

1192 RF 92

United States Government

Department of Energy

DATE 3-13-92

Memorandum

Rocky Flats Office

MAR 3 3 54 PM '92

ACTION *Kersh*

DIST. LTR ENC

BENJAMIN, A.		
BERMAN, H.S.		
BRANCH, D.B.		
BURLINGAME, A.H.		
CARNIVAL, G.J.		
COPP, R.D.		
CROUCHER, D.W.		
DAVIS, J.G.		
EVERED, J.E.	<i>ACT</i>	
FERRERA, D.W.		
GOODWIN, R.		
HANNI, B.J.		
HEALY, T.J.		
HILBIG, J.G.		
IDEKER, E.H.		
KERSH, J.M.	<i>XX</i>	
KIRBY, W.A.		
KRIEG, D.		
KUESTER, A.W.		
LEE, E.M.		
MAJESTIC, J.R.		
MARX, G.E.		
MORGAN, R.V.		
PIZZUTO, V.M.		
POTTER, G.L.		
SANDLIN, N.B.		
SHEPLER, R.L.		
SULLIVAN, M.T.		
SWANSON, E.R.		
TALLMAN, K.G.		
DE, J.S.		
KINSON, R.B.		
WILSON, J.M.		
YOUNG, F.R.		
ZANE, J.O.		

FEB 28 1992

ERD:BKT:2286

Ute Ladies'-Tresses

J. M. Kersh, Associate General Manager
Environmental and Waste Management
EG&G Rocky Flats, Inc.

Please find attached a U.S. Fish and Wildlife Service (FWS) memorandum and Federal Register notice (January 17, 1992, page 2048) regarding the listing of the *Spiranthes diluvialis* (Ute ladies' - tresses) as a threatened species under the authority of the Endangered Species Act (ESA) of 1973, as amended. Note that this elevates this species from its prior status as a proposed species for listing under the ESA.

In an EG&G Rocky Flats, Inc. document entitled "Threatened and Endangered Species Evaluation, Rocky Flats Plant Site," dated April 4, 1991, it is stated that populations of the Ute ladies' - tresses are known in parts of the Clear Creek drainage in Prospect Park, near the west edge of Golden in Jefferson County and on south Boulder Creek near U.S. Highway 36 in Boulder County. Thus, it is reasonable to assume that the Ute ladies' - tresses may be present at the Rocky Flats Plant (RFP) since it lies between the known Jefferson County and Boulder County populations and since its habitat is present.

The FWS has requested in writing that DOE conduct presence/absence and abundance sampling surveys for *spiranthes diluvialis* only during the month of August. Thus, DOE requests that all surveys for this species be conducted only during the month of August in the future. Any deviation should have approval from both DOE and FWS.

In addition, FWS has stated in writing that when a species becomes listed under the ESA, Federal agencies are required to enter/re-enter conferencing and consultations with the Service on that species where it may become affected by proposed or ongoing projects. We request that EG&G/RF make the necessary preparations to enter or re-enter consultations regarding the Ute ladies tresses for RFP projects (proposed and ongoing) where the species may become affected. This preparation should include a written document to be submitted to DOE/RFO/ERD by March 13, 1992. Note that this will include the French Drain construction ongoing on the 881-hillside at OU 1 and the proposed SID burn and dredging/construction. Also note that DOE/RFO will begin preparation for re-entering consultation with FWS regarding the French Drain Construction and SID burn and dredging/construction immediately.

Neater S

Flory R

Lee U

Stevens B

Dunge P

Travis FD

CORRES CONTROL	<i>x</i>	<i>x</i>
TRAFFIC		

Reviewed for Addressee
Corres. Control RFP

3-3-92

DATE BY

Ltr. #

ADMIN RECORD



Questions or concerns regarding this memorandum should be addressed to Bruce Thatcher of my staff at 966-3532.

Thomas E. Fisher
for

David P. Simonson
Assistant Manager
for Environmental Management

Attachment

cc w/Attachment:

F. Lockhart, ERD, RFO
R. Schassburger, ERD, RFO
B. Thatcher, ERD, RFO
S. Grace, ERD, RFO
P. Powell, ERD, RFO
G. Hill, EMB, RFO
S. Nesta, EG&G
R. Flory, EG&G
C. Gee, EG&G
B. Stevens, EG&G