

**NEPA REVIEW SCREENING FORM (NRSF) 3**  
**Categorically Excluded Actions**

**Document ID #:**  
**DOE/CX-00217, R2**

**I. Project Title:**

Second Two Year Extension of U.S. Department of Energy, Richland Operations Office, Permit Issued to the U.S. Department of the Interior, 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.**

BACKGROUND

The U.S. Department of Energy (DOE), Richland Operations Office (RL), acting as the federal agency with jurisdiction over the Hanford Site, has issued two permits to the U.S. Department of the Interior (DOI), Fish and Wildlife Service (USFWS), for use of land comprising portions of the Hanford Reach National Monument (the Monument). Specifically, the June 20, 1997, Fitzner-Eberhardt Arid Lands Ecology Reserve Permit (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, which is now part of the Saddle Mountain National Wildlife Refuge.

The original ALE Permit had a twenty-five (25) year term and would have expired on June 20, 2022. However, DOE-RL approved the first two year extension of the ALE Permit from June 20, 2022, to June 20, 2024, under a DOE National Environmental Policy Act (NEPA) Implementing Procedures [Title 10, Code of Federal Regulations (CFR), Part 1021, Subpart D, Appendix B] categorical exclusion (DOE/CX-00217, Revision 1). This categorical exclusion was approved by the DOE Hanford NEPA Compliance Officer (NCO) on May 12, 2022. While the Wahluke Slope Permit contains 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 Hanford Immediate Office of the Manager.

DOE-RL proposes a second two year extension of the ALE Permit from June 20, 2024, to June 20, 2026. No actions related to the Wahluke Slope Permit are proposed at this time. The second two year extension of the ALE Permit would allow DOE-RL and USFWS to develop and consider options for a long-term permit.

DOE-RL retains administrative jurisdiction of the ALE Reserve, grants USFWS access, and assigns USFWS as manager of the land (see attached map) in accordance with the terms, conditions, and other stipulations in the land use permit and related memorandum of understanding (MOU) executed between DOE-RL and USFWS regarding management of land on the Hanford Site. The current MOU was signed on May 6, 2019, and replaced the June 14, 2001, and August 8, 2014, agreements addressing operation of the ALE Reserve including management of the land consistent with Presidential Proclamation 7319 establishing the Monument. In accordance with the provisions stated therein, the current MOU remains in effect for a five-year term from the date of its signing and expires on May 6, 2024. DOE-RL and USFWS would amend this MOU prior to the expiration date, as appropriate. The existing MOU, as amended, is hereby incorporated by reference into this NEPA Review Screening Form.

DOE-RL and USFWS have authority to enter into agreements pursuant to Presidential Proclamation 7319. 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. DOE-RL also 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.

DOE-RL and USFWS are committed to working together for the long-term protection and preservation of the Monument and its many resources. This includes managing the land pursuant to Presidential Proclamation 7319 and consistent with applicable Hanford Site land use planning documents and governing regulatory requirements. The federal agencies achieve this mutual commitment through collaboration, consultation, established roles and responsibilities, sharing technical expertise, and updating existing or developing new permits, MOUs, or other agreements, when necessary.

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**HANFORD REACH NATIONAL MONUMENT**

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 mission to remediate and manage waste treatment, storage, and disposal sites in a safe, secure, and regulatory compliant manner. This buffer area has remained largely undeveloped but has been disturbed by wildfires. It is this remnant of the unique and biologically diverse shrub-steppe ecosystem that once covered the interior Columbia Basin that led to the signing of Presidential Proclamation 7319 on June 9, 2000, establishing the 195,000 acre Monument. The Monument is managed by DOE-RL and the USFWS management role is as defined under existing agreements. The Monument is superimposed over the outskirts of the 371,200 acre (580 square miles) Hanford Site. USFWS manages roughly 165,000 acres of the Monument as an overlay national wildlife refuge through permits, MOUs, and other agreements with DOE-RL. DOE-RL directly manages approximately 29,000 acres of the Monument, while the Washington State Department of Fish and Wildlife (WDFW) manages the remaining 1,000 acres under a DOE-RL permit.

Under the auspices of the National Wildlife Refuge System Improvement Act, USFWS issued the 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 provide guidance for USFWS management of the Monument and are used in conjunction with permits, MOUs, and other agreements with DOE-RL. DOE-RL manages its portion of the Monument and other areas of the Hanford Site not within the Monument consistent with existing regulatory agreements and environmental documents governing management and remediation of the Hanford Site (i.e., Hanford Federal Facility Agreement and Consent Order, commonly referred to as the Tri-Party Agreement), Final 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 [e.g., DOE/RL-96-32, Hanford Site Biological Resources Management Plan (BRMP) and DOE/RL-98-10, Hanford Cultural and Historic Resources Management Plan (CHRMP)].

**CULTURAL RESOURCES**

The Monument is one of few remaining archaeologically rich areas in the western Columbia Plateau with remnants of human history spanning more than 10,000 years. This largely arid environment contains extensive and well preserved artifacts of cultural and historic significance to the region. Areas upland from the Columbia River show evidence of concentrated human activity, and recent surveys indicate extensive use of arid lowlands for hunting. Hundreds of prehistoric archaeological sites have been recorded, including the remains of pit houses, graves, spirit quest monuments, hunting camps, game drive complexes, quarries, and hunting and kill sites. A number of area Native American tribes still have cultural ties to the Monument. The Monument also contains historic structures and other remains from more recent human activities.

Rattlesnake Mountain, known to the Yakama Nation as Laliik meaning land above the water, is a prominent feature of the ALE Reserve. Historians speculate that the name Laliik refers to the inundation of the Columbia River Plateau during the Missoula floods that occurred in the region about 13,000 years ago when ice dams melted releasing Glacial Lake Missoula. Rattlesnake Mountain would have been one of few mountains in the area not completely inundated by flood waters that reached depths of 1200 feet based on glacial erratics found on the mountain at this elevation.

Rattlesnake Mountain has been determined by DOE-RL to be a historic property of cultural and religious significance to area Native American tribes, and a Traditional Cultural Property (TCP) under the National Historic Preservation Act. Recognition of Rattlesnake Mountain as a TCP reflects its sacred status to the Yakama Nation and other area Native American tribes.

The proposed second extension of the ALE Permit would not change existing USFWS responsibilities to provide public access to the summit of Rattlesnake Mountain as directed by Section 3081 of the National Defense Authorization Act of 2015, which was signed on December 19, 2014. Such access is intended for educational, recreational, historical, scientific, cultural, and other purposes including motor vehicle, pedestrian, and other non-motorized access. Additionally, existing and newly developed Memorandums of Agreement (MOAs) or Programmatic Agreements (PAs) between DOE-RL, the State Historic Preservation Officer (SHPO), and area Native American tribes to resolve adverse effects resulting from undertakings on Rattlesnake Mountain should not be affected by extension of

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the ALE Permit. Furthermore, the MOU regarding protection of and tribal access to the DOE-managed portion of Rattlesnake Mountain, signed on December 1, 2023, by the Secretary of Energy and Secretary of the Interior, would not be affected by extension of the ALE Permit.

Historic military installations are scattered mostly in the central portion of the Hanford Site, but also include several anti-aircraft artillery sites within the Monument, three Nike (Greek goddess of victory) missile sites on Wahluke Slope, and one Nike missile site at the base of Rattlesnake Mountain on the ALE Reserve. The anti-aircraft artillery sites and Nike missile sites provided defense of the Hanford Site's plutonium production facilities during the 1950's and early 1960's. The Nike missile site on the ALE Reserve has been determined eligible for inclusion in the National Register of Historic Places (authorized under the National Historic Preservation Act) as a contributing property within the Hanford Site Manhattan Project and Cold War Era Historic District. Potential archaeological resources at these sites include former gun emplacements, launch and radar sites, concrete foundations and pads, pathways and sidewalks, debris scatters, small arms firing ranges, and ammunition caches.

There are ongoing discussions between the DOI, DOE, and area Native American Tribes regarding development of a cooperative stewardship type framework for Tribal co-stewardship of certain resources on the federally owned portion of Rattlesnake Mountain. Parts of the western slope of Rattlesnake Mountain are privately owned ranch land, while the eastern slope is under federal ownership as part of the ALE Reserve.

No adverse cultural resources effects would be anticipated as a result of extending the ALE Permit. Cultural resources would continue to be protected and preserved in accordance with applicable federal, state, and local laws and implementing regulations including the Presidential Proclamation establishing the Monument. Furthermore, potential cultural resource effects would be mitigated in accordance with applicable DOI and DOE NEPA reviews including, but not limited to, the CCP-EIS/ROD, HCP-EIS/ROD, and implementing resource management plans such as the Hanford Site CHRMF. Finally, effects to cultural resource would be mitigated in accordance with the terms, conditions, and other stipulations of the ALE Permit, MOU, or other existing or newly developed agreements between DOE-RL and the USFWS. This includes existing and newly developed MOAs and PAs between DOE-RL, SHPO, and area Native American tribes to resolve adverse effects resulting from undertakings on the ALE Reserve.

**ECOLOGICAL RESOURCES**

The ALE Reserve was recognized as a valuable area for plant conservation and scientific study in 1967 due to the rich and relatively undisturbed nature of its native shrub-steppe ecosystem. As a result of this recognition, the ALE Reserve was designated a Federal Research Natural Area in 1971, which is a land designation establishing areas with predominantly natural conditions and processes for research and educational purposes. Major wildfires in 2000 and 2007 impacted vast areas of the ALE Reserve that contained one of the largest remaining undisturbed shrub-steppe vegetation communities in Washington State. As a result of these wildfires and historic grazing practices, many areas of sagebrush have been replaced by extensive areas of cheatgrass and other invasive plant species.

Rattlesnake Mountain, which is part of the ALE Reserve, is reputedly the highest "treeless" mountain in the continental United States. Ecological conditions on the ALE Reserve improve with increasing elevation and more northerly aspects on Rattlesnake Mountain. The ALE Reserve has the largest expanses of loamy soils and north-facing aspects in the Monument. Plant communities above 900 feet in elevation support the largest contiguous expanses of shrub-steppe in the Monument and the single largest element occurrence (i.e., needed component of an ecosystem of natural areas) of bluebunch wheatgrass grassland in the Columbia Basin.

Two major spring systems, Snively and Rattlesnake, cross the western half of the ALE Reserve. These relatively lush, isolated aquatic and riparian areas contrast greatly with the surrounding dry shrub-steppe vegetation. Three abandoned fields located in the Snively Basin still contain large areas of grass, which are dominated by black rye planted by landowners in the early 1940's.

The crest of Rattlesnake Mountain supports high quality, low growing lithosol communities on the shallow rocky soil and scattered areas of sagebrush including three-tip sagebrush. The most ecologically important element occurrences in the ALE Reserve are the big sagebrush/bluebunch wheatgrass and three-tip sagebrush/bluebunch wheatgrass or Idaho fescue plant communities that

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cover nearly 40,000 contiguous acres on Rattlesnake Mountain. Other element occurrences that add to the diversity and uniqueness of the site include more than 1,000 acres of winterfat/Sandberg's bluegrass on the lower slopes of Rattlesnake Mountain, the big sagebrush/Sandberg's bluegrass occurrences on the flats in the Dry and Cold Creek Valleys, the willow riparian complex associated with the springs and creeks, a degraded but uncommon example of black greasewood/alkali saltgrass, and a small occurrence of bitterbrush/dune complex at lower elevations. Other parts of the ALE Reserve that contain significant areas of big sagebrush are those along State Highway 240.

No adverse ecological resources effects would be anticipated as a result of extending the ALE Permit. Ecological resources would continue to be protected and preserved in accordance with applicable federal, state, and local laws and implementing regulations including the Presidential Proclamation establishing the Monument. Furthermore, ecological resource effects would be mitigated in accordance with applicable DOI and DOE NEPA reviews including, but not limited to, the CCP-EIS/ROD, HCP-EIS/ROD, and implementing resource management plans such as the Hanford Site BRMP. Finally, ecological resource effects would be mitigated in accordance with the terms, conditions, and other stipulations of the ALE Permit, MOU, or other existing or newly developed agreements between DOE-RL and the USFWS.

**CONCLUSIONS**

The DOE-RL proposed action for a second two year extension of the ALE Permit has NEPA coverage under DOE's NEPA Implementing Procedures at 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 where a normally excluded action would have significant effects. 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 individually insignificant but cumulatively 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 resources (i.e., air, water, etc.), cultural/historic resources, ecological resources, or specially designated areas. The proposed action would have beneficial effects by continuing to protect and preserve natural, cultural/historic, and ecological resources on the ALE Reserve and serve to implement the provisions of the Presidential Proclamation establishing the Monument. Finally, the proposed action would not result in the unauthorized or uncontrolled release of genetically engineered organisms, synthetic biology, noxious weeds, or invasive species because they would be contained or confined in a manner prescribed by applicable requirements and using best management practices, as necessary.

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 the agency determines 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)].

Any changes in the proposed action as described herein may require further review and approval as determined by the DOE Hanford NEPA Compliance Officer.

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

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**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 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.

Is the proposed action connected to other actions with potentially significant impacts, or that could result in cumulatively significant impacts? If yes, describe them.

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?

Would the proposed action require siting, construction, or major expansion of waste storage, disposal, recovery, or treatment facilities?

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?

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.

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?

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: 2024.03.19 12:41:08 -07'00'*  
 Signature / Date

**Cognizant Program/Project Representative:**

Tashina R. Jasso, DOE-RL/SSD  
 Print First and Last Name

*Tashina*

*Digitally signed by Tashina R. Jasso  
 Date: 2024.03.20 11:12:27 -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 CHAPIN

*Digitally signed by DOUGLAS CHAPIN  
 Date: 2024.03.20 11:38:58 -07'00'*  
 Signature / Date

**NCO Comments:**

**ATTACHMENT**

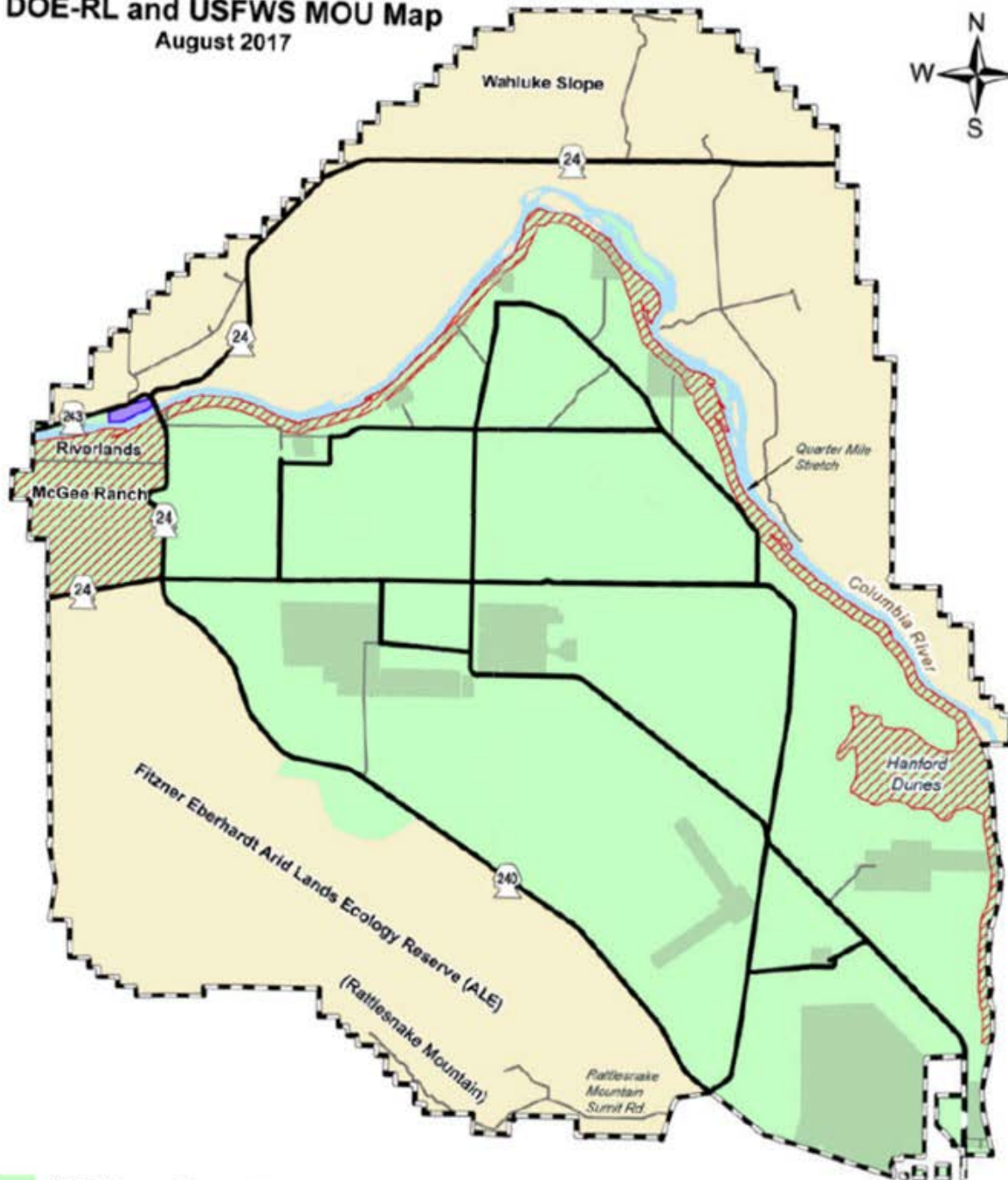
**DOE/CX-00217, Revision 2**

**Second Two Year Extension of U.S. Department of Energy, Richland Operations Office, Permit  
Issued to the U.S. Department of the Interior, Fish and Wildlife Service, for use of Fitzner-  
Eberhardt Arid Lands Ecology Reserve**

**DOE-RL and USFWS Memorandum of Understanding Map**

**(2 Pages Including this Page)**

**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

