

MEMORANDUM

September 9, 1993

TO: Gail Hill, DOE
FROM: Dave Kaunisto, City of Westminster DK
SUBJECT: SLPP Work Tasks

Based on our conversation yesterday, and because of the large number of things going on, I thought I would prepare a short memo summarizing the status of a number of work tasks in which we are jointly involved. I thought by sharing this memo with Ron, Tim, and others it would also be a good way to keep them posted on our progress.

Letter to FWS - DOE has prepared a revised version of the letter, which will be FAXed to us today for review. Letter now only deals with two issues, designating the Cities as non-Federal agency responsible for preparing BA, and whether calling the BA a biological analysis, rather than a biological assessment, will be acceptable to FWS. Letter should be sent this week or early next week. Does this letter officially begin the Section 7 consultation process?

2nd letter to FWS - DOE will be sending a separate letter to FWS regarding the species which must be considered in the BA. DOE is currently evaluating whether the burrowing owl may need to be included. If the burrowing owl is only on the state list of species what would DOE's and FWS legal involvement be? Letter should be sent out this week or early next week.

BA Scope - The Cities met with DOE to present the proposed scope for the BA on August 17. Based on comments received from DOE at that meeting, a revised scope was prepared and mailed out August 20. DOE is currently reviewing the revised scope, and an internal DOE meeting is planned in the next couple of days, with comments provided to the Cities ASAP. Once the Cities and DOE have agreed upon the scope, a meeting will be held with Lee Carlson of the FWS to receive their comments.

I would like to recommend that a date for the meeting with FWS be set as soon as possible. Getting the date set will serve as a target date to get the scope finalized between DOE and the Cities, and by setting it now it will allow to avoid the usual delay experienced when trying to find compatible dates for the numerous people attending. That meeting is key to allowing the Cities to get the BA study underway. Attached is a schedule prepared by CH2M Hill, which indicates that the BA could be complete in about six weeks after the meeting with FWS. The meeting with FWS is the key to getting the study underway and completed in a timely manner. Perhaps the week of September 20 would work.

IM/IRA/MOU - A conference call involving Jim Hartman, Mell Roy, and DOE Headquarters took place yesterday. Do you have an idea when DOE will present an alternative proposal?

Ops Plan - We have reviewed the draft technical comments which you provided, and are preparing a draft response for your review. The draft should be to you by the first of the week. We are still waiting for any legal comments you may have on the ops plan.

Depletions Analysis - To date we have received comments from you on the depletions analysis regarding 1) water quality impacts; and 2) impacts due to the Kinnear Ditch Replacement Pipeline. We expect no impacts from either of these considerations, and are revising the depletions analysis memo to reflect that. One question I have is whether you feel the BA should contain the impacts from the Kinnear Ditch Replacement Pipeline, based on your desire to include the pipeline in the depletions analysis. It is our feeling that any BA or Section 7 consultation for the pipeline should be separate, as there is no interaction between the pipeline and Woman Creek Reservoir (WCR), and because we don't expect any impacts from the pipeline. Therefore, if it were to be tied in with WCR, it would result in lengthy and unnecessary delay of the pipeline. DOE has indicated that need to spend some of the grant money or face the prospect of losing it, and by keeping the pipeline separate we will be in a much better position to move the project forward.

Environmental Surveys - We have completed the field surveys for the Ute Ladies Tresses, Colorado Butterfly Grass, and the Prebles Jumping Mouse. None were found, and we expect the reports from our consultants soon. We will forward copies of those reports to you when they become available.

Additional requests - We had previously requested any OU5 data which may be available, along with further treatment option information. Anything you can do to provide us with that information would be appreciated. Finally, we will wait to hear from you on arranging a tour of the Woman Creek and Walnut Creek basins for the CH2M Hill people, in connection with a tour for CDH personnel.

I think that summarizes the key issues we are working on together. Please let me know if you have any changes on these items. Thank you for all of your assistance.

cc: Ron Hellbusch
Tim Holeman
Kelly DiNatale
Susan Nachtrieb
Lee Johnson
Joe Green-Heffern

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Standley Lake Protection Project Biological Analysis—Meetings and Milestones—1993	
Target Dates	Event
September 1	Meeting with Cities/DOE/FWS—BA Approach and Outline
September 3	Letter from DOE to FWS—T&E Species for BA
September 3	Workshop with Cities—Active Interventions, triggers, habitat enhancement
September 10	Draft BA Sections 1, 2, and 3—Submit to Cities
September 17	Letter from FWS to DOE—Response to T&E species letter
September 22	Meeting with Cities/DOE/FWS—Progress Report
October 1	Draft BA—Submit to Cities/DOE
October 8	Review Comments on Draft BA—From Cities and DOE to CH2M HILL
October 12	Meeting with Cities/DOE—Discuss BA review comments
October 19	Final BA—Submit to Cities/DOE
October 22	Final BA—Submit to FWS