

SECTION A. Project Title: Hunting Boundary Signage

SECTION B. Project Description and Purpose:

DOE is proposing to expand the boundary of the hunting area on the Idaho National Laboratory (INL) Site that is available to the public for hunting. The Idaho Department of Fish and Game (IDFG) has requested an expanded opportunity for public hunters to pursue elk on the INL Site in response to a substantial increase in depredation claims by agricultural producers on crop lands surrounding the site. IDFG has identified elk herds residing on the INL Site as the primary cause of these depredation claims. Public access for hunting is currently restricted to within 0.5 miles of the Site border in select areas of the northeastern and western site boundaries that border agricultural lands. The boundary expansion will increase public access for hunting to an additional 82.8 square miles of the INL Site. IDFG believes increasing public access for hunting in these areas will increase the harvest of elk herds finding refuge on the Site to support a reduction in crop damage and subsequent depredation claims.

No ground disturbing activities, other than placement of boundary marker signs and driving vehicles to get to those locations, will occur from this proposed action. Existing hunting boundary signs and sign posts will be removed as part of this project.

Background of Hunting Boundary:

Beginning in the late 1980s, IDFG identified that big game, primarily elk and pronghorn antelope, benefiting from the refuge of the INL Site, cause crop damage to surrounding agricultural fields. This results in monetary loss to the producers with limited financial compensation by the state. In 1989, to address the damage caused by big game, IDFG and DOE established an authorization and agreement (A&A) to allow limited hunting on the INL Site within 0.5 miles of the agricultural fields on an as-needed basis during periods of increased crop depredation. DOE notification was required prior to conducting any hunts under the terms of the A&A.

In 1994, IDFG requested an additional hunting area to address elk depredation occurring at the southern end of the Lemhi Mountains. This additional area is located north of Highway 33, west of Highway 22, and south and west of the Kyle Canyon Road (see Figure 1). DOE approved the request for a depredation hunt in this expanded area for the 1994 season. Following the 1995 season, IDFG requested that this area, referred to as the Kyle Canyon area, be added to the A&A for continued public hunting access. DOE agreed to add this area, and it has been opened annually for public hunting in accordance with the restrictions of the IDFG-administered INL Site hunting pass, beginning with the 1996 season.

The A&A limits public hunting to only pronghorn antelope and elk during the seasons prescribed by IDFG because these are the species primarily responsible for crop depredation.

IDFG reports that the elk depredating the adjacent agricultural lands have become largely nocturnal in nature, leaving the INL Site after legal hunting hours (i.e., 30 minutes after sunset) and returning to seek refuge before legal hunting hours (i.e., 30 minutes before sunrise). This has resulted in a situation where the elk are not available for harvest by hunters. IDFG believes that expanding the hunting boundaries will result in an increased harvest to curb the growth of the herd because hunters will have access to areas currently used by elk during daylight hours. In addition to the increased harvest, another benefit of expanded hunting opportunity is to apply pressure to the herds with the effect of modifying their behavior from frequenting areas where there is an increased hunter presence.

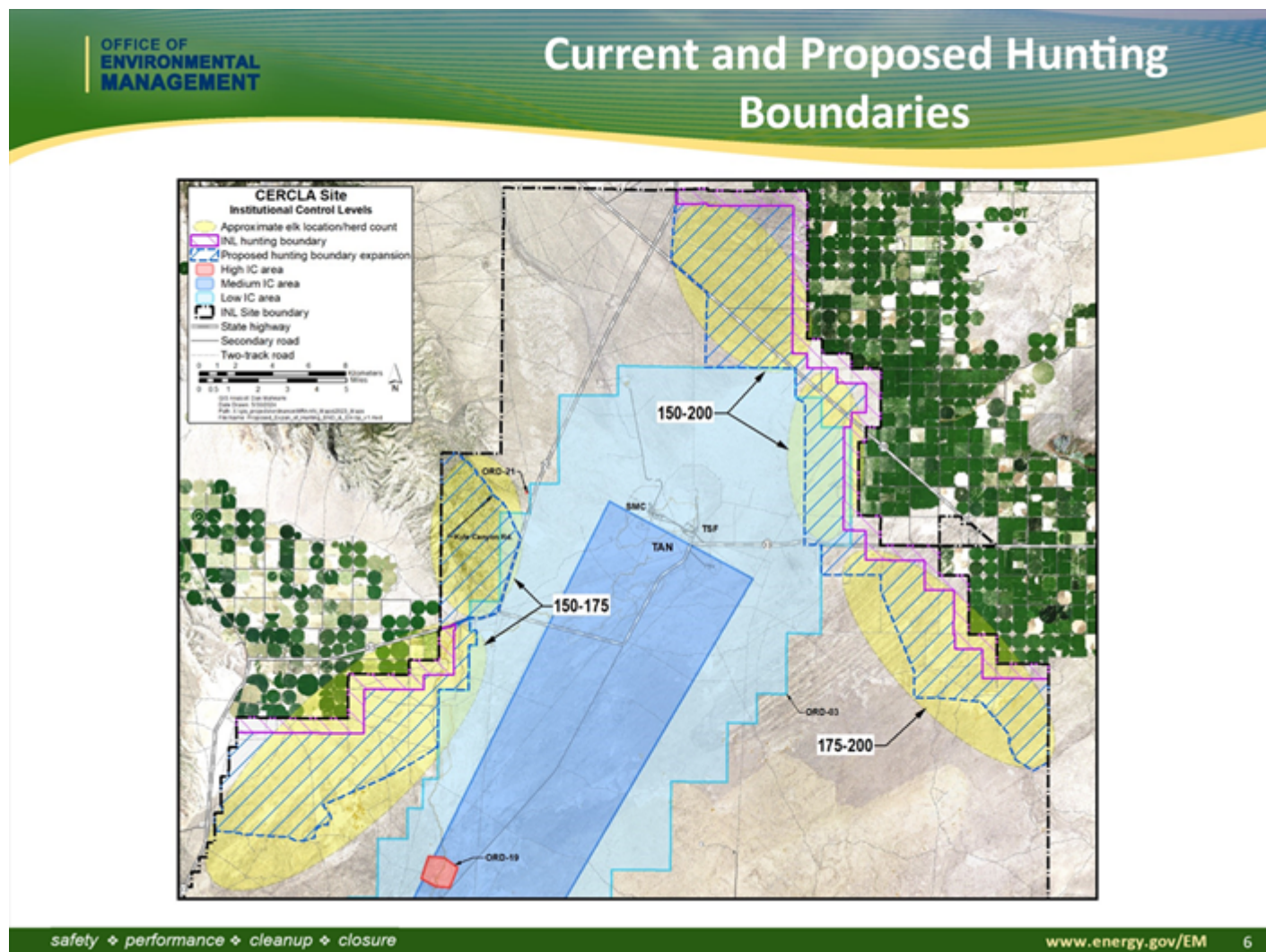
The success of changing the feeding patterns of elk is directly related to the distance between areas that provide security (INL) and where they obtain their food source (agricultural lands). Hunting pressure will extend the current distance between these resources and will encourage elk to find an alternate food source closer to the areas that provide them security. IDFG has documented success in reducing depredation claims through herd reduction and the modification of feeding patterns throughout Idaho, including at the Camas National Wildlife Refuge, which is located in the same hunting unit (Unit 63) as INL. IDFG has added elk tags and expanded hunting opportunities on the refuge, which has resulted in reducing the abundance of the local elk through increased harvest and modified elk behavior.

The proposed action is to expand the area beyond the current 0.5-mile limit to allow public hunters to pursue and harvest elk currently seeking refuge onsite to support reduction of crop damage and associated financial losses on adjoining agricultural lands.

In addition to this analysis, DOE also drafted an Explanation of Significant Differences (ESD) for Operable Units 10-04, 4-13, 5-12, and 1-10 Record of Decisions for the Expansion of Public Hunting Boundaries at the Idaho National Laboratory. The ESD applies to the remedial actions performed under the following records of decision (RODs) at the Idaho National Laboratory (INL) Site:

- *Record of Decision Experimental Breeder Reactor-I/Boiling Water Reactor Experiment Area and Miscellaneous Site, Operable Units 6-05 and 10-04, Idaho National Engineering and Environmental Laboratory* a (referred to as the Operable Unit [OU] 10-04 ROD) (DOE-ID 2002). The OU 10-04 ROD was signed under the Federal Facility Agreement and Consent Order for the Idaho National Engineering Laboratory (referred to as the FFA/CO) (DOE-ID 1991) on November 5, 2002, by the U.S. Department of Energy (DOE) Idaho Operations Office (DOE-ID); the U.S. Environmental Protection Agency (EPA), Region 10; and the Idaho Department of Health and Welfare, now identified as the Idaho Department of Environmental Quality (DEQ).
- *Final Comprehensive Record of Decision for Central Facilities Area, Operable Unit 4-13, Idaho National Engineering and Environmental Laboratory* (referred to as the OU 4-13 ROD) (DOE-ID 2000a). The OU 4-13 ROD was signed under the FFA/CO on July 31, 2000.
- *Record of Decision Power Burst Facility and Auxiliary Reactor Area, Operable Unit 5-12, Idaho National Engineering and Environmental Laboratory* (referred to as the OU 5-12 ROD) (DOE-ID 2000b). The OU 5-12 ROD was signed under the FFA/CO on February 7, 2000.
- *Final Record of Decision for Test Area North, Operable Unit 1-10, Idaho National Engineering and Environmental Laboratory* (referred to as the OU 1-10 ROD) (DOE-ID 1999). The OU 1-10 ROD was signed under the FFA/CO on December 14, 1999.

This ESD documents a significant change to the scope of the remedy by changing the land use to increase the area the public can access to hunt on the INL Site, and establishment of additional institutional controls (ICs) to mitigate risks associated with the increased access. The RODs currently restrict public access for hunting to within 0.5 miles of select portions of the northeastern and western site boundaries. Most of the current access corridor within the 0.5-mile boundary area addressed in the RODs is beyond any known CERLCA sites on the INL Site, except for an approximate 4-mile long, 0.25-mile wide strip area on the northeastern boundary, where access occurs on a low-hazard IC area MRA ORD-03. The boundary expansion will increase public access for hunting to an additional 82.8 square miles of the INL Site; 7.8 square miles of which are within the low hazard IC area of ORD-03 (Figure 2). The expanded boundary does not encroach on medium or high-hazard IC ordnance areas. No other CERLCA sites occur within the area of the proposed hunting boundary expansion.



SECTION C. Environmental Aspects or Potential Sources of Impact:

Air Emissions

N/A

Discharging to Surface-, Storm-, or Ground Water

N/A

Disturbing Cultural or Biological Resources

There is the potential for this work to impact vegetation and for project personnel to interact with various wildlife species. A Biological Resource Review will be arranged within two weeks prior to the initiation of any activities that might disturb soil or vegetation and again following completion of project activities. A nesting bird survey is included with the Biological Resource Review for actions occurring between April 1 -

October 1 per compliance with the Migratory Bird Treaty Act. Bat surveys are also included with the Biological Resource Review in accordance with the INL Bat Protection Plan.

Cultural: A Section 106 review was completed under CRMO project number (BEA-25-054) and resulted in No Historic Properties Affected. Please refer to Hold Points and Project Specific Instructions of the ECP.

Generating and Managing Waste

N/A

Releasing Contaminants

N/A

Using, Reusing, and Conserving Natural Resources

Expansion of the INL hunting boundary could increase the public's use of INL lands within the defined expansion areas. However, the negative impacts expected from the increased hunting area is likely to be minimal. Hunters accessing the INL Site must obtain an INL Hunting Pass, which provided restrictions and stipulations imposed on the hunter. Those restrictions include: no camping, fires, littering, or disturbance to wildlife or vegetation; and no motorized vehicles allowed except on established roads. These restrictions will minimize impacts to land use.

Expansion of the INL hunting boundaries may also increase the potential for public exposure to unexploded ordnance (UXO) on the INL Site due to additional public access to the low-hazard institutional control (IC) areas. However, the risk of exposure remains low since these areas serve as a buffer to the medium and high IC areas where there is a greater probability of encountering UXO, based on the DESER ranking system. The effects of public exposure to UXOs in the expanded hunting boundary areas were evaluated in the ESD.

SECTION D. Determine Recommended Level of Environmental Review, Identify Reference(s), and State Justification: Identify the applicable categorical exclusion from 10 Code of Federal Regulation (CFR) 1021, Appendix B, give the appropriate justification, and the approval date.

For Categorical Exclusions (CXs), the proposed action must not: (1) threaten a violation of applicable statutory, regulatory, or permit requirements for environmental, safety, and health, or similar requirements of Department of Energy (DOE) or Executive Orders; (2) require siting and construction or major expansion of waste storage, disposal, recovery, or treatment or facilities; (3) disturb hazardous substances, pollutants, contaminants, or Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)-excluded petroleum and natural gas products that pre-exist in the environment such that there would be uncontrolled or unpermitted releases; (4) have the potential to cause significant impacts on environmentally sensitive resources (see 10 CFR 1021). In addition, no extraordinary circumstances related to the proposal exist that would affect the significance of the action. In addition, the action is not "connected" to other action actions and is not related to other actions with individually insignificant but cumulatively significant impacts.

References: B1.20 "Protection of cultural resources, fish and wildlife habitat", B1.25 "Real property transfers for cultural resources protection, habitat preservation, and wildlife management"

Justification: Based on the purpose and need and description of the proposed action and potential environmental impacts, the proposed action fits within the class of actions that is listed in Appendix B CX B1.20 and B1.25. There are no extraordinary circumstances related to the proposed action that may affect the significance of the environmental effects of the proposal (10 CFR 1021.410(b)(2)). The proposed action has not been segmented to meet the definition of a categorical exclusion (10 CFR 1021.410(b)(3)). This proposal is not connected to other actions with potentially significant impacts, is not related to other actions with individually insignificant but cumulatively significant impacts, and is not precluded by 10 CFR 1021.211 concerning limitations on actions during preparation of an environmental impact statement (10 CFR 1021.410(b)(3)).

Authorizing the proposed action will not (1) threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health, including DOE and/or Executive orders; (2) require siting of new facilities or expansion of existing facilities; (3) disturb hazardous substances, pollutants, or contaminants; (4) adversely affect environmentally sensitive resources; or (5) involve genetically engineered organisms, synthetic biology, governmentally designated noxious weeds, or invasive species.

DOE prepared this analysis to evaluate changes since in the last modification to the INL Site administrative hunting boundary. This proposal is being evaluated in response to IDFG's request to expand hunting opportunities on the INL Site, with the intent of mitigating depredation impacts to agricultural producers on crop lands surrounding the INL Site. The proposed expanded hunting boundaries were determined in coordination with IDFG to focus on areas where elk are known to frequent while seeking refuge on the INL Site. The proposed boundaries considered factors such as proximity to the medium and high-hazard IC areas within ORD-03 to prevent public hunting access to locations with elevated risk of unexploded ordinance hazards; distance from occupied facility areas; and locations of site roads and natural features, which, when combined with adequate postings, will facilitate boundary recognition by hunters to prevent inadvertent trespass beyond the allowable limits.

B1.20 Protection of cultural resources, fish and wildlife habitat. Small-scale activities undertaken to protect cultural resources (such as fencing,

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labeling, and flagging) or to protect, restore, or improve fish and wildlife habitat, fish passage facilities (such as fish ladders and minor diversion channels), or fisheries. Such activities would be conducted in accordance with an existing natural or cultural resource plan, if any.

B1.25 Real property transfers for cultural resources protection, habitat preservation, and wildlife management. 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.

Approved by Robert Douglas Herzog, DOE-ID NEPA Compliance Officer on: 6/25/2025