Department of Energy
Albuquerque Operations Office
Los Alamos Area Office
Los Alamos, New Mexico 87544

JUN 15 2001

Mr. Peter Maggiore, Secretary
New Mexico Environment Department
1190 St. Francis Drive
P. O. Box 26110
Santa Fe, NM 87502

Dear Mr. Maggiore:

Subject: Finding Of No Significant Impact (FONSI) and Final Environmental Assessment (EA) on the *Wildfire Hazard Reduction and Forest Health Improvement Program at Los Alamos National Laboratory* (DOE/EA-1329)

The Department of Energy (DOE), National Nuclear Security Administration (NNSA), proposes to burn slash and contaminated waste wood created by implementing the Wildfire Hazard Reduction and Forest Health Improvement Program projects at LANL with the use of an Air Curtain Destructor. This proposal is an action consistent with the Limited Burn (Waste Only) Alternative described and analyzed in the subject environmental assessment (EA). In compliance with the National Environmental Policy Act (NEPA) of 1969, the NNSA prepared an EA that was distributed for comment as a pre-decisional draft in July 2000. The EA analyzed four alternatives: the Proposed Action (the No Burn Alternative); the Limited Burn Alternative (Waste Only), which is to burn piles of slash (small limbs, branches, and miscellaneous pieces of waste wood material) left after tree cutting; the Burn Alternative (Both Treatment and Forest Waste); and the No Action alternative. The pre-decisional draft EA was revised in response to comments received. On August 9, 2000, the NNSA issued a Finding of No Significant Impact (FONSI) for the Proposed Action (the No Burn Alternative) together with the Final EA.

As stated in the August 2000 FONSI, DOE has issued a moratorium on the use of prescribed burning at all of its facilities. This moratorium is to remain in effect until DOE issues a new policy on the use of prescribed burning, which has not yet occurred. As stated in a December 2000 DOE document entitled "Initial Joint Review of Wildland Fire Safety at DOE Sites," the moratorium applies to deliberate, planned burning of wildland areas to reduce the risk from wildfires. It does not apply to the action described in the Limited Burn Alternative (Waste Only), which is to burn piles of slash (small limbs, branches, and miscellaneous pieces of waste wood material) left after tree cutting. Although the moratorium on burning does not apply to the burning of slash piles, NNSA

chose to defer making a decision on the appropriateness of issuing a FONSI on the Limited Burn Alternative (Waste Only), as well as on the Burn Alternative (Both Treatment and Forest Waste) analyzed in the subject EA, until after this policy had been issued and the moratorium on prescribed burning was no longer in effect (it was anticipated at that time that the policy would be issued in December 2000). This decision was partially based on the sensitivity of NNSA to the use of fire near the Los Alamos townsite so soon after the Cerro Grande fire. Subsequent to issuance of the August 2000 FONSI and Final EA, NNSA became aware of a device called an "Air Curtain Destructor," which provides an efficient high temperature, low emission method of burning waste wood and slash that utilizes a pit as a burn chamber.

The Final EA (DOE/EA-1329) describes and analyzes the Limited Burn (Waste Only) Alternative, which bounds the current proposal to burn wastes using an Air Curtain Destructor. Use of this device would result in fewer potential environmental effects and effects that are of a lesser magnitude than those identified for the Limited Burn (Waste Only) Alternative. Based upon information and analyses presented in the EA, NNSA has determined that the Limited Burn (Waste Only) Alternative would not constitute a major federal action significantly affecting the quality of the human environment within the meaning of NEPA. Thus, an Environmental Impact Statement is not required. NNSA has issued a FONSI with the Final EA attached. NNSA is placing a copy of the FONSI and Final EA for public review in the Los Alamos Community Involvement and Outreach Office, 1619 Central Avenue, Los Alamos, NM 87544, and in Albuquerque at the Government Information Department, Zimmerman Library, University of New Mexico. The documents may also be found on the Internet at the web site: http://www.eh.doe.gov/nepa/. Hard copies of the documents are enclosed. The EA and FONSI were prepared in accordance with the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 et seq.); the Council on Environmental Quality regulations for implementing NEPA (40 CFR 1500-1508); and the DOE NEPA Implementing Procedures and Guidelines (10 CFR 1021).

If you have any questions regarding this EA, please contact Elizabeth Withers, NEPA Compliance Officer, at (505) 667-8690.

Sincerely,

David A. Gurulé, P.E.
Area Manager
Los Alamos Area Office

LAAME:3EW-555

Enclosure

This letter (or a copy) concerning the *Wildfire Hazard Reduction and Forest Health Improvement Program at Los Alamos National Laboratory (LANL), Los Alamos, New Mexico* (DOE/EA-1329) has been sent to the following stakeholders:

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Department of Energy
National Nuclear Security Administration
Finding of No Significant Impact
for the
Wildfire Hazard Reduction and Forest Health Improvement Program
at
Los Alamos National Laboratory,
Los Alamos, New Mexico

U. S. Department of Energy
National Nuclear Security Administration
Los Alamos Area Office
528 35th Street
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DEPARTMENT OF ENERGY,
NATIONAL NUCLEAR SECUIRTY ADMINISTRATION
FINDING OF NO SIGNIFICANT IMPACT

Wildfire Hazard Reduction and Forest Health Improvement Program

at Los Alamos National Laboratory,

Los Alamos, New Mexico

BACKGROUND: On August 9, 2000, the Department of Energy (DOE), National Nuclear Security Administration (NNSA) issued a Finding of No Significant Impact (FONSI) for the Proposed Action (the No Burn Alternative) together with the Final *Environmental Assessment for the Wildfire Hazard Reduction and Forest Health Improvement Program at Los Alamos National Laboratory, Los Alamos, New Mexico* (DOE/EA 1329). As stated in the August 2000 FONSI, DOE has issued a moratorium on the use of prescribed burning at all of its facilities. This moratorium is to remain in effect until DOE issues a new policy on the use of prescribed burning, which has not yet occurred. As stated in a December 2000 DOE document entitled "Initial Joint Review of Wildland Fire Safety at DOE Sites", the moratorium applies to deliberate, planned burning of wildland areas to reduce the risk from wildfires. It does not apply to the action described in the Limited Burn Alternative (Waste Only), which is to burn piles of slash (small limbs, branches, and miscellaneous pieces of waste wood material) left after tree cutting. Although the moratorium on burning does not apply to the burning of slash piles, DOE chose to defer making a decision on the appropriateness of issuing of a FONSI on the Limited Burn Alternative (Waste Only) as well as on the Burn Alternative (Both Treatment and Forest Waste) analyzed in the subject EA until after this policy had been issued and the moratorium on prescribed burning was no longer in effect (it was anticipated at that time that the policy would be issued in December 2000). This decision was partially based on the sensitivity of DOE to the use of fire near the Los Alamos townsite so soon after the Cerro Grande Fire.

Subsequent to issuance of the August 2000 FONSI and Final EA, DOE became aware of a device called an "Air Curtain Destructor", which provides an efficient

high temperature, low emission method of burning. The DOE now proposes to burn slash and contaminated waste wood created by implementing the Wildfire Hazard Reduction and Forest Health Improvement Program projects at LANL with the use of an Air Curtain Destructor. This proposal is an action consistent with the Limited Burn (Waste Only) Alternative described and analyzed in the subject EA. The Air Curtain Destructor device utilizes an excavated pit as a chamber for burning slash and wood wastes. The device is placed at the edge of the pit and produces a high velocity curtain of air to contain the smoke and particulate matter within the fire pit. This curtain of air also injects oxygen into the fire. Constant airflow into and over the combustion allows temperatures to remain very high, resulting in relatively complete combustion of all emission products. DOE plans to excavate several pits of the appropriate size (about 15 feet wide by 35 feet long) within existing disturbed areas (such as within existing borrow pit areas) at various locations around LANL for use with this device. The Air Curtain Destructor would then be moved from pit to pit so that it could be operated near the location of the current thinning project(s). Permit applications to operate the Air Curtain Destructor have been submitted to the State of New Mexico. Operation of the Air Curtain Destructor would considerably decrease the amount of emissions (nitrogen oxides, carbon monoxide, volatile organic compounds and total particulate matter) associated with burning slash. The amount of ash left after burning was completed would be very small due to the extreme efficiency of this device; the ash would be disposed of through the LANL Waste Management Program either at the Los Alamos County Landfill or at Area G at Technical Area-54, or uncontaminated ash may be used on-site as a soil amendment. Additionally, the operation of the Air Curtain Destructor with a pit for burning slash would be a safer process for workers than open air burning. It would allow DOE to very carefully control the burning process and there would be less risk of a wildfire occurring with the use of this device as compared to open air burning of slash piles. Use of this device would result in fewer potential environmental effects and effects that are of a lesser magnitude than those identified for the Limited Burn (Waste Only) Alternative described and analyzed in the subject EA.

DOE will continue to defer making a decision on the Burn Alternative (Both Treatment and Forest Waste) analyzed in the *Wildfire Hazard Reduction and Forest Health Improvement Program at Los Alamos National Laboratory (DOE/EA-1329)*

until after the issuance of a policy by the Secretary of Energy regarding the use of prescribed burning of forested areas located within facilities under the administrative control of the DOE. This Burn Alternative would utilize prescribed burning at LANL for forest treatments, and end-state maintenance, as well as the burning of forest waste piles.

FINAL ENVIRONMENTAL ASSESSMENT: The Environmental Assessment (EA) for *Wildfire Hazard Reduction and Forest Health Improvement Program at Los Alamos National Laboratory (DOE/EA-1329)* (attached) provides sufficient evidence and analysis to determine that a Finding Of No Significant Impact (FONSI) is appropriate for the Limited Burn (Waste Only) Alternative. The EA documents the evidence and analysis in the following chapters: 1. Purpose and Need for Agency Action; 2. Description of the Proposed Action and Associated Alternatives; 3. Affected Environment; and 4. Environmental Consequences. Analyses performed in the EA conclude that potential adverse effects of the Limited Burn (Waste Only) Alternative, under normal conditions, would be minimal. No short-term or long-term adverse effects are expected to occur to air quality, visual resources, water quality, soil erosion, cultural resources, waste management, human health, socioeconomics, or utilities and infrastructure. Only biological resources would be affected long-term; beneficial effects to a variety of resources including biological are expected. Engineering and administrative controls or considerations that serve to lessen any potential for adverse environmental effects have been incorporated as integral features of the Proposed Action. Examples of this type of mitigating feature include: the careful planning that must go into each project before it is implemented, including a Facility and Forest Fire Hazard Assessment, Identification of Resource Issues, coordination with neighboring land management agencies and land owners, development of end-state conditions, formulation of treatment and environmental protection measures; the use of worker protection and health and safety measures tailored to each project; the use of hand tools to remove vegetation from cultural resource sites; the use of non-sparking equipment during periods of extreme fire danger; and the use of Best Management Practices to prevent surface soil erosion and sediment migration controls where soil disturbances are unavoidable.

The EA considered the cumulative effects of the Proposed Action with past, present and reasonably foreseeable future actions. The Wildfire Hazard Reduction and Forest Health Improvement Program would enhance the forest recovery efforts associated with the Cerro Grande Fire within LANL boundaries. Future foreseeable non-Department of Energy activities on land administered by neighboring land-owners and agencies are likely to be of a similar nature to the forest thinning proposed. The impacts from implementation of this management program and associated activities over about 10,000 acres (4,000 ha) would be a minor contribution to the overall cumulative adverse and positive impacts due to forest management practices and the implementation of other projects within the region of concern along the Pajarito Plateau in the East Jemez Mountains.

PREDECISIONAL DRAFT REVIEW & COMMENT: On July 6, 2000, the Department of Energy invited review and comment on the predecisional draft EA from the State of New Mexico; four nearby American Indian Tribes: Cochiti, Jemez, Santa Clara and San Ildefonso (sometimes referred to as the four accord pueblos because each tribe has entered into an accord with the Department of Energy); and the Mescalero Apache Tribe. In addition, the Department of Energy made the predecisional draft EA available to the general public at the same time it was provided to the State and Tribes. The availability of the EA to the public was accomplished by placing it in the Department of Energy Public Reading Rooms located within the Los Alamos National Laboratory's Community Outreach Center and Reading Room, and in the University of New Mexico's Zimmerman Library in Albuquerque. A notice was placed in three local newspapers announcing the availability of the draft EA for review, and the availability of the document was also announced during a public meeting sponsored by DOE that was broadcast live by the KRSN AM radio station on July 7,2000. The predecisional draft EA was also placed on the World Wide Web Computer Internet System. Additionally, over 50 local stakeholder groups and individuals, which have identified themselves as interested parties with regards to LANL activities, were notified by letter of the availability of the predecisional draft on July 6, 2000. Copies of the EA were provided to all interested parties for their review upon their requests. The review and comment period was 22 days long and ended on July 28, 2000, although comments received after that time period had lapsed were considered. Six separate parties provided comments to the draft EA. Comments were received from: the Department of Agriculture, Forest Service,

Santa Fe National Forest; Mr. Terrell Johnson; the Rio Grande Chapter of the Sierra Club; the State of New Mexico, Environment Department; the Department of the Interior, Fish and Wildlife Service, New Mexico Ecological Services Field Office and Mr. Raymond Tell, P.E. These sets of comments were addressed in the Final EA, individual responses to the comments were prepared by DOE, and these responses were sent to the respondents together with copies of the Final EA. Four of the stakeholders and members of the public who commented on the EA made statements of encouragement regarding DOE's use of fire as a forest treatment tool at LANL; the other two stakeholders did not express an opinion about the use of fire at LANL.

AGENCY CONSULTATIONS: No likely adverse effects to Federally-listed threatened and endangered species or their habitat are anticipated during the implementation of projects conducted under the Wildfire Hazard Reduction and Forest Health Management Program. DOE implemented a Threatened and Endangered Species Habitat Management Plan (HMP) for LANL in March 1999; all projects implemented under this Management Program will comply with the HMP or with additional restrictions developed through consultation with the U.S. Fish and Wildlife Service. The U.S. Fish and Wildlife Service has concurred on DOE's determination that the proposed action "may affect but is not likely to adversely affect" the Mexican spotted owl, the bald eagle, the whooping crane and the southwestern willow flycatcher or their critical habitat for the implementation of the HMP. The Service will be consulted on the Wildfire Hazard Reduction and Forest Health Improvement Program's management plan (which will be part of the Biological Resources Management Plan) before individual projects are performed. It is expected that all activities whether covered by the HMP or under the to-be-developed Biological Resources Management Plan would be designed to avoid an adverse affect to either species individuals or their critical habitat. Similarly, there are not likely to be adverse effects to historic, prehistoric or other cultural resources as a result of implementation of this program. The State Historic Preservation Officer has recently entered into a Programmatic Agreement with DOE regarding undertakings of no effect to cultural resources. Projects implemented under the Wildfire Hazard Reduction and Forest Health Improvement Program would be expected to comply with the provisions of the Programmatic Agreement or any additional provisions developed through the to-be-developed LANL Cultural

Resources Management Plan's consultation process. DOE's compliance requirements under the Endangered Species Act and the National Historic Preservation Act will be on-going for the Wildfire Hazard Reduction and Forest Health Improvement Program due to the long term nature of the program. The U.S. Department of Agriculture, Forest Service, Santa Fe National Forest and San Ildefonso Pueblo participated in the preparation of the subject EA as Cooperating Agencies (as defined in 40 CFR 1501.6). The Interagency Wildfire Management Team also provided information that was used in the preparation of this EA.

FINDING: The United States Department of Energy, National Nuclear Security Administration finds that there would be no significant impact from proceeding with its proposal to implement the Wildfire Hazard Reduction and Forest Health Improvement Program at Los Alamos National Laboratory as described in the Limited Burn Alternative. This finding is based on the EA, which analyzes the consequences of the relevant issues of environmental concern. The Department of Energy, National Nuclear Security Administration makes this Finding of No Significant Impact pursuant to the National Environmental Policy Act of 1969 [42 U.S.C. 4321 et seq.], the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act [40 CFR 1500] and the Department of Energy National Environmental Policy Act Implementing Procedures [10 CFR 1021]. Therefore, no environmental impact statement is required for this proposal.

Signed in Los Alamos, New Mexico this 29th day of May, 2001.

David A. Gurulé, P.E.
Area Manager
Los Alamos Area Office

FOR FURTHER INFORMATION: For further information on this proposal, this Finding Of No Significant Impact (FONSI), or the Department of Energy's National Environmental Policy Act (NEPA) review program concerning proposals at Los Alamos National Laboratory, please contact:

Elizabeth Withers, NEPA Compliance Officer

Los Alamos Area Office

U.S. Department of Energy

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Copies of this Amended FONSI (with the Environmental Assessment attached) will be made available for public review at the DOE Public Reading Room within the Los Alamos National Laboratory Community Relations Office, 1619 Central Avenue, Los Alamos, New Mexico, 87544 at (505) 665-4400 or (800) 508-4400. Copies will also be made available within the DOE Public Reading Room at the Zimmerman Library, University of New Mexico, Albuquerque, New Mexico, 87131 at (505) 277-5441.