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**Rocky Flats
Environmental Technology Site
1-S73-ECOL-001
REVISION 0
WETLAND IDENTIFICATION
AND PROTECTION**

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Waste Management & Integration
Kaiser-Hill, LLC

Responsible Organization: Compliance and Performance Assurance/Ecology Effective Date: 03/03/97

CONCURRENCE BY THE FOLLOWING DISCIPLINES IS DOCUMENTED IN THE PROCEDURE HISTORY FILE:

Safe Sites of Colorado
Wackenhut Services, Inc.
Policy & Procedure
Responsible Organization (PTI Ecology)
Site Operations & Integration
Subject Matter Expert

USE CATEGORY 3

ORC review not required
The following have been incorporated in this revision:

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This is a new Procedure.

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1. PURPOSE

This procedure provides instructions for identifying jurisdictional wetlands at Rocky Flats Environmental Technology Site (RFETS) and ensuring the protection of these wetlands as required by Federal law. Applicable wetland protection requirements include:

This procedure implements the requirements of:

- 10 CFR Part 1022, Compliance with Floodplains/Wetlands Environmental Review Requirements (CFR 1979)
- 40 CFR Part 230 §404(b)(1) Guidelines for Specification of Disposal Sites for Dredged or Fill Material (CFR 1980)
- Executive Order 11988, Floodplain Management (EO 1977a)
- Executive Order 11990, Protection of Wetlands (EO 1977b)

This procedure complies with:

- 33 U.S.C.A. §§ 1251 to 1387, Wetland Protection Requirements of the Clean Water Act (CWA), also known as the Federal Water Pollution Control Act (USC 1977)
- 42 U.S.C.A. §§ 9601 to 9675, Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) (USC 1980)
- 16 U.S.C. 661, Fish & Wildlife Coordination Act of 1958 (FWCA) (USC 1958)

2. SCOPE

This procedure applies to all RFETS employees and subcontractors working on-site and off-site on RFETS field activities. Personnel involved in activities that create soil disturbances are particularly affected by this procedure.

This procedure addresses the following activities:

- Evaluation of proposed field activities for wetlands impacts
- Additional actions required if unavoidable wetlands impacts are identified

This procedure functions as a companion to the following procedures which ensure RFETS compliance with the Endangered Species Act and the Migratory Bird Treaty Act:

- 1-D06-EPR-END.03, Identification and Protection of Threatened, Endangered, and Special-Concern Species
- 1-G98-EPR-END.04, Migratory Bird Evaluation and Protection

3. OVERVIEW

Jurisdictional wetlands, as identified by the Federal wetland protection program, include areas that are obviously wetlands, as well as areas that are not generally thought to be wetlands by the general public. At RFETS, there are jurisdictional wetlands on hillsides and at tops of high plateaus, as well as in the stream channels and around ponds, where wetlands are traditionally thought to exist. Ditches may also be considered wetlands if classified as waters of the United States.

The Wetlands Map in Appendix I shows the locations of the major RFETS wetlands, as mapped in 1994 (COE 1994). Although RFETS wetlands were mapped by the COE, not all wetlands at RFETS appear on the Wetlands Map. This map only gives a general overview of wetlands locations, and should not be used as the only planning tool when locating projects. Project managers must ensure that their work locations have been evaluated for the presence of wetlands before ground breaking.

The following require implementation of this procedure:

- Actions and activities involving disturbance of the soil surface (e.g., grading, excavation, dredging pond or stream sediments, stream channelization, removal of silt and/or vegetation from stream beds and ditches), or disposal of material in surface water or in jurisdictional wetlands (e.g., contaminated soil, waste material, well cuttings, or dredged material)
- Activities that may result in filling of jurisdictional wetlands,
- Activities carried out within stream channels, ponds, or other jurisdictional wetlands, including any water management activities such as construction of berms or levees to contain wastes or to prevent floodwaters from reaching wastes, excavation to build containment structures for effluent, and dewatering,
- Any other proposed RFETS actions that may result in soil disturbance within or adjacent to jurisdictional wetlands, or that may affect downstream areas with jurisdictional wetlands, and establishment of any new routes of travel off previously established and approved Buffer Zone roads.

4. DEFINITIONS

Discharge of Dredged Material. Deposition of dredged materials into wetlands or waters of the United States

Dredged Material. Materials excavated from wetlands areas

Fill. As applied to wetlands, fill is excavated material, refuse, or dredged material that is deposited into wetlands or waters of the United States.

DEFINITIONS (continued)

Jurisdictional Wetlands. Areas identified as wetlands in accordance with U. S. Army Corps of Engineers (COE) delineation guidelines (COE 1989)

RFETS Project Manager. This is the responsible project manager for the activity. This person may be a program manager, project manager, field supervisor, or other responsible party.

Unavoidable Impacts. Impacts that, after examination of all alternatives, cannot be avoided if a project is to be completed and carry out its intended function

Waters of the United States. These are any waters identified by the COE as waters that are tributary to or a part of "waters of the United States." Such waters include lakes, ponds, impoundments, streams, seeps, and springs that may flow into any of the main drainage basins within the boundaries of the United States.

Wetlands. Wetlands are areas that have saturated soils for a portion of the year, and support such plants as cattails, rushes, sedges, and other common wetland plants.

5. RESPONSIBILITIES

5.1 RFETS Project Manager

Arranges for adequate funding to implement the requirements of this procedure.

Ensures that the wetland impact evaluation required by this procedure is performed by a qualified Ecologist.

Ensures that any wetland concerns have been resolved, before the project is started, by arranging for one of the following options:

- redesign of the project by the appropriate planners and engineers to avoid wetland impacts, or
- approval of mitigation planning

Ensures that the project is reevaluated if the size, location, or unpaved access route changes significantly from the originally evaluated plan.

RESPONSIBILITIES (continued)

Arranges for training for all appropriate project personnel on the requirements of this procedure.

Ensures implementation of the requirements of this procedure during field activities by all appropriate project personnel.

Ensures that any requirements that are specified by the Ecologist(s) to protect jurisdictional wetlands in on-site or off-site RFETS work areas are complied with by project personnel.

5.2 Ecology Personnel

Ensure compliance with jurisdictional wetland protection requirements by performing wetlands surveys and preliminary wetlands delineations as appropriate for proposed RFETS projects.

Assist Kaiser-Hill (K-H) and DOE, RFFO in interfaces with the COE and Environmental Protection Agency (EPA) to negotiate mitigation strategies if there will be unavoidable wetlands impacts.

Ensure project compliance with wetlands protection regulations when completing the following essential actions:

- Evaluation of the project to verify presence/absence of wetlands in the work area.
- Determination of the areal extent of potentially affected wetlands and preparation of a preliminary wetlands delineation in accordance with the COE guidelines (COE 1989).
- Coordination with the RFETS Project Manager, K-H, and DOE to develop required protection or mitigation plans.

6. INSTRUCTIONS

6.1 Evaluation of Proposed Field Activities for Wetlands Impacts

When a new construction project is planned, or when scope, location, or unpaved access routes of otherwise routine activities will be modified, a wetlands impact evaluation must be performed. This evaluation must be performed by a qualified ecologist before any field activity can start, and before any routine activity can be modified as to scope and/or location.

To avoid unnecessary delays in activity schedules, it is recommended that Ecology Personnel be included in the planning process from its initial, conceptual stages. Should wetlands impacts be unavoidable, mitigation may be required. Mitigation planning and approval can be a time-consuming process, may substantially delay project scheduling, and increase project costs.

RFETS Project Manager

- [1] Notify the K-H Ecology Group as soon as possible of the need for a work site wetland evaluation.

Such notification may address a specific project or significant changes in routine activities. Significant changes include, but are not limited to change in:

- the size or shape of an work site
- the location of an work site
- character or intensity of a field activity
- access route(s)

- [A] **IF** it is not clear whether an evaluation is needed,
THEN verify the need with K-H Ecology Group.

Ecology Personnel

- [2] Review the proposed activity plan and evaluate the work location to determine if the activity has potential to impact wetlands.
- [3] **IF** a proposed activity has potential to impact wetlands
THEN notify the Project Manager and discuss the options for revising the work site to eliminate the impact potential.

INSTRUCTIONS (continued)

- [4] **IF** the work site can be modified to avoid wetland impacts
THEN:
- [A] Write a memorandum documenting the required modifications, and clearance to proceed with the project.
 - [B] Transmit this report memorandum to the RFETS Project Manager.
- [5] **IF** wetland impacts are unavoidable
THEN:
- [A] Notify the RFETS Project Manager.
 - [B] Prepare a preliminary wetland delineation in accordance with the COE guidelines (COE 1989).
 - [C] Prepare a report memorandum.
 - [D] Transmit the delineation and report memorandum to the RFETS Project Manager and DOE, RFFO.
 - [E] Notify DOE, RFFO and the RFETS Project Manager of the need to consult with the COE and EPA prior to any field activity.
 - [F] Interface as required with project personnel, contractor personnel, K-H, and DOE to resolve mitigation needs.

RFETS Project Manager

- [6] Upon receipt of the report memorandum prepared by the Ecologist, verify that appropriate project personnel have been briefed of any project limitations due to wetlands.
- [7] **IF** this may be resolved by re-engineering the project
THEN contact Engineering for redesign assistance.
- [8] **IF** the project must be delayed while wetlands impact concerns are resolved
THEN stop work and ensure that all project personnel have been briefed on the required work stoppage.

INSTRUCTIONS (continued)

6.2 Additional Actions Required if Unavoidable Wetlands Impacts are Identified

Ecology Personnel

- [1] Cooperate as required with project personnel, contractor personnel, K-H, DOE, RFFO, COE, and EPA to resolve wetland impact concerns and mitigation needs.

RFETS Project Manager

- [2] Ensure that work that may affect wetlands is not started prior to completion of negotiation with the COE and EPA on wetland mitigation requirements for the project.
- [3] Cooperate as required with project personnel, contractor personnel, K-H, DOE, RFFO, COE, and EPA to resolve wetland impact concerns and mitigation needs.
- [4] Notify all affected project personnel of any project limitations before, during, and after consultation with COE and EPA.
- [5] Ensure that all limitations and conditions of the mitigation agreement are carried out.

7. RECORDS

There are no Quality Assurance (QA) records generated by this procedure.

Records generated as a result of this procedure are maintained in accordance with 1-V41-RM-001, Records Management Guidance for Records Sources.

Ecology Personnel

- [1] Ensure that the following applicable copies are forwarded to K-H, DOE, RFFO, and Project personnel:

These records may include:

- Project Plan review reports (including wetland delineations)
- The field survey report generated after pre-activity site evaluation
- Mitigation or avoidance recommendations or plans.

8. REFERENCES

CFR. 1979. 10 CFR Part 1022, Compliance with Floodplain/Wetlands Environmental Review Requirements. March 7, 1979.

CFR. 1980. 40 CFR Part 230 § 404(b)(1) Guidelines for Specification of Disposal Sites for Dredged or Fill Material. December 24, 1980.

COE. 1989. Federal Manual for Identifying and Delineating Jurisdictional Wetlands. Army Corps of Engineers, Environmental Protection Agency, U.S. Fish and Wildlife Service, and Soil Conservation Service. An Interagency Cooperative Publication. January 1989.

COE. 1994. Rocky Flats Plant Wetlands Mapping and Resource Study. Prepared for the U.S. Department of Energy, Golden, Colorado. Prepared by the U.S. Army Corps of Engineers, Omaha District. December 1994.

EO. 1977a. Executive Order 11988. Floodplain Management. May 24, 1977.

EO. 1977b. Executive Order 11990. Protection of Wetlands. May 24, 1977.

USC. 1958. Fish and Wildlife Coordination Act of 1958, 16 U.S.C. 661 et. seq. as amended. U.S. Congress. 1958.

USC. 1977. Clean Water Act, Federal Water Pollution Control Act as amended. 33 U.S.C. 1251 et. seq. U.S. Congress. 1977.

USC. 1980. Comprehensive Environmental Response, Compensation, and Liability Act of 1980. 42 U.S.C. §§ 9601 to 9675. U.S. Congress. 1980.

1-D06-EPR-END.03, Identification and Protection of Threatened, Endangered, and Special-Concern Species

1-G98-EPR-END.04, Migratory Bird Evaluation and Protection.

1-V41-RM-001, Records Management Guidance for Records Sources.