

Final Supplemental Environmental Impact Statement for a Geologic Repository for the Disposal of Spent Nuclear Fuel and High-Level Radioactive Waste at Yucca Mountain, Nye County, Nevada (DOE/EIS-0250F-S1) (Repository SEIS)

9.2.3 NYE COUNTY PERSPECTIVE ON MANAGEMENT ACTIONS TO MITIGATE POTENTIAL ADVERSE IMPACTS

This section presents the viewpoint of Nye County as a cooperating agency and the situs county of the Proposed Action of this Repository SEIS.

As discussed in the Nye County Viewpoint in Chapter 8, Section 8.6.2, the County believes that the majority of the direct, indirect, and *cumulative impacts* of past and ongoing federal actions, as well as those incremental impacts that can be reasonably expected to occur if the Proposed Action is implemented, can be effectively mitigated. Even the groundwater *contamination* that resulted from nuclear testing, although not directly remediable, can be addressed through management actions. It is imperative from Nye County's perspective, however, that the Repository SEIS clearly identify the full spectrum of appropriate mitigation measures, whether or not DOE has the jurisdictional authority for implementation of the mitigation measures.

Nye County believes that DOE's evaluation in this Repository SEIS of potential impacts from the Proposed Action has been adequately rigorous. Because of differences in perspective between DOE and Nye County, however, coupled with uncertainty about future conditions, the County believes that the conclusions about potential impacts presented in this SEIS should be continuously assessed and evaluated through an appropriate monitoring program.

Nye County believes that the most prudent course of action, should the Proposed Action be implemented, would be to include an aggressive and comprehensive program of environmental monitoring, including monitoring of socioeconomic factors. As the local jurisdiction affected by the Proposed Action and as a cooperating agency in the preparation of this Repository SEIS, Nye County's view is that there is mutual benefit for the federal and local government in partnering to monitor, assess, and evaluate conditions at and around the repository site as repository-related activities take place. In this way, Nye County can assist DOE in the identification of any potential impacts, whether significant or not, and cooperatively develop effective and efficient mitigations, as appropriate, through ongoing adaptive management.

The Council on Environmental Quality's NEPA Task Force, in *Modernizing NEPA Implementation* (DIRS 185310-CEQ 2003, all), recommended the use of an adaptive management approach (predict, mitigate, implement, monitor, and adapt). DOE can take action with an adaptive management plan in place to account for unanticipated changes in local conditions or subsequent information that might affect the original environmental and socioeconomic conclusions that were presented in this Repository SEIS. Using the recommended adaptive management approach, DOE would be able to make cost-saving adjustments when the Proposed Action and mitigation strategies are implemented. The ability to adjust when necessary, and to have a strategy in place for such adjustments, would provide management flexibility when constraints and opportunities are encountered.

The adaptive management plan would be designed and implemented as part of the Proposed Action. As indicated by its title, the plan is meant to be “adaptive.” The plan would be modified, if necessary, to address inefficiencies in approach or changes in environmental and socioeconomic conditions. Monitoring data collected as part of the planned activities would be analyzed and reviewed regularly to ensure early detection of potential issues.

The initial adaptive management plan would be based on the existing environmental conditions described in this Repository SEIS and the current knowledge of resources in the vicinity of the repository. The initial plan would be focused on the establishment of environmental and socioeconomic baseline conditions and management of the monitoring and mitigation activities associated with the Yucca Mountain Repository. It would specifically address the management of monitoring and mitigation activities associated with construction and operation of the repository and related facilities, while recognizing the need for identification of non-repository-related environmental and socioeconomic stressors that could exacerbate potential repository-related impacts.

Nye County proposes to constructively engage DOE to assist in identifying the resource areas that it believes will be susceptible to further impacts. Such identification would be based on the County’s perspective on cumulative impacts as presented in Chapter 8, Section 8.6.2, and on the results of DOE’s analyses presented in the body and appendices of this Repository SEIS. Nye County believes that such mutual consultation and cooperation should be documented through formal agreements. Nye County also believes that it would be beneficial to both DOE and the County if the adaptive management approaches for both rail and repository activities in Nye County were integrated.

With a memorandum of understanding/consultation and cooperation agreement (NWPA Section 117), Nye County will assist DOE in the identification of environmental and socioeconomic impacts and their significance, and then cooperatively plan and develop effective mitigation measures. Some mitigation measures need to be started several years before the Yucca Mountain Project starts (for example, road construction and worker training programs). As the situs jurisdiction for the Yucca Mountain Project, Nye County has a tremendous stake in the NEPA process and will continue to participate as a cooperating agency and protect the safety, environmental values, and economic well-being of the residents of Nye County.