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CORRES. CONTROL
INCOMING LTR NO.



Department of Energy

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ROCKY FLATS OFFICE
P.O. BOX 928
GOLDEN, COLORADO 80402-0928

MAY 07 1992 7-12 09 PM '92

DATE

92-DOE-5193

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ROCKY FLATS PLANT
CORRESPONDENCE CONTROL

ACTION

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.		
FERRERA, D.W.		
GOODWIN, R.		
HANNI, B.J.		
HEALY, T.J.		
HILBIG, J.G.		
IDEKER, E.H.		
KERSH, J.M.	X	
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.		
TATMAN, K.G.		
WILSON, J.M.		
WILSON, J.M.		
YOUNG, E.R.		
ZANE, J.O.		

LeRoy Carlson
U.S. Fish & Wildlife Service
Colorado State Office
730 Simms Street
Golden, Colorado 80401

Mr. Dave Weber
Colorado Division of Wildlife
6060 Broadway
Denver, Colorado 80216

Gentlemen:

Please find enclosed a Summary Habitat and Biological Survey Report for the Operable Unit (OU) No. 4 Interim Measure/Interim Remedial Action (IM/IRA) at the U.S. Department of Energy's (DOE's) Rocky Flats Plant (RFP). This report is submitted to fulfill the informal consultation requirement of the Endangered Species Act (ESA) as well as the consultation requirement of the Fish and Wildlife Coordination Act (FWCA) and the Migratory Bird Treaty Act (MBTA). Please note that OU4 IM/IRA construction began on April 20, 1992.

Note that DOE's March 16, 1992 letter (92-DOE-3048), to the U.S. Fish and Wildlife Service (FWS) regarding the preliminary habitat survey for the Ute Ladies' tresses (*Spiranthes diluvialis*) resulted in a "no effect" determination for the OU4 IM/IRA with regard to the ESA. We also propose a "no effect" determination for the Platte River drainage basin.

With regard to the MBTA, we have determined that the OU4 IM/IRA will not impact migratory birds due to the absence of suitable habitat for breeding or nesting.

We request that the FWS review the enclosed summary report and notify DOE Rocky Flats Office (RFO) in writing whether you concur with our determinations regarding the ESA and MBTA. In addition, we request that both the FWS and Colorado Division of Wildlife review the enclosed summary report with regard to the FWCA and submit a written response to DOE/RFO.

Questions or concerns regarding this letter and enclosed summary report should be directed to Bruce Thatcher of my staff at 966-3532.

Sincerely,

Frazer R. Lockhart
Director
Environmental Restoration Division

Enclosure

CORRES. CONTROL
TRAFFIC

Reviewed for Addressee
Corres. Control RFP
-792 *Ci*

DATE BY

L. Carlson & D. Weber
92-DOE-5193

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MAY 07 1992

cc w/Enclosure:

A. Rampertaap, EM-453
M. Hestmark, EPA
G. Baughman, CDH

cc w/o Enclosure:

F. Lockhart, ERD, RFO
R. Schassburger, ERD, RFO
S. Surovchak, ERD, RFO
B. Thatcher, ERD, RFO
J. Kersh, EG&G
S. Nesta, EG&G
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R. Stewart, DOI
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