

NEPA REVIEW SCREENING FORM (NRSF) 3
Categorically Excluded Actions

Document ID #:
DOE/CX-00217 , R1

I. Project Title:

Activity-Specific Categorical Exclusion for Extension of U.S. Department of Energy, Richland Operations Office, Permit Issued to the U.S. Fish and Wildlife Service for use of Fitzner-Eberhardt Arid Lands Ecology Reserve

II. Describe the proposed action, including location, time period over which proposed action will occur, project dimension (e.g., acres displaced/disturbed, excavation length/depth), and area/location/number of buildings. Attach narratives, maps and drawings of proposed action. Describe existing environmental conditions and potential for environmental impacts from the proposed action. If the proposed action is not a project, describe the action or plan.

The U.S. Department of Energy (DOE), Richland Operations Office (RL), acting as the federal agency with jurisdiction over the Hanford Site, has granted two permits to the U.S. Fish and Wildlife Service (USFWS) for use of portions of land comprising the Hanford Reach National Monument (the Monument). Specifically, the June 20, 1997, Fitzner-Eberhardt Arid Lands Ecology (ALE) Reserve Permit (the ALE Permit) to manage the 77,000-acre ALE Reserve and the November 22, 1971, Wahluke Slope Permit for management and recreational use of the 57,000-acre former Wahluke Wildlife and Recreational Area (now part of the Saddle Mountain National Wildlife Refuge). The ALE Permit has a twenty-five (25) year term and expires on June 20, 2022. While the Wahluke Slope Permit has a termination clause, it does not have a termination date and remains in effect until such time it is canceled by written agreement between the USFWS Regional Director and the DOE-RL Manager.

The DOE-RL proposes a two-year extension of the existing ALE Permit to June 20, 2024. No actions related to the existing Wahluke Slope Permit are proposed at this time. DOE-RL and USFWS propose to sign a two-year extension of the existing ALE Permit while options for a long-term permit are developed and considered. The two-year extension would provide time for the agencies to engage with Tribes and stakeholders, as appropriate. On January 20, 2022, the DOE-RL and USFWS sent jointly signed letters to tribal leadership of the Confederated Tribes of the Umatilla Indian Reservation, Nez Perce Tribe, Confederated Tribes and Bands of the Yakama Nation, and Wanapum People, which describe the proposed two-year extension of the existing ALE Permit and offer engagement and consultation on the permit extension. The ALE is part of the Monument and includes Rattlesnake Mountain (part of the area known as "Laliik"), which has been determined by DOE to be a historic property of cultural and religious significance to tribes, and a Traditional Cultural Property (TCP) under the "National Historic Preservation Act." The proposed permit extension does not change USFWS responsibilities to provide public access to Rattlesnake Mountain as directed by the "2015 National Defense Authorization Act."

The DOE-RL retains administrative jurisdiction of the ALE Reserve, grants the USFWS access, and assigns the USFWS as manager of the land (see attached map). Details of the agreement are addressed in the "Memorandum of Understanding (MOU) between the DOE-RL and the USFWS regarding Hanford Site Land Management," which was signed on May 6, 2019 and replaces the June 14, 2001 and August 8, 2014 agreements addressing operation of the ALE Reserve including management of the Monument consistent with Presidential Proclamation 7319. In accordance with the provisions stated therein, the MOU remains in effect for a five-year term from the date of its signing (until May 6, 2024). The MOU is hereby incorporated by reference.

Both the DOE-RL and the USFWS have authority to enter into agreements pursuant to Presidential Proclamation 7319. The USFWS also has authority to enter into agreements pursuant to the "National Wildlife Refuge System Administration Act" as amended by the "National Wildlife Refuge System Improvement Act" and the "Fish and Wildlife Coordination Act." The DOE-RL has authority to enter into agreements pursuant to the "Department of Energy Organization Act," the "Atomic Energy Act," and the "National Defense Authorization Act of 2015," as amended.

The DOE-RL and the USFWS are committed to working together for the long-term protection of the lands and resources of the Hanford Site and managing the land pursuant to Presidential Proclamation 7319. They do so through collaboration, identifying roles and responsibilities, sharing technical expertise, and updating and consolidating existing agreements and permits, when appropriate.

The Monument was created from lands originally established to provide a safeguards and security buffer around operational areas at the Hanford Site and more recently to support the DOE-RL mission to remediate the site and maintain waste in a safe and secure manner in order to reach

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final disposition. This buffer area has remained largely untouched, or at least undeveloped. It is this remnant of the unique and biologically diverse shrub-steppe ecosystem that once covered the interior Columbia Basin that led to Presidential Proclamation 7319 on June 9, 2000, establishing the 195,000-acre Monument. The Monument is managed jointly by the USFWS and the DOE-RL, and is superimposed over the outskirts of the 371,200-acre (580 square miles) Hanford Site. The USFWS administers the Monument as an overlay national wildlife refuge. The USFWS manages approximately 165,000-acres of the Monument through permits and other agreements with the DOE-RL. The DOE-RL directly manages approximately 29,000-acres of the Monument, while the Washington State Department of Fish and Wildlife manages the remainder under a DOE-RL permit.

Under the auspices of the "National Wildlife Refuge System Improvement Act," the USFWS issued a "Hanford Reach National Monument Comprehensive Conservation Plan and Environmental Impact Statement" (CCP-EIS) and "Record of Decision" (ROD) in August 2008. The CCP-EIS and ROD guide the USFWS in its management of the Monument and is used in conjunction with permits, MOUs, and other agreements with the DOE-RL. The DOE-RL manages its portion of the Monument and other areas of the Hanford Site not within the Monument consistent with existing regulatory agreements regarding remediation of the Hanford Site ("Hanford Federal Facility Agreement and Consent Order"), the "Hanford Comprehensive Land-Use Plan Environmental Impact Statement" (HCP-EIS) and ROD (DOE/EIS-0222F), and Presidential Proclamation 7319. The HCP-EIS and ROD establish a map, designations, policies, and procedures for land use on the Hanford Site, which are implemented through various Resource Management Plans and Area Management Plans.

The DOE-RL proposed action to extend the ALE Permit has "National Environmental Policy Act" (NEPA) coverage under 10 CFR 1021, Subpart D, Appendix B, Categorical Exclusion (CX) B1.25, "Real Property Transfers for Cultural Resources Protection, Habitat Preservation, and Wildlife Management." This CX provides for the transfer, lease, disposition, or acquisition of interests in land and associated buildings for cultural resources protection, habitat preservation, or fish and wildlife management, provided that there would be no potential for release of substances at a level, or in a form, that could pose a threat to public health or the environment.

The DOE-RL proposed action meets the requirements and conditions that are integral elements for categorical exclusion under DOE's NEPA Implementing Procedures (10 CFR 1021) without extraordinary circumstances. The proposed action would not have an individually or cumulatively significant impact on the human environment, fits the class of actions described in CX B1.25, has not been segmented into small projects to avoid significance of the total action, and is not connected to other actions with potentially significant impacts. The proposed action would not violate applicable statutory, regulatory, or permit requirements and would not involve siting, construction or expansion of treatment, storage, or disposal facilities. Additionally, the proposed action would not disturb hazardous substances, pollutants, contaminants, or preexisting CERCLA-excluded petroleum or natural gas products such that there would be uncontrolled or unpermitted releases. Furthermore, the proposed action would not have significant adverse impacts on natural, cultural/historic [the proposed action does not qualify as an undertaking under 36 CFR 800.16(y)], ecological, or other sensitive resources and specially designated areas that cannot be mitigated. Finally, the proposed action would not result in the unauthorized or uncontrolled release of genetically engineered organisms, synthetic biology, noxious weeds, or invasive species.

A federal agency may define extraordinary circumstances so that a particular situation, such as the presence of a protected resource, is not considered an extraordinary circumstance per se, but a factor to consider when determining if there are extraordinary circumstances, such as a significant impact to that resource. If extraordinary circumstances are present, DOE-RL nevertheless may categorically exclude the proposed action if it is determined that there are circumstances (i.e., mitigation measures) that lessen the impacts or other conditions sufficient to avoid significant effects [40 CFR 1501.4(b)(1)].

III. Existing Evaluations (Provide with NRSF to DOE NCO):

Maps:

Attachment - DOE-RL and USFWS MOU Map

Other Attachments:

N/A

IV. List Applicable CX(s) from Appendix B to Subpart D of 10 CFR 1021:

B1.25, "Real Property Transfers for Cultural Resources Protection, Habitat Preservation, and

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IV. List Applicable CX(s) from Appendix B to Subpart D of 10 CFR 1021:

Wildlife Management"

V. Integral Elements and Extraordinary Circumstances (See 10 CFR 1021, Subpart D, B. Conditions that are Integral Elements of the Class of Actions in Appendix B; and 10 CFR 1021.410(b)(2) under Application of Categorical Exclusions)	Yes	No
Are there extraordinary circumstances that may affect the significance of the environmental effects of the proposed action? If yes, describe them.	<input type="radio"/>	<input checked="" type="radio"/>
Is the proposed action connected to other actions with potentially significant impacts, or that could result in cumulatively significant impacts? If yes, describe them.	<input type="radio"/>	<input checked="" type="radio"/>
Would the proposed action threaten a violation of applicable statutory, regulatory, or permit requirements related to the environment, safety, health, or similar requirements of DOE or Executive Orders?	<input type="radio"/>	<input checked="" type="radio"/>
Would the proposed action require siting, construction, or major expansion of waste storage, disposal, recovery, or treatment facilities?	<input type="radio"/>	<input checked="" type="radio"/>
Would the proposed action disturb hazardous substances, pollutants, contaminants, or natural gas products already in the environment such that there might be uncontrolled or unpermitted releases?	<input type="radio"/>	<input checked="" type="radio"/>
Would the proposed action have the potential to cause significant impacts on environmentally sensitive resources? See examples in Appendix B(4) to Subpart D of 10 CFR 1021.	<input type="radio"/>	<input checked="" type="radio"/>
Would the proposed action involve genetically engineered organisms, synthetic biology, governmentally designated noxious weeds, or invasive species, such that the action is not contained or confined in a manner designed, operated, and conducted in accordance with applicable requirements to prevent unauthorized release into the environment?	<input type="radio"/>	<input checked="" type="radio"/>
If "No" to all questions above, complete Section VI, and provide NRSF and any attachments to DOE NCO for review. If "Yes" to any of the questions above, contact DOE NCO for additional NEPA review.		

VI. Responsible Organization's Signatures:

Initiator:

Jerry W. Cammann, HMIS NEPA SME
 Print First and Last Name

JERRY CAMMANN
 (Affiliate)
 Digitally signed by JERRY CAMMANN (Affiliate)
 Date: 2022.05.12 13:23:27 -07'00'
 Signature / Date

Cognizant Program/Project Representative:

Paula K. Call, DOE-RL SSD
 Print First and Last Name

PAULA CALL
 Digitally signed by PAULA CALL
 Date: 2022.05.12 11:01:19 -07'00'
 Signature / Date

VII. DOE NEPA Compliance Officer Approval/Determination:

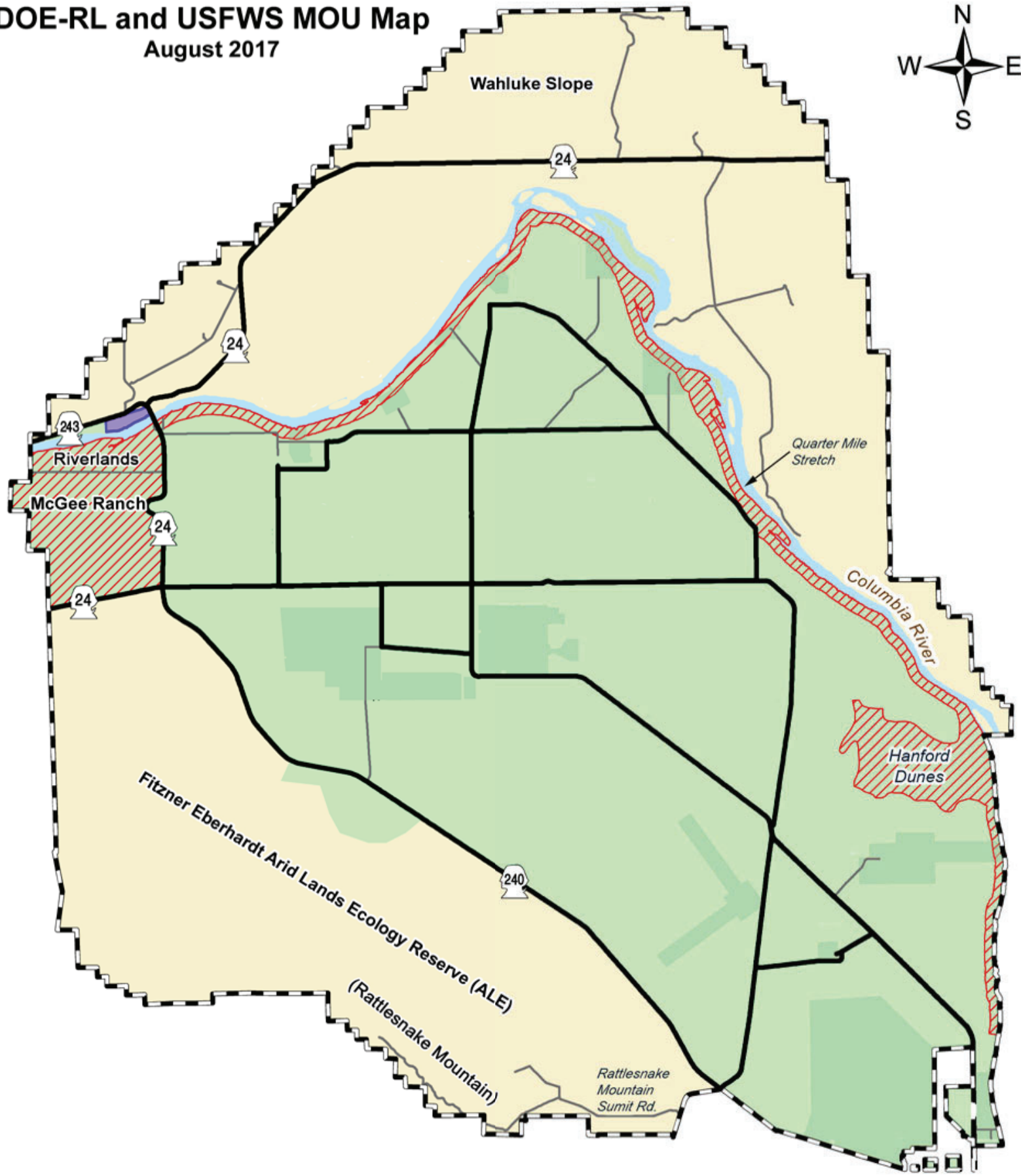
Based on my review of information conveyed to me concerning the proposed action, the proposed action fits within the specified CX(s): Yes No

Douglas H. Chapin, DOE Hanford NCO
 Print First and Last Name

Douglas H. Chapin
 Digitally signed by Douglas H. Chapin
 Date: 2022.05.12 13:07:12 -07'00'
 Signature / Date

NCO Comments:

DOE-RL and USFWS MOU Map
 August 2017



- DOE Managed Areas (Central Hanford)
- DOE Managed Areas (Monument)
- USFWS Managed Areas of the Monument or Refuge
- Washington Department of Fish & Wildlife Managed Areas of the Monument

