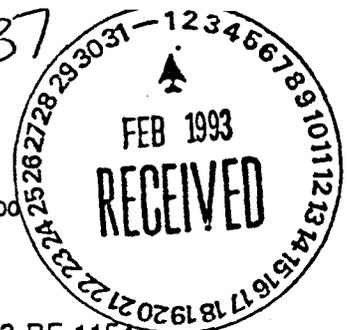


000005337



3 RF 1154

# EG&G ROCKY FLATS

DIST.	INITIALS	DATE
TI, R.L.	X	X
MIN, A.		
MAN, H.S.		
MANCH, D.B.		
ARNIVAL, G.J.		
VIS, J.G.		
RRERA, D.W.		
NNI, B.J.		
MAN, L.K.		
ALY, T.J.		
DAHL, T.G.	X	X
BIG, J.G.		
CKER, E.H.		
RY, W.A.		
ESTER, A.W.		
E, E.M.		
NN, H.P.		
RX, G.E.		
DONALD, M.M.		
KENNA, F.G.		
NTROSE, J.K.		
ORGAN, R.V.		
ITTER, G.L.	X	
ZUTO, V.M.		
EY, J.H.		
NOLIN, N.B.		
EPLEP, R.I.		
EWART, D.L.		
LIVAN, M.T.		
ANSON, F.R.		
KINSON, R.B.		
LIAMS, S. (ORC)		
SON, J.M.		
VE, J.O.		
Lock GHX	X	X
SM	X	X
RC	X	X
WM	X	
RES CONTROL	X	X
FFIC		

EG&G ROCKY FLATS, INC.  
ROCKY FLATS PLANT, P.O. BOX 464, GOLDEN, COLORADO 80402-0464 • (303) 966-7000

January 28, 1993

93-RF-1154

Robert M. Nelson, Jr.  
Manager  
DOE, RFO

Attn: James K. Hartman

MIGRATORY BIRD TREATY ACT AND ENDANGERED SPECIES ACT COMPLIANCE AT THE RFP INCLUDING THE PROPOSED NEW SANITARY LANDFILL AND OTHER FUTURE PROGRAMS (00608) - GHS-0037-93

In response to your letter ERD:BKT:00608, outlined below are EG&G's planned activities to address the concerns expressed in the USFWS letter dated January 12, 1993.

EG&G acknowledges that construction activities in association with facility development such as the landfill construction and remediation activities proposed for the coming years can impact breeding birds if performed during the nesting season. Specifically, disturbances that occur in active breeding areas can destroy nests, eggs, and nestlings. To reduce this impact as much as is practicable, EG&G proposes to:

- 1) Restrict activities that will destroy nesting habitat, whenever possible, to non-breeding seasons.
- 2) Obtain appropriate state and federal collection (take) permits that will allow both intentional and opportunistic (salvage) collection and take of nongame and game species.
- 3) Continue data collection and analysis that will allow prediction of breeding bird presence in specific habitats during specific dates. This measure will ensure that long range planning can incorporate scheduling activities around sensitive time periods.

CLASSIFICATION:

UNCLASSIFIED	X	X
CLASSIFIED	X	X
CONFIDENTIAL		
SECRET		

HORIZONTAL CLASSIFIER  
SIGNATURE

*Robert M. Nelson, Jr.*  
RMN  
1/28/93

REPLY TO RFP CC NO:  
290 RF 93

MONITOR ITEM STATUS  
 CLOSED  
 PARTIAL

APPROVALS:  
*RMN* 1/28/93  
DATE & TYPIST INITIALS  
RMN

EG&G has currently under development several programs that address concerns of the Migratory Bird Treaty Act (MBTA), the Endangered Species Act of 1973, as amended, the Fish and Wildlife Coordination Act of 1958, as amended, the Bald Eagle Protection Act of 1978, and the American Peregrine Falcon Recovery Plan, and also include provisions for species identified as Colorado Species of Special Concern. These plans under development include a long term monitoring program, a sitewide mitigation plan, threatened and endangered species identification, reporting, and protection procedures. Issues that will be addressed under these plans include:

- Strategies to develop and maintain databases from which maps of sensitive habitat areas and non-sensitive habitat areas can be generated. These areas will include sensitive habitat for migratory birds, raptors, large game, predators, waterfowl, and nongame animal species as well as sensitive vegetation habitat. Areas considered

REVIEWED FOR CLASSIFICATION/UCM  
By *Bea Duran*  
Date *Aug. 11, 1993*

ADMIN RECORD

sensitive are nesting habitat, brooding habitat, shelter, fawning areas, and denning areas.

- A good deal of habitat enhancement in grasslands has been accomplished due to the purchase of the buffer zone area in 1972, and its subsequent removal from grazing. The absence of cattle grazing pressure has allowed the natural grasslands to recover to near-pristine conditions, with considerable improvement in habitat conditions for breeding birds. Furthermore, ground nesting birds at RFP are not subject to nestling and egg losses due to trampling from cattle. Some migratory prairie bird species that are reported to be uncommon in surrounding areas by the Colorado breeding bird census have been found to be common at RFP. Protection of this large acreage has provided an enhanced area for many migratory bird species in keeping with the MBTA, and may encourage reestablishment of some endangered species in the future.
- Specific threatened and endangered species procedures for identification, reporting, and protection of federally and state listed species of concern have been drafted, as well as accompanying habitat maps for potential species distribution. These procedures address not only threatened and endangered species, but also candidate species for listing, and Colorado species of special concern. An updated list of threatened, endangered, candidate, and state species of special concern with potential to occur at RFP is attached. These procedures are designed to be responsive to the Endangered Species Act, the Bald Eagle Protection Act, and the American Peregrine Falcon Recovery Plan, to detect the presence of sensitive species and protect any of those species discovered at RFP in the future. A sitewide survey for Ute Ladies' Tresses (*Spiranthes diluvialis*), a threatened species potentially present, was completed in 1992, and additional surveys are planned for 1993 and 1994. Mapping of the Preble's Meadow Jumping Mouse, a federal candidate species and a Colorado species of special concern, is an on-going program.
- Active and inactive raptor nesting sites have been identified at RFP, and periodic monitoring of these sites continues. No bald eagle, golden eagle, or American peregrine nests have been recorded at RFP though individuals of those species have been sighted. These activities address the Endangered Species Act, the Fish and Wildlife Coordination Act, Bald Eagle Protection Act, and the American Peregrine Falcon Recovery Plan. Provisions have been made in the threatened and endangered species procedures to minimize impacts on individuals of those species.
- The sitewide mitigation plan currently under development addresses all anticipated impacts on habitats that will be due to construction and remediation. The plan provides for restoration of disturbed habitat and development of surrogate sensitive habitats in advance of destruction of such habitats. As an example, plans are being developed to

Robert M. Nelson, Jr.  
January 28, 1993  
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Page 3

established "banked" wetlands in advance of remediation to the A-and B-series ponds. This plan is designed to address the concerns of the MBTA, the Fish and Wildlife Coordination Act, and Endangered Species Act.

- Replacement of disturbed habitat will occur before or concurrently with the planned disturbance where possible. In some cases, a limited amount of a particular habitat type will be destroyed and will be temporarily unavailable until a surrogate area can be established.
- Continued collaboration with the surface water management group, remediation programs, and other activities to determine the sitewide net gain or net loss with regard to resources of the Platte River drainage.

Should you have any comments or questions, please contact Steve Nesta at X8605, or Dick Flory at X8680.

  
G. H. Setlock, Director  
Environmental Protection Management  
EG&G Rocky Flats, Inc.

MBM:agm

Orig. and 1 cc - R. M. Nelson, Jr.

Attachment:  
As Stated

cc:  
B. K. Thatcher - DOE, RFO