

**WASHINGTON STATE
ENERGY FACILITY SITE EVALUATION COUNCIL (EFSEC)**

**RESOLUTION NO. 296
HANFORD WILDLIFE MITIGATION PROJECT
RATTLESNAKE SLOPE REHABILITATION**

Nature of Action. In September 2000, the Council approved an amendment to its contract with the Washington Department of Fish and Wildlife (WDFW) to provide funding to rehabilitate the Rattlesnake Slope Wildlife Mitigation Project site that was damaged during a June 2000 wildfire. In approving the department's recommendation to establish a shrub steppe habitat as a priority for the project site, it was understood that that the Council would consider amending the Hanford Wildlife Mitigation Project that was approved in Resolution No. 238 (Amended), to reflect the rehabilitation strategy now being carried out.

Background. The Site Certification Agreements (SCAs) issued by the Washington State Energy Facility Site Evaluation Council (Council or EFSEC) for the Energy Northwest (formerly the Washington Public Power Supply System) for the operating nuclear plant Columbia Generating Station and terminated Nuclear Projects Nos. 1 and 4 (WNP-1/4), provide for the protection and mitigation of wildlife and wildlife habitat impacted by those projects.

The Columbia Generating Station (CGS or Columbia) and WNP-1/4 SCAs contain the following conditions related to the protection of and replacement and/or compensation for wildlife damage or loss caused by the projects:

Ecosystem Replacement

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| CGS | IV.D.1 - Energy Northwest agrees to provide replacement and/or compensation for any wildlife, fish and other aquatic life and ecosystem damage or loss caused by project construction and operation when such damage or loss is substantiated by the Council. |
| WNP-1/4 | IV.D.1 - Energy Northwest agrees to provide replacement and/or compensation as found to be necessary by the Council for any wildlife, fish and other aquatic life and ecosystem damage or loss caused by the project construction and operation. |

Additional Protective Measures

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| CGS | IV.E.1 - Energy Northwest agrees to provide such additional measures for the protection of wildlife, fish and other aquatic life and the ecology of the area environs, based upon analysis and results of the Monitoring Program, as found to be necessary to the Council. |
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WNP-1/4 IV.E.1 - Energy Northwest agrees to provide such additional measures for the protection of wildlife, fish and other aquatic life and the ecology of the area environs, based upon analysis and results of the Monitoring Program, as found to be necessary by the Council; and

In the early to mid 1980's, Energy Northwest and WDFW conducted terrestrial wildlife monitoring studies at the Hanford Site to examine the impact of the Energy Northwest facilities upon animal populations and it was determined that construction of the plants resulted in the loss of wildlife and wildlife habitat. From those studies, WDFW developed a wildlife compensation plan to look at mitigating (moderating the effects of the plants upon wildlife populations) the loss of wildlife habitat at the plant sites. The plan proposed to address the certification conditions by improving habitat, through the restoration of vegetation and ecosystem replacement either on or off the plant sites, such that the improved habitat could support additional wildlife.

In 1986 discussions were held between Energy Northwest, WDFW and the Council concerning implementation of the wildlife compensation plan by developing six areas near the plant sites as good quality habitat. However, lack of suitable water sources prevented implementation of most provisions of the plan. Energy Northwest and WDFW continued to pursue methods that would compensate for wildlife losses, and in the fall of 1986, jointly developed a mitigation plan which would improve wildlife habitat on the near-by Sunnyside Habitat Management Area - Rattlesnake Hills Unit in lieu of habitat improvement on the Energy Northwest project sites.

In early 1987, WDFW submitted a proposed Wildlife Mitigation Plan, with a recommendation for full implementation, for Council consideration. The February 1987 plan detailed habitat improvements, to include shrub plantings and irrigation, that WDFW considered to be an appropriate level of development for mitigation. One key element of the plan was the availability of water through a permit WDFW had with the U.S. Department of Energy (USDOE) to use the Hodges Ranch Well and appurtenances on the Rattlesnake site as the source of water for the project. The Council approved the plan in May 1987, through Resolution 238 Amended, based on the finding that the implementation of the WDFW proposal would provide adequate and reasonable mitigation for the loss of wildlife habitat associated with the construction and operation of the Energy Northwest facilities on the Hanford Site.

The approved Hanford Wildlife Mitigation Project was installed and operated by WDFW until June 28, 2000, when a wildfire burned the entire area destroying the project plantings and irrigation system. Following the fire, WDFW inspected the site and observed that between 90-100 percent of vegetation on the project site was destroyed. Department staff considered restoration alternatives and determined that the previous mitigation strategy based on the irrigation of a network of shrub plantings could be effectively replaced with low-maintenance alternative strategies based on restoration of the native vegetation destroyed by the fire.

In September 2000, WDFW submitted for Council consideration, a fire recovery plan, based on the survey of the damaged areas and the development of a unique plan for the rehabilitation of the predominantly shrub-steppe native plant communities. At its September 11, 2000 regular meeting, the Council approved an amendment to the FY 2001 WDFW contract that provided

funding for the department to carry out Phase I of a rehabilitation plan for establishing a shrub steppe habitat as a restoration priority for the project site.

Resolution. The Council hereby closes Resolution 238 (Amended) and approves the implementation of the Rattlesnake Slope Rehabilitation Plan, dated September 8, 2000, which is incorporated herein as Attachment 1, based on a finding that this plan provides adequate and reasonable mitigation for the loss of wildlife habitat associated with the construction and operation of the Energy Northwest facilities on the Hanford Site, and directs Energy Northwest to work with WDFW to implement the provisions of the plan in accordance with the following conditions:

1. Energy Northwest is to provide funds for the development, operation, maintenance, and replacement costs to carry out the Rattlesnake Slope Rehabilitation Plan for the life of the Columbia Generating Station and WNP-1/4 projects. WDFW shall not now or in the future be held liable for operation and maintenance costs for mitigation associated with these projects.
2. In the event that any of the Energy Northwest projects are sold, transferred, or otherwise unable to provide the specified amount of funding, the Council retains the right to consider and pursue alternative funding methods for the life of the Columbia Generating Station and WNP-1/4 projects; and
3. The rehabilitation plan will be implemented in a timely manner, generally following the implementation schedule in Attachment 1; and
4. It is intended that implementation of the rehabilitation plan will satisfy wildlife mitigation requirements; however, if there are unanticipated circumstances that prevent the plan from being completed and/or satisfactorily implemented, the Council may require Energy Northwest to undertake appropriate remedies to ensure wildlife mitigation.

Dated this 13th day of November 2000.

Washington State Energy Facility Site Evaluation Council

By:

Deborah J. Ross, EFSEC Chair

Attest:

Allen J. Fiksdal, EFSEC Manager

Attachment 1 WDFW Rattlesnake Slope Rehabilitation Plan, dated September 8, 2000