

**Mitigation Action Plan for the Environmental Assessment and Finding
of No Significant Impact for the Reconstruction of the
South Access Road, Eddy County, New Mexico**

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U.S. Department of Energy
Carlsbad Field Office

1.0 INTRODUCTION

The United States Department of Energy (DOE), Carlsbad Field Office (CBFO) has adopted a Final Environmental Assessment (EA) prepared by the United States Department of the Interior, Bureau of Land Management Carlsbad Field Office (BLM CFO) for the proposed reconstruction of the Waste Isolation Pilot Plant (WIPP) South Access Road (County Road 802) located in Eddy County, New Mexico. The EA for this project was completed in compliance with the National Environmental Policy Act (NEPA) and a Finding of No Significant Impact (FONSI) was issued by the BLM CFO.

Through the environmental review process, the BLM CFO determined that there would be potential environmental impacts from the proposed project that would require mitigation to assure that the impacts would not become significant. Therefore, the DOE CBFO prepared this Mitigation Action Plan (MAP) to establish conditions for issuing its FONSI for this proposed project as required by DOE NEPA requirements specified in 10 Code of Federal Regulations 1021.322. This plan identifies mitigation measures that the DOE CBFO has committed to ensure are implemented for the Reconstruction of the South Access Road project. All of the mitigation measures were identified in the EA.

2.0 MITIGATION ACTION PLAN

This section describes the specific mitigation measures identified in the EA for this proposed project and how those measures will be planned and implemented, and identifies the organization responsible for their implementation. This information is presented in Table 1 – Mitigation Actions. The DOE CBFO and its management and operating contractor, Washington TRU Solutions, LLC (WTS), are responsible for ensuring that the appropriate mitigation measures are implemented by the responsible organization during project completion.

Table 1. Mitigation Actions

General Resource Category	Mitigation Measure Identified in EA	How Implemented	Responsible Organization
General Construction	<ul style="list-style-type: none"> • Cattle guards will be removed during construction and replaced in the same locations. Gates will be installed at the appropriate locations to allow the grazing lessee to move cattle across the road to adjacent pasture. • The livestock watering tank and fresh water lines will be avoided or relocated/routed during construction. • Oil and/or gas well sites and associated facilities will be avoided during construction. Historic drilling reserve pits will not be breached, only capping of the old pits will be allowed. • Access will continue to be allowed as it is currently, except in the case of an emergency shut down of the facility should a release occur. • Existing land use authorizations will be avoided when possible or will be moved if needed to allow for construction of the South Access Road. • Special timing stipulations for the lesser prairie chicken will be contained in the terms and conditions of the right-of-way grant. • Seeding requirements for sandy sites will be incorporated into the Plan of Development (POD). • The right-of-way will be constructed per 	Implementation of these measures is included as a requirement of the work to be performed in the procurement package prepared for the road reconstruction project.	WTS Road Reconstruction Contractor

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General Resource Category	Mitigation Measure Identified in EA	How Implemented	Responsible Organization
	the design specifications contained in final POD for the South Access Road.		
Air Resources	The dust abatement plan contained in the POD will include spraying water on the disturbed surface to control dust.	Implementation of these measures is included as a requirement of the work to be performed in the procurement package prepared for the road reconstruction project.	WTS Road Reconstruction Contractor
Range	Relocate livestock watering unit away from the project area in a location desirable to the rancher.	Implementation of these measures is included as a requirement of the work to be performed in the procurement package prepared for the road reconstruction project.	WTS Road Reconstruction Contractor
Soil	Follow standard practices for soil stabilization as contained in the POD and as described in the Stormwater Pollution Prevention Plan for the road reconstruction project.	Implementation of these measures is included as a requirement of the work to be performed in the procurement package prepared for the road reconstruction project.	WTS Road Reconstruction Contractor
Wildlife	Ensure that surveys for raptor nests, including burrows, and nesting structures are performed by the BLM CFO multiple times before and throughout the project. A 100- meter avoidance buffer will be employed around inactive raptor nests and a 200- meter buffer will be employed around active raptor nests. Portions of the project within these distances can be either delayed until the nest fledges or up to 90 days.	Consultation with BLM CFO prior to issuance of notice to proceed with construction activities, and at weekly intervals during construction activities.	BLM CFO, DOE CBFO, WTS
Special Status Species	In May 2008, the Pecos District Special Status Species Resource Management Plan	Implementation of these measures is included as a requirement of the	WTS Road Reconstruction Contractor

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General Resource Category	Mitigation Measure Identified in EA	How Implemented	Responsible Organization
	<p>Amendment (RMPA) was approved and is being implemented. In addition to the standard practices that minimize impacts, as listed above, the following Condition of Approval (COA) will apply: Timing Limitation Stipulation/COA for lesser prairie-chicken, to minimize noise-associated impacts that could disrupt breeding and nesting activities. All construction activities will be restricted to the hours of 9:00 am through 3:00 am for the period of March 1st through June 15th. No construction activities will be allowed between 3:00 am and 9:00 am.</p>	<p>work to be performed in the procurement package prepared for the road reconstruction project.</p>	
Noxious Weeds	<p>To reduce potential impacts from the introduction of noxious weeds in the construction area, DOE CBFO and WTS shall ensure that the road construction contractor be held responsible for noxious weed identification and control within their areas of operation.</p>	<p>Implementation of these measures is included as a requirement of the work to be performed in the procurement package prepared for the road reconstruction project.</p>	WTS Road Reconstruction Contractor