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State of Ohio Environmental Protection Agency

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November 10, 2009

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

**RE: Restored Area Maintenance Plan**

Ms Powell:

Ohio EPA received DOE's transmittal of the Fernald Preserve Restored Area Maintenance Plan dated March 2009. Ohio EPA has reviewed the document and our comments are enclosed.

If there are any questions, please contact me at (937) 285-6466.

Sincerely,

Thomas A. Schneider  
Fernald Project Manager  
Office of Federal Facilities Oversight

cc: David De Vault, US FWS  
Johnny Reising, US DOE

Ohio EPA Comments on:

**Fernald Preserve  
Restored Area Maintenance Plan  
March 2009**

1. Commenting Organization: Ohio EPA                      Commentor: OFFO  
Section #: Executive Summary    Pg #: v  
Comment: The second sentence of the second paragraph needs to be corrected to add that the communities are located in Hamilton *and* Butler counties. The sentence should read: "The site is located near the unincorporated communities of Ross, Fernald, Shandon, and New Haven in Hamilton and Butler counties."
  
2. Commenting Organization: Ohio EPA                      Commentor: OFFO  
Section #: Executive Summary    Pg #: v  
Comment: Third paragraph, the consent decree was signed by the State of Ohio not the Ohio EPA, please revise.
  
3. Commenting Organization: Ohio EPA                      Commentor: OFFO  
Section #: Executive Summary    Pg #: v  
Comment: The last sentence of the fourth paragraph has the phrase, "...maintenance of grassland areas including prairies and pastures," Ohio EPA recommends replacing pastures with "old fields" since no active grazing is occurring.
  
4. Commenting Organization: Ohio EPA                      Commentor: OFFO  
Section #: 1.2                      Pg #: 1  
Comment: Replace "OEPA" with "State of Ohio" when discussing signing of the consent decree.
  
5. Commenting Organization: Ohio EPA                      Commentor: OFFO  
Section #: 1.2                      Pg #: 2  
Comment: Areas of the site, besides the 11 area noted, are considered "non-design" areas. The Restored Area Maintenance Plan needs to include the site as a whole.
  
6. Commenting Organization: Ohio EPA                      Commentor: OFFO  
Section #: 1.2                      Pg #: 2  
Comment: To be consistent with the NRRP, revise the last sentence to state, "...in effect for a period of ten years after its approval, after which the NRTs.."
  
7. Commenting Organization: Ohio EPA                      Commentor: OFFO  
Section #: Figure 1-1              Pg #: 3  
Comment: Why are areas in the southern portion of the site not considered within the non-design areas? These areas are covered by the NRRP and should be addressed by this maintenance plan.

8. Commenting Organization: Ohio EPA                      Commentor: OFFO  
Section #: 1.4                      Pg #: 5  
Comment: This plan not only applies to all restored areas of the site, but future areas that may be restored per NRT resolution. Additionally, the plan should apply non-restored areas such as old pasture, etc.
9. Commenting Organization: Ohio EPA                      Commentor: OFFO  
Section #: 3.0                      Pg #: 7  
Comment: Before replanting takes place an evaluation of the area should be conducted to ensure that the original ecological plan is appropriate for the area. For example a wetland area fails because it is too dry, should be considered for a different ecological use such as prairie or riparian. NRTs should be consulted for these types of changes.
10. Commenting Organization: Ohio EPA                      Commentor: OFFO  
Section #: 4.1                      Pg #: 13  
Comment: The section should include a frequency or goal for the invasive species control. Either some set rotation schedule to ensure all areas are swept of invasives on a given frequency or a criteria for implementing controls such as percent cover or maximum individual area. Invasive species are one of the most significant threats to the success of the Fernald restoration efforts necessitating a focused, objective driven approach to control.
11. Commenting Organization: Ohio EPA                      Commentor: OFFO  
Section #: 4.1                      Pg #: 14  
Comment: The last sentence of the last paragraph should be changed from, "All herbicide applications are conducted by licensed personnel." to, "All herbicide applications are conducted by *appropriately licensed and trained* personnel." Simply being licensed to apply herbicides doesn't ensure the applicator will recognize and avoid native vegetation.
12. Commenting Organization: Ohio EPA                      Commentor: OFFO  
Section #: 4.2                      Pg #: 14  
Comment: The section should include specific objectives to be met by water management. For example a delineation of those water bodies intended to be fishless should be listed and efforts made to dewater those areas if fish become established in them. Dewatering can also be an effective tool for aquatic invasive species control. If the intent is to manage water bodies for waterfowl through level control, the document should discuss which basins will be managed as such and provide specifics on when drawdown or filling would occur. Specific O & M sections could be created for each waterbody/grouping detailing the water management strategy /goal for each.
13. Commenting Organization: Ohio EPA                      Commentor: OFFO  
Section #: 4.2                      Pg #: 14  
Comment: The 3<sup>rd</sup> sentence in the first paragraph should read, "Flooding areas is an effective tool for ~~maintaining~~ *controlling* invasive species infestation."

14. Commenting Organization: Ohio EPA                      Commentor: OFFO  
Section #: 4.3                      Pg #: 14  
Comment: Some specific factors should be considered when determining the appropriateness of an erosion repair. At a minimum these factors should be evaluated, impact of the erosion on: 1) water quality, 2) safety, 3) remedy protection and 4) habitat destruction.
15. Commenting Organization: Ohio EPA                      Commentor: OFFO  
Section #: 4.4                      Pg #: 15  
Comment: Maps indicating the location, type, and success for each wildlife amenity should be provided to the NRTs to help measure the ecological benefits provided by the site.
16. Commenting Organization: Ohio EPA                      Commentor: OFFO  
Section #: 4.6.1                      Pg #: 18  
Comment: As discussed in the during the NRT walk down and subsequent summary, the mowing of the areas along the southern portion of the site should be incrementally reduced in order to expand the adjacent prairie and old field habitats. Annually reducing the mowed area by ~50" feet swath, herbicide, followed by seed drilling would expand the habitat and reduce maintenance costs over the long term without making a dramatic change in the aesthetics of the southern boundary.
17. Commenting Organization: Ohio EPA                      Commentor: OFFO  
Section #: 4.6.2                      Pg #: 21  
Comment: Since the Wildland Fire Management Plan was not officially sent to the trustees it would be helpful to include it as appendices to this document. Additionally, since fire is such an important maintenance tool for the habitats at Fernald an annual prioritized list of proposed burn areas should be provided to the trustees. Prescribed burns should be considered for both the spring and fall burning seasons at least until the backlog of needed burns has been eliminated.
18. Commenting Organization: Ohio EPA                      Commentor: OFFO  
Section #: Table 5-1 Pg #: 22  
Comment: July and August would seem to be bad times for herbaceous plug planting unless supplemental watering is used. The notes should require supplemental watering if plugging that late in the summer.
19. Commenting Organization: Ohio EPA                      Commentor: OFFO  
Section #: Tables 02930-1A and -1B                      Pg #: B-9 & B-10  
Comment: Since most future seeding will be reseeding or over seeding an area and not broad scale seeding of remediation areas, it would seem appropriate to reduce the cover crop rate to reduce competition with the target species. The cover crop is important for erosion control, but in most future applications the goal will be species diversity rather than erosion control.