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State of Ohio Environmental Protection Agency

**Southwest District Office**

401 E. Fifth St.  
Dayton, Ohio 45402

TELE: (937) 285-6357 FAX: (937) 285-6249  
www.epa.state.oh.us

Ted Strickland, Governor  
Lee Fisher, Lieutenant Governor  
Chris Korleski, Director

April 3, 2009

Ms Jane Powell  
Fernald Preserve Manager  
DOE-LM-20.1  
10995 Hamilton Cleves Hwy  
Harrison, Ohio 45030

**RE: COMMENTS – DRAFT FERNALD PRESERVE WETLAND MITIGATION  
MONITORING PLAN**

Ms Powell:

Ohio EPA has received DOE's "Transmittal of Draft Fernald Preserve Wetland Mitigation Monitoring Plan" dated May 09, 2009 which was submitted in compliance with the 2008 Consent Decree. Ohio EPA has reviewed the plan and our comments are enclosed. Ohio EPA looks forward to discussions among the trustees to resolve any outstanding concerns on the document.

If there are any questions, please contact me.

Sincerely,

Thomas A. Schneider  
Fernald Project Manager

Cc: Johnny Reising, Fernald Natural Resource Trustee, DOE  
Dave Devault, Fernald Natural Resource Trustee, USFWS

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**OHIO EPA's COMMENTS ON THE MARCH 2009  
DRAFT FERNALD PRESERVE WETLAND MITIGATION MONITORING PLAN**

**GENERAL COMMENTS:**

1. Commenting Organization: Ohio EPA  
Section: Acronyms and Abbreviations Pg#: iii Line#: Code: E  
Original Comment#:   
Comment: The appropriate acronym/abbreviation for "United States Corps of Engineers" is actually "United States Army Corps of Engineers", abbreviated USACE.

2. Commenting Organization: Ohio EPA  
Section: Executive Summary Pg#: v Line#: Code: E  
Original Comment#:   
Comment: « a 26-acres jurisdictional » should read « a 26-acre jurisdictional ».

3. Commenting Organization: Ohio EPA  
Section: Table 3-1 Pg#: Line#: Code: C  
Original Comment#:   
Comment: The Lead Range wetland was an ephemeral wetland dominated by polygonum spp. not typha spp.. This is important in that, of all the actually destroyed wetlands, this was probably the highest quality one.

4. Commenting Organization: Ohio EPA  
Section: Table 3-3 Pg#: Line#: Code: C  
Original Comment#:   
Comment: Birds should be added to the "Other taxa group" as they would have been impacted by the loss of the particular wetlands being mitigated for and they are of significant importance to the public users of the site. Monitoring should be conducted using the protocol provided in Mack et al 2004 during one of the 3 years of monitoring.

5. Commenting Organization: Ohio EPA  
Section: Table 3-3 Pg#: Line#: Code: C  
Original Comment#:   
Comment: The sign before the value for % total organic carbon is reversed, the table should read >3.9%.

6. Commenting Organization: Ohio EPA  
Section: Table 3-3 Pg#: Line#: Code: C  
Original Comment#:   
Comment: Note that our 2004 comments on the Borrow Area NRRDP mitigation wetlands stated that the % total organic carbon should be equal to or greater than 6% as well as specifying the slopes to not exceed 15:1.

7. Commenting Organization: Ohio EPA  
Section: 3.2.1 Pg#: 13 Line#: Code: C  
Original Comment#:   
Comment: Although we agree with the similarity in concept between the functional monitoring of restored areas presented in the NRRP and the integrated wetland assessment of the mitigation compliance program, differences exist between the

monitoring and assessment protocols of the two programs. It is our position that where differences exist, generally the default should be to the compliance based integrated wetland assessment protocol for compensatory wetlands.

8. Commenting Organization: Ohio EPA

Section: 4.1 Pg#: 13 Line#: Code: C

Original Comment#:

Comment: Section 3.0 of the Integrated Wetland Assessment protocols (Mack et al, 2004) clearly states that, although at least five years of monitoring is specified, generally more time is needed, preferably 10 years. This was evident in the A1PI wetlands where a dramatic improvement in the vegetation occurred between years 5 and 10 post construction. Although it may be possible that monitoring through 2011 will be sufficient, it is unlikely particularly in the areas that are sparsely vegetated.

9. Commenting Organization: Ohio EPA

Section: Table 4-1 Pg#: Line#: Code: C

Original Comment#:

Comment: Based upon the document submittal date and delaying wetland selection until after the field walk down, it seems unlikely that some of the monitoring proposed for 2009 can actually be completed consistent with the monitoring protocols during this year. For example, the protocol for amphibian monitoring requires the first of 3 rounds to be conducted in Feb/March when the ambystomid salamanders are migrating to the wetlands. This monitoring round would have already been missed unless sampling has already been initiated. Additionally, the hydrological monitoring should have been initiated already.

10. Commenting Organization: Ohio EPA

Section: Section 7.0 Pg#: Line#: Code: C

Original Comment#:

Comment: Add the NRRP and Consent Decree to the references section.