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August 30, 2000

Memorandum

To: State Director, Bureau of Land Management, Salt Lake City, Utah

From: Acting Assistant Regional Director, Ecological Services, Region 6

Subject: Review of Draft Environmental Impact Statement for the Construction and Operation of an Independent Spent Fuel Storage Installation on the Reservation of the Skull Valley Band of Goshute Indians and the Related Transportation Facility in Tooele County, Utah (ER 00/474)

The following comments are based on the assumption that the project has a fixed and short life (10 years or less, until a permanent site for disposal is approved) and that the methods used for transport and storage will be sufficient to contain all radiation and prevent accidental spill or release of radiation.

General Comments

The proposed construction of a new rail line in Skull Valley would cross undeveloped public lands that comprise the Great Basin ecosystem. The Fish and Wildlife Service has concerns about the direct and indirect effects related to the construction of this rail line to natural resources, including resident and migratory birds. The construction of the rail line is expected to result in the temporary loss of 776 acres of habitat with 155 acres permanently cleared for the life of the project. However, the construction of the railroad is likely to fragment wildlife habitat and is expected to cross 32 arroyos (i.e., ephemeral flowing drainages). Although culverts will be installed in these gullies, the culvert system is likely to increase wet season flows, increasing erosion and silting in these drainages and, more importantly, will provide a conduit for the transport of contaminants and noxious or invasive undesirable plant species in these sensitive areas. Impacts to these surface water drainages may require additional study in order to minimize effects related to siltation, erosion, and the introduction of contaminants or noxious plant species in these areas.

The construction and operation of the Private Fuel Storage Facility (PFSF) will require large quantities of water which will be supplied in part by new onsite wells. However, the impact of

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this water withdrawal to the natural environment has not been determined. There may be adverse effects to ephemeral springs and other water resources due to drawdown of localized aquifers. Potential effects to ground water resources should be evaluated in the Final Environmental Impact Statement.

The proposed rail line corridor has not yet been surveyed for wildlife resources. This is to be completed prior to initiating construction. The Service recommends that surveys be completed for this area and results included in the FEIS for review.

The Service has concerns regarding the increase in daily use of Skull Valley Road, which is expected to increase 175 percent during the first phase of construction. This increase in traffic is likely to result in an increase in wildlife mortality and disrupt wildlife movement in the valley. These direct and indirect impacts should be evaluated in the FEIS document. Measures to avoid and mitigate potential impacts should be described.

Skull Valley suffers from annual range fires due to invasion of large areas by cheatgrass. Each fire further extends the areas of cheatgrass invasion and thus the area is subject to fires. The area proposed for the storage site is within the area that already frequently burns. The FEIS should address measures that will be taken to avoid accidentally starting a fire and measures that will be taken to protect the site and facilities in the event of fires.

The DEIS states that, prior to construction, a plan to control noxious weeds during construction and operation of the proposed PFSF and related rail facilities will be developed. However, the Service believes that this plan should be expanded to include both monitoring and control of exotic and noxious weeds within the PFSF and the proposed rail line. The plan should be included and available to the public and agencies for evaluation as to its sufficiency.

The Service concurs with the DEIS in its determination of "no affect" to listed endangered and threatened species at the present. Should project plans change, or if additional information on the distribution of listed or proposed species becomes available, this determination may be reconsidered.

Specific Comments

Page xlvii, Condition 7. Construction Training--Private Fuel Storage (PFS) is to train onsite personnel responsible for ensuring that construction activities do not disturb sensitive ecological and cultural resources. The type of training is not clarified nor is the agency or personnel that will conduct the training identified. The Service recommends that State and Federal resource agencies be consulted for this process, particularly since migratory birds (i.e., raptors) are anticipated to occur in the area.

Page xlviii--It is stated that "A BLM decision to grant a right-of-way to PFS would be dependent upon the decisions made by the NRC and BIA." Please clarify the decisionmaking process.

Page 4-20, Section 4.4.2.1 Vegetation--PFS indicates that herbicides may be used to assist in

maintaining the restricted-access area free of vegetation. The FEIS should address pesticide use not only in the context of nontarget vegetation but also other natural resources, including wildlife and water resources.

Conclusion

The Service notes that the half life of the nuclear fuels is 10,000 years. Only 10,000 years ago, the area where the nuclear fuels will be stored was inundated by ancient Lake Bonneville, of which the Great Salt Lake is a remnant. The Great Salt Lake, and presumably Lake Bonneville earlier, provides the key link for the Intermountain flyway for migratory birds. Without these features, the flyway would not exist. The expected life of the fuel storage site is not defined, nor are there guarantees that the fuels will be moved. The longer the fuels are stored in this location, the higher the potential for unanticipated release of radioactivity. It is unrealistic to assume that the methods now used to avoid radiation leaks or contamination will be sufficient for several hundred or several thousand years. Therefore, this project has the potential to permanently contaminate an environment of worldwide significance to migratory birds. The Service believes that if this project is approved, there should be a specified timeframe and a firm commitment to move the spent fuel away from this area of such importance to migratory birds.

/s/ Robert McCue

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