



State of Utah

JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

State of Utah

GOVERNOR'S OFFICE OF PLANNING AND BUDGET

Resource Development Coordinating Committee

JOHN A. HARJA
Executive Director

February 9, 2005

Dianne Nielson, Executive Director
Department of Environmental Quality
168 North 1950 West
P O Box 144810
Salt Lake City, Utah 84114-4810

SUBJECT: Remediation of the Moab Uranium Mill Tailings - DEIS
Project No. 04-4659

Dear Ms. Nielson:

The Resource Development Coordinating Committee (RDCC) has reviewed this proposal. Additional comments were received from the Division of Forestry, Fire and State Lands after our initial letter was sent dated February 9, 2005. The Division of Forestry, Fire and State Lands comments:

The Division of Forestry Fire and State Lands supports moving the tailings because of potential river migration that may breach containment under the on-site disposal alternative.

The slurry pipeline to White Mesa Mill alternative is FFSL's least-favored alternative for off-site disposal. The slurry pipeline would have to cross the Colorado River. A break in the slurry pipeline could result in discharge pipeline contents into the river, thereby adversely affecting sovereign lands and resources.

The Committee appreciates the opportunity to review this proposal. Please direct any other written questions regarding this correspondence to the Resource Development Coordinating Committee at the above address or call Carolyn Wright at (801) 537-9230 or Kim Frost at (801) 538-7326.

Sincerely,

John Harja
Executive Director
Resource Development Coordinating Committee



State of Utah

JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

State of Utah

GOVERNOR'S OFFICE OF PLANNING AND BUDGET

Resource Development Coordinating Committee

JOHN A. HARJA
Executive Director

February 9, 2005

Dianne Nielson, Executive Director
Department of Environmental Quality
168 North 1950 West
P O Box 144810
Salt Lake City, Utah 84114-4810

SUBJECT: Remediation of the Moab Uranium Mill Tailings - DEIS
Project No. 04-4659

Dear Ms. Nielson:

The Resource Development Coordinating Committee (RDCC) has reviewed this proposal. The Division of Wildlife Resources comments:

The Department of Energy (DOE) has not yet selected a preferred alternative. We offer the following remarks for their consideration in selecting a preferred alternative and preparing the final Environmental Impact Statement.

The UDWR and the Nature Conservancy jointly own the Matheson Wetlands Preserve and Waterfowl Management Area (WMA). This 900-acre property is just across the river and adjacent to the DOE property where the uranium tailings pile currently exists. This makes us one of the nearest neighbors to the site and heightens our concern about this project.

Disposal Sites

The DEIS is clear that off-site disposal of the tailings pile is the best solution for improving water quality in the Colorado River and the adjacent Matheson Wetlands WMA. This conclusion is further verified in the Gardner/Solomon report. This independent study provides evidence that groundwater in the Moab Valley may move beneath the river (from the tailings pile south), potentially contaminating the WMA. It is also clear that the current tailings pile lies on a precarious foundation of sand and gravel which previous river meanders have inundated during the last millennia. Uncertainties discussed in the DEIS for on-site disposal, in our opinion, may continue to jeopardize endangered fish, as well as water quality in the Colorado River and the WMA.

In addition, 100 and 500-year flood events could partially inundate the disposal cell if left in place. Armoring Moab Wash and the Colorado River to prevent this phenomenon could have detrimental impacts to river morphology, the WMA, and fish habitat, and it may prove ineffective. We support off-site disposal as the best long-term solution for fish and wildlife.

The Klondike Flat disposal site appears to be the most acceptable from a wildlife perspective. Because it is the shortest distance from the current tailings pile, its impact to wildlife from any of the transportation alternatives is minimized. Because of nearby existing disturbances (county landfill and airport), its proximity to important wildlife habitat is also comparatively negligible. We do recommend, however, the avoidance of any disturbance to white-tailed prairie-dog (a state sensitive species) colonies at this site and at all borrow areas.

The Crescent Junction disposal site would be the second best choice for wildlife. It is farther away (possibly imperiling more wildlife during materials transportation), and in closer proximity to important wildlife habitat in the Book Cliffs. It also lies within a belt of ferruginous hawk nesting and foraging habitat that skirts the Book Cliffs at the edge of the pinyon-juniper vegetation zone. If this alternative is chosen, we suggest avoiding white-tailed prairie-dog colonies, and recommend surveys for kit fox and ferruginous hawks. All three of these species are currently identified as state sensitive species.

The White Mesa Mill disposal site would be the most detrimental to wildlife. Because rail transportation is not an alternative to this site, truck transport or the slurry pipeline are the only other possibilities. Either of these options traverses miles of important habitat for many wildlife species. The slurry option to this site would also skirt Gunnison sage-grouse habitat near Monticello. Gunnison sage-grouse is currently a federal candidate for listing under the Endangered Species Act. Transportation to this site would necessitate crossing the Colorado River and many other perennial and ephemeral streams and washes. Truck transport to this site would increase deer and elk vehicle collisions and threaten other species of wildlife.

Transportation Methods

Railroad transportation to off-site disposal areas would have the least impact to wildlife resources and habitat. The resulting increase in animal-vehicle collisions from increased truck traffic on US-191 makes the trucking option undesirable. Truck traffic will substantially increase anyway, as borrow materials are transported under either action alternative. To truck the contaminated materials to an off-site disposal area would create an unnecessary risk to several high profile wildlife species including, desert bighorn sheep, mule deer, elk, Gunnison sage-grouse, golden eagles, white-tailed prairie-dogs, and potentially black-footed ferrets (federally listed as endangered).

The UDWR is concerned that the slurry option will cause unnecessary depletions in the Colorado River and further impact habitat for endangered fish species. Although such depletions are mitigated under the Upper Colorado River Endangered Fish Recovery Program, we recommend that this unnecessary impact be avoided by choosing another transportation alternative. The slurry option will also disrupt terrestrial wildlife habitat, especially if it is installed all the way to the White Mesa Mill site near Blanding.

Other Concerns

Borrow Areas

The DEIS discussion of borrow areas does not consider effects to wildlife and wildlife habitat. We suspect these borrow areas may include habitat for several state sensitive

species including white-tailed prairie-dog, kit fox, burrowing owl, and ferruginous hawk. Although it is likely that a site can be chosen which will not impact these species, the specific proposed sites should be surveyed for these species and the survey results should be discussed in the forthcoming final Environmental Impact Statement.

Utilization of the Floy Wash borrow area requires round-trip truck traffic on seven miles of Interstate 70. This is an area where golden eagles frequently collide with vehicle traffic, yet no discussion of impacts to golden eagles is made in the DEIS. Road improvements to borrow areas and the resulting impacts to wildlife are also not discussed or mitigated.

Electric Power Lines

Any alternative except the No Action alternative will apparently require some construction of electrical power lines. Any power line, no matter how small, should be constructed in such a manner that raptors or other birds cannot be electrocuted when using the power poles for perches or nest-sites. There are several ways this can easily be accomplished. Perch preventors can be installed on power lines, and wires can be spaced in a manner that is safe for perching birds. Contact our office for details, if necessary.

Colorado River Pump Station

The DEIS was vague about the process for diverting water from the Colorado River for any of the alternatives. There are pumping designs and procedures that can minimize the impact to endangered Colorado River fishes. We recommend procedures detailed in the recovery plan be followed and outlined in the forthcoming final EIS. This should include screens over the intake to prevent juvenile fish from being drawn into the pumps and destroyed.

Black-footed ferret

Every discussion in the DEIS dismisses the possibility of black-footed ferrets. Although it is unlikely that ferrets have moved down into this area from release sites in Colorado and northern Utah, it is not impossible that indigenous ferrets could potentially be found in the Cisco desert. Habitat potential for the species should at least be considered. Anywhere there are prairie-dog colonies, there is potential black-footed ferret habitat.

Burrowing Owls

Both the Klondike Flats site and the Crescent Junction site and nearby borrow areas have the potential for burrowing owls, a state sensitive species. Anywhere there are existing or unoccupied prairie dog colonies, there is the potential for burrowing owls. This is misstated in the DEIS.

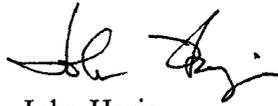
Kit Fox

Kit fox is a state sensitive species with habitat and confirmed sightings in the vicinity of Klondike Flats and Crescent Junction. It should be added to the list of species that may occur at those sites and at nearby borrow areas.

The UDWR appreciates the opportunity to review and comment on this important project. Notwithstanding the minor exceptions noted above, the DEIS was comprehensive, well written, and thoroughly researched. We hope to continue to work cooperatively with the DOE to implement this project with minimal detrimental impacts to fish, wildlife, and their habitats. Should you require further information, please contact Leroy Mead, habitat biologist, at our Price office (435-636-0274).

The Committee appreciates the opportunity to review this proposal. Please direct any other written questions regarding this correspondence to the Resource Development Coordinating Committee at the above address or call Carolyn Wright at (801) 537-9230 or Kim Frost at (801) 538-7326.

Sincerely,

A handwritten signature in black ink, appearing to read "John Harja". The signature is fluid and cursive, with a prominent initial "J" and a long, sweeping underline.

John Harja
Executive Director
Resource Development Coordinating Committee