Lemont, Stephen

From: Kiefer,Sharon [sharon.kiefer@idfg.idaho.gov]
Sent: Wednesday, April 14, 2010 6:38 PM
To: Lemont, Stephen; bmbiwer@anl.gov
Cc: Hebdon,Lance; Vecellio,Gary
Subject: IDFG Response to NRC AREVA Supplemental Request
Attachments: E-mail from NRC to Sharon Kiefer regarding additional AREVA project information 2-10-2010.txt; Response to NRC AREVA transmission supplemental request Mar 2010.docx

Steve, I apologize for a bit of delay in our information response to your request. Please contact Gary, Lance or I if there are any questions or clarifications needed. We appreciated the telephone discussion regarding sage-grouse and other issues.

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The Idaho Department of Fish and Game (Department) is providing this information in response to a February 10, 2010 request by Stephen Lamont of the Nuclear Regulatory Commission (NRC) to Sharon Kiefer. These items are provided in supplement to the responses provided by the Department on August 4, 2009. This response incorporates potential issues related to a power line to service the infrastructure, which was not identified in 2009.

Sensitive and rare habitats or threatened species (power line only, site information previously provided)

Department staff considers the areas both north and south of your proposed power line to be important habitat for lek development, rearing, and migration of sage grouse. It is likely that a new above-ground transmission line will cause direct mortality of migrating sage grouse due to grouse striking the lines during flight. The locations of sensitive species from the Idaho Natural Heritage Database and occupied sage-grouse habitats in the vicinity of the proposed right-of-way for the power line are depicted in Figure 1. Department staff is unaware of any federally-listed species within the bounds of the project.

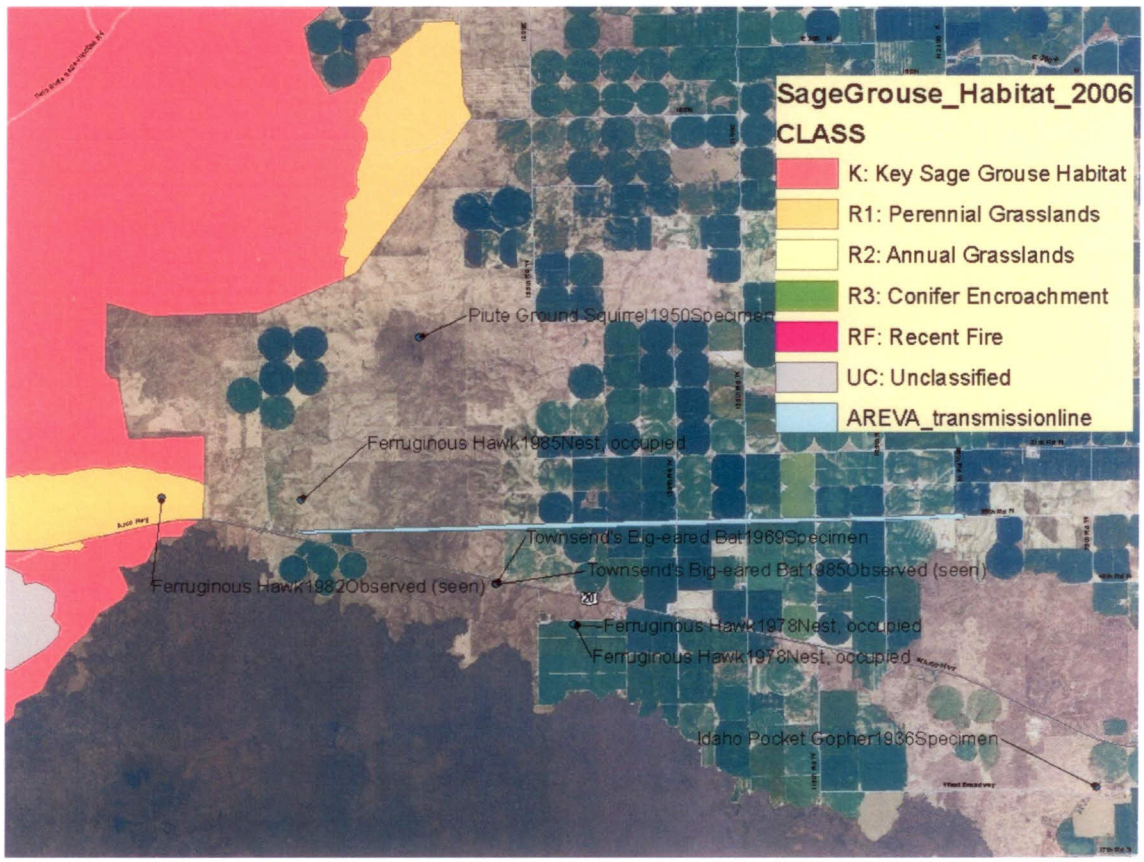

Figure 1. Location of sensitive species records from the IDFG Natural Heritage database and Sage-grouse habitat in proximity to the proposed AREVA transmission line.

Important migration routes for birds (power line only)

The addition of a power line, or an array of suspended lines will likely cause direct mortality of sage- and sharp-tailed grouse. As grouse fly across Highway 20 and over traffic during daily or seasonal migrations, we anticipate direct mortality of these birds due to collisions with newly-erected power lines. We request consideration of burying the new sections of line – this would be the most direct and effective way to avoid potential adverse effects to sage-grouse (and other flying and migrating wildlife). Power line burial has proven feasible to protect migrating sage grouse in Clark County near Small, Idaho as negotiated and constructed in 2007. This recommendation is consistent with the Idaho Sage-Grouse Conservation Plan which recommends avoiding construction of new power lines in grouse habitat or burying the line (Idaho Sage-Grouse Advisory Committee 2006) and is consistent with Department scoping comments for the Mountain States Transmission Intertie Project (available on request). If NRC and the applicant deem that it is not possible to bury the line, the Department requests that the licensee submit a proposal to the Department and USFWS describing:

1) How the line will be marked with high-visibility deflectors to reduce collisions by birds and bats,
2) How the licensee will survey the new line for the first 5 years to detect and record any sage- and sharp-tailed grouse mortality, and
3) How the licensee will mitigate for the direct loss of birds due to power line construction.

Concerns of the Department regarding potential wildlife effects of the proposed project

The Department has considered both the uranium enrichment plant and the (single) proposed power line identified in the latest version of the application. If constructed as proposed there will be various negative effects to wildlife and their habitats, as well as potential losses of public recreation benefits and use of some public lands. The Department offers the following as our assessment of likely impacts due to the project, and we request in order of preference that NRC require in the license that:

-The licensee to take measures to avoid and reduce wildlife and wildlife-related recreation impacts and subsequently,

-The licensee be required to fully mitigate for unavoidable wildlife, habitat, and wildlife-related recreational impacts due to project construction and operation.

We believe consultation with the Department and other natural resource managers would ensure implementation of effective measures to avoid, reduce, and mitigate adverse wildlife effects and ask the NRC to support such an approach.

Sage-grouse and sharp-tailed grouse

One of the documents provided was a sage-grouse survey report (MWH 2008). The stated goal of the effort was to "determine if greater sage grouse leks were in the vicinity of the site." The survey was conducted during the week of May 5. The timing of this survey is so late that it is unlikely to have detected any leks that may have been present on the property. Additionally no efforts were made to identify other potential seasonal use (nesting or brood rearing) of the property by sage-grouse. We recommend that the consultants confer with Department biologists and adopt our techniques for lek searches and monitoring. To be useful, their grouse surveys should be repeated using more effective methods.

It is likely that the proposed project will directly impact year-round sage-grouse use through fence collision mortality and habitat loss associated with power line infrastructure (previously noted) and a fenced perimeter. Additionally, it is also likely that the proposed project will indirectly affect the adjacent available sage grouse habitat due to increased road access and human use, and increased noise disturbance.

Sharp-tailed grouse are known to exist in the area; therefore, it is likely the proposed project will have impacts to sharp-tailed grouse and sharp-tailed grouse habitat similar to that of sage grouse.

The proposed power line to the Bonneville substation will likely negatively impact sage and sharp-tailed grouse populations in the area by providing additional raptor and corvid (e.g., crows and ravens) perch sites.

Big game

The Department manages the following species classified as big game species, which may be impacted negatively by the project: Mule Deer, Elk, Moose, and Pronghorn Antelope. All of these species will be affected by losses of open (mainly private) range upon which to live and forage and the forage gleaned by open range or agricultural products produced as a function of the property's original uses. Any high fence or security perimeter fence will presumably exclude these species from access to native ranges or previously accessible agricultural habitats. However, because the actual lay-out of any perimeter fence is withheld, we are uncertain of the extent of wildlife/public exclusion through fencing or actual development. Increased noise and human disturbance will cause these species to avoid the site of the enrichment plant to an unknown degree or distance. We cannot determine at this time whether loss of this area for use by big game will cause animals to just shift to new range or actually cause other change to the herd (such as productivity, etc.).

Public Lands

The Department remains very concerned about the loss of public lands to wildlife and to wildlife-related recreation access due to the project. The Bureau of Land Management (BLM) owns and manages a parcel of land entirely within the project boundary. We are unclear about the ability of wildlife or humans to access this public land during project operation. If public land resides within a fenced area or an area of 'high security' and is inaccessible to big game or humans we would urge NRC to consider this land as permanently removed from public/wildlife use. We request that the licensee negotiate with BLM to replace similar acreage to be managed by BLM for multiple uses including wildlife habitat and human recreation. We urge NRC to necessitate this using an iterative process described below.

Similarly, the Department has concerns that human access to other surrounding BLM property for recreational use will be curtailed due to high security needs at this facility. Perhaps large wildlife will also have less access, or will be less willing to use public lands adjacent to the project due to project security or human activity. If wildlife avoid public lands surrounding the project due to noise, lights, roads, or human presence due to the facility, we urge NRC to require that the licensee study and disclose these effects, and fully mitigate for lands lost to wildlife due to project effects using the iterative process described below.

Cumulative effects of the project.

The Department has concerns that activities and developments anticipated by AREVA for operations at this site have not yet been identified. Original plans for this project were given to the public, and public support sought, when the project was depicted at a smaller scale than is currently requested. At a meeting on 18 June 2008 at IDFG offices in Idaho Falls, Department staff were told by AREVA that (1) only 30 megawatts (MW) of power would be necessary to operate this plant and (2) the water use would be equal to operation of 1 center pivot during growing season. We now see that (1) 78MW of power are required as is (2) "a dual redundant electrical supply utilizing separate feeders *(not one but two lines)* is required" (Eagle Rock Enrichment Facility Appendix H Environmental Report, Paragraph 1). As such, we find that AREVA continues to modify the project and to add project components that will cause impacts to fish, wildlife, or habitats. We understand that currently, only one power line is requested for permitting and licensing (from the Bonneville Substation to the Enrichment Plant), even though the Environmental Report describes a need for two power lines for redundancy. The Department remains concerned that post-licensing, a future action of AREVA will be to request another power line. We remain concerned that the cumulative effects of all of these incremental actions will combine to further negatively affect wildlife, habitats, and recreational human use to a degree not evaluated by requests for individual actions alone in the pre-licensing phase. The second powerline, if coming from the west, might have much higher impact to sage-grouse than the line identified to date.

We advise NRC to require complete identification of all anticipated activities (all power lines, new water rights, increased roads and traffic, lighting of the plant and surrounding desert, etc) so that the Department may assess the cumulative impacts and so that NRC may necessitate adequate protections and mitigations. We also recommend NRC include future actions be covered in the "Mitigated Protections" and mitigations license language suggested below.

Negotiated protections and mitigations

We recommend and ask that NRC adopt an approach in crafting this license similar to the iterative approach of Federal Energy Regulatory Commission (FERC) when licensing new hydroelectric facilities to require the licensee to collaborate with natural resources agencies to reach agreements to minimize and mitigate adverse effects to public trust resources as a condition of the license.

To advance successful negotiations of a package of adequate natural resource protections and commensurate mitigations, we ask NRC to devise a collaborative team to work with the licensee to include the Department. We offer that the Idaho Office of Species Conservation, the USFWS, and BLM would also be appropriate agency participants.

Citation

Idaho Sage-grouse Advisory Committee. 2006. Conservation Plan for the Greater Sage-grouse in Idaho. http://fishandgame.idaho.gov/cms/hunt/grouse/conserve_plan/