each member will come to the next meeting with agency approval or suggested changes.

ACTION: January 17, 1995, North Slope revegetation committee meeting to plan framework and agenda for the general Council meeting on January 27, 1995. Liz Block, Kathy Leonard, Janet Ebaugh, Jay McConnaughey, Paul Kube, John Hall, Glenn Goldberg.

ACTION: 100 Area Vision Statement conference call, Technical Committee, Wednesday, January 25, 9:00 a.m.

ACTION: North Slope Revegetation Meeting, Friday, January 27, 9:00 a.m. to 4:00 p.m., with Glenn Goldberg, Sandy Simmons, and Council members.

ACTION: Geoff Tallent and Larry Gadbois will put together a letter addressing the BRMiS containing the following points: work that has already been done on it, Trustee support, other initiatives/documents that rely on this proposed strategy, the need to look for funding so it can be implemented in a couple of years. The letter's focus will be on CERCLA remediation activities, although the BRMiS will have RL program-wide applicability. A draft will be sent to Trustees for review before the next meeting so it can be discussed at the next meeting.

ACTION: Comments to Nursery letter due to Chris Burford by Wednesday, January 18.

ACTION: Get Vision Statement to Trustees by Wednesday via fax. Linda Tunnell.

AGENDA FOR NEXT MEETING
The next meeting will be held on February 9 and 10, 1995, in Portland, Oregon, in the Columbia Room located in the Portland Airport Conference facility. It's on the second floor above the shops and concourse entrances.

POTENTIAL AGENDA ITEMS
-Discuss ERDF ROD, Paul Kube
-Discuss Tolling Agreement language, Chris Burford
-Nursery letter status, Chris Burford
-Discuss further action on the 200 Area Plateau Letter, Liz Block
-Present Status of technical support, Paul Kube
-1100 Area PAS, Callie Ridolfi
-Discuss Charter; constituencies changes/acceptance, signature page, Geoff Tallent
-Chromium in the Groundwater in 100 Area, Larry Gadbois
-Risk Assessment Methodology, Larry Gadbois
-Review letter on BRMiS, funding - 2 hours, Geoff Tallent
-100 Area committee to distill discussion regarding vision, decide on further action/policy statement on Vision Statement, Paul Kube
-Discuss ALE, Seeding Wheat or Rye to prevent weed infestation, Jake Jakabosky
-Discuss what happened to the option of the surrogate site process at ERDF, Liz Block
-Discussion on the follow up on cultural resources plan, what RFP went from BHI, Kathy
-What is Baseline? Tree Removal? Jake Jakabosky
-North Slope/ERDF Salvage Update, Janet Ebaugh, Kathy Leonard
-What Happened to the Surrogate Site Option, Liz Block
-RCRA Overview, Geoff Tallent
-ERDF: the following individuals will research the following topics: Geoff Tallent: Siting. Dirk Dunning: Waste Acceptance Criteria. Kathy Leonard: Ecological Risk. Mike Bauer and Chris Burford: Irreversible and irretrievable (I and I) commitment of resources issues. Liz Block: Mitigation, Remediation, and Compensation. Geoff Tallent: Failure to do NEPA integration.
-Tolling Agreement/MOU at Oak Ridge, Larry Gadbois
-Close out documents for the 618-9 Burial Ground action, Kathy Leonard
-Trustee letter stating values, goals, focus, and policy statement
-DOE mailing list (cc list) for Trustee correspondence, Paul Kube

Attendees
Hanford Natural Resource Trustee Council Meeting
January 12, 1995
Richland, Washington

Mike Bauer
Liz Block
Chris Burford
John Carleton
Dave Conrad
Rico Cruz
Dirk Dunning
Janet Ebaugh
Larry Gadbois
John Hall
Bob Holt
Jake Jakabosky
Paul Kube
Kathy Leonard
Jay McConnaughey
Geoff Tallent
Linda Tunnell

ADDITIONAL ATTENDEES

Charlie Brandt ATL
Tara Lucas PNL
Amanda Stegen ERC CCHZMHILL
Lloyd Barkley CTUIR
Glenn Goldberg DOE-RL
Kevin Clarke DOE-RL
Jeff Van Pelt CTCIX

Jean Dunkirk
Kathleen Connor
Susan Coburn Hughs ODOE
Mike Deitrick USACE
Sandy Simmons Confederated
Kristie Baptiste Nez Perce Tribe ERWM
Rue A Thomas CH2MHILL
Callie A. Ridolfi