

# *Hanford Reach National Monument Rattlesnake Mountain Unit Public Access Scoping Report*



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**U.S. Fish and Wildlife Service**





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## 1. Introduction

The Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (NDAA) directed the U.S. Fish and Wildlife Service (Service) to “provide public access to the summit of Rattlesnake Mountain on the Hanford Reach National Monument (Monument) for educational, recreational, historical, scientific, cultural, and other purposes, including—(1) motor vehicle access; and (2) pedestrian and other nonmotorized access” (Public Law 113-291). The NDAA also allows for cooperative agreements with others to assist with guided tours, including motorized tours, and maintenance of the access road to the summit of Rattlesnake Mountain.

While the NDAA directs the Service to provide public access to Rattlesnake Mountain only, we are also considering access to other portions of the Rattlesnake Mountain Unit on the Monument. This is consistent with management direction laid out in the 2008 *Hanford Reach National Monument Comprehensive Conservation Plan and Environmental Impact Statement* (CCP/EIS), which considered public access for the entire Rattlesnake Mountain Unit. The Service-managed lands within the Rattlesnake Mountain Unit lie within the boundaries of the Fitzner-Eberhardt Arid Lands Ecology (ALE) Reserve south of Highway 240.

This report discusses (1) relevant background, (2) the issues and opportunities identified during the initial scoping conducted in compliance with the National Environmental Policy Act (NEPA), and (3) the next steps in our process to analyze which Rattlesnake Mountain Unit public access opportunities may be in compliance with the NDAA and other relevant laws and policies.

### 1.1 Purpose and Need

The statement of purpose and need is, in some respects, the most important part of a NEPA document. The purpose and need explains why the Service is proposing to take action, the objectives the Service intends to achieve, and the social need to which the Service is responding. It is used in framing a range of alternatives to be analyzed. The scoping process initiates the Environmental Assessment (EA) that will evaluate the effects of potential access alternatives in compliance with NEPA. The EA will analyze alternatives that at least partly achieve the Service’s objectives. Alternatives that do not meet purpose and need do not need to be analyzed.

For this process, the purpose is to provide public access to the Rattlesnake Mountain Unit, including the summit of Rattlesnake Mountain, within the Monument in a manner that is compatible with the NDAA, Presidential Proclamation 7319, and other existing laws, regulations, and policies that govern actions on the Monument. The need for the action is directed by the NDAA.

### 1.2 Description of Planning Area

#### 1.2.1 Hanford Reach National Monument Background

The Monument, located near the Tri-Cities (Kennewick, Pasco, and Richland) in south-central Washington State, was established on June 9, 2000, and is managed by the Service and the Department of Energy (DOE). The land comprising the Monument has an unusual and colorful background. The entry of the United States into World War II and the race to develop an atomic bomb led to a search for a suitable place to locate plutonium production and purification facilities. In 1943, the War Department (later to become the Department of Defense) went in search of a remote,

easily defensible, geologically stable site with plenty of cool water, abundant energy, and a moderate climate on which to build secret plutonium production reactors. The U.S. Army Corps of Engineers selected a site in Washington State near the isolated desert towns of White Bluffs and Hanford. The War Department then acquired the land through condemnation and purchase of private lands and withdrawal of public lands within the basin formed by Rattlesnake Mountain and Saddle Mountain.

For more than 40 years, the primary mission at the Hanford Site was the production of nuclear materials for national defense. During that time, management activities and development practices were driven by needs related to nuclear production, chemical processing, waste management, and research and development. The Atomic Energy Commission, and later the DOE, developed infrastructure and facility complexes to accomplish this work in the central portion of the site, but large tracts of land used as protective buffer zones for safety and security purposes remained largely undisturbed. These buffer zones preserved a nationally significant biological and cultural resource setting in the Columbia Basin region.

In the early 1970s, there was a reduced need for large safety and security buffer zones around the Hanford Site, and the DOE transferred management of portions of the North or “Wahluke” Slope (the area north of the Columbia River) to the Service—creating the Saddle Mountain National Wildlife Refuge—and to the Washington State Department of Fish and Wildlife (WDFW). By the late 1980s, the primary DOE mission had changed from defense materials production to environmental restoration, waste management, and science and technology research, further decreasing the need for a large land base. In 1997, the DOE transferred the administration of the ALE Reserve to the Service. In 1999, lands managed by WDFW, known as the Wahluke Wildlife and Recreation Area, were transferred to the Service to be managed, under a DOE permit, as part of the National Wildlife Refuge System (Refuge System). WDFW retained administration of the area around the Vernita Bridge under DOE permit to provide access for sport fishing on the Columbia River.

In the 1980s, concerns for protection of the Hanford Site’s natural and cultural resource values grew, as did interest in consolidating management under one natural resource agency. In 1988, Congress directed the Secretary of the Interior and the Secretary of Energy to identify and evaluate the outstanding features of the Hanford Site and its immediate environment—including fish, wildlife, geology, scenery, recreation, historic and cultural values—and recommend alternatives for their preservation. The resulting 1994 Department of the Interior report, *Hanford Reach of the Columbia River Comprehensive River Conservation Study and Environmental Impact Statement*, identified the Service as best suited to protect those values. President Clinton created the Hanford Reach National Monument with Proclamation 7319 on June 9, 2000, through his powers under the American Antiquities Act of 1906, as amended (Public Law 59-209, 34 Stat. 225, 16 United States Code § 431–433). This new national monument consisted of 196,000 acres of buffer lands around what is generally known as Central Hanford, the area where nuclear material production and processing took place.

The Monument is the only national monument managed by the DOE and one of only seven managed by the Service. Of the 196,000 acres that make up the Monument, the DOE currently administers approximately 29,000 acres and retains land surface ownership or control on all acreage. Approximately 165,000 acres are currently managed by the Service through its authorities under the National Wildlife Refuge System Administration Act (16 United States Code § 668dd–ee) and through agreements with the DOE. WDFW administers approximately 800 acres of the Monument

through a permit with the DOE. Other state and Federal agencies and utility districts maintain rights-of-way or manage small tracts of land within the Monument boundaries.

### **1.2.2 Administration as a National Wildlife Refuge**

In creating the Monument, President Clinton noted that, “The [Service] manages lands under its management jurisdiction pursuant to the National Wildlife Refuge System Administration Act . . .” (management guide provided by the White House when the Proclamation was signed). A July 26, 2000, memorandum from Interior Secretary Bruce Babbitt further clarified the Monument to be administered as a unit of the Refuge System: “Pursuant to the terms of the management agreements [between the DOE and the Service] and the National Wildlife Refuge Administration Act . . .”

Under the National Wildlife Refuge System Administration Act, “The mission of the System is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans” (Mission Goals and Purposes policy, 601 FW 1).

The Refuge System has several goals:

- Conserve a diversity of fish, wildlife, and plants and their habitats, including species that are endangered or threatened with becoming endangered
- Develop and maintain a network of habitats for migratory birds, anadromous and inter-jurisdictional fish, and marine mammal populations that is strategically distributed and carefully managed to meet important life history needs of these species across their ranges
- Conserve those ecosystems, plant communities, wetlands of national or international significance, and landscapes and seascapes that are unique, rare, declining, or underrepresented in existing protection efforts
- Provide and enhance opportunities to participate in compatible wildlife-dependent recreation (hunting, fishing, wildlife observation and photography, and environmental education and interpretation)
- Foster understanding and instill appreciation of the diversity and interconnectedness of fish, wildlife, and plants and their habitats

Because the Monument is administered as a component of the Refuge System, the legal mandates and policies that apply to any national wildlife refuge apply to the Monument. In providing public access to the Rattlesnake Mountain Unit, the Service is required to protect the resources of the Monument and its role in the Refuge System. That is, the Service is required to protect the purposes for which the Monument was created.

### **1.2.3 Monument Purposes**

The purposes of any national wildlife refuge are “specified in or derived from the law, proclamation, executive order, agreement, public land order, donation document, or administrative memorandum establishing, authorizing, or expanding a refuge, refuge unit, or refuge subunit” (National Wildlife Refuge System Administration Act). In this instance, the purposes are defined in Proclamation 7391. The Proclamation specifically notes a list of resources deemed nationally significant, including:

- A shrub-steppe ecosystem, including breeding populations of steppe- and shrub-steppe-dependent birds, such as loggerhead shrikes, sage sparrows, sage thrashers, and ferruginous hawks
- Water-related resources, including 46.5 miles of the 51-mile-long Hanford Reach of the Columbia River, fall Chinook salmon spawning areas, and sturgeon
- Important archaeological and historic artifacts from more than 10,000 years of human occupation, including prehistoric pit houses, graves, spirit quest monuments, hunting camps, game-drive complexes, quarries, hunting and killing sites, and more recent human activity, such as homesteads and early towns
- A diversity of native plant and animal species, including rare and sensitive plant species such as Umtanum desert buckwheat and White Bluffs bladderpod; habitat for migratory birds and resident species, including wintering habitat for bald eagles, white pelicans and ducks; nesting sites for rare bird species, including prairie and peregrine falcons; mammals, including elk, beaver, badgers and bobcats; and insect species new to science or not previously identified in the state of Washington
- Microbiotic crusts
- Significant geological and paleontological objects, such as the White Bluffs and Hanford Dune Field, and mammalian fossils of rhinoceros, camel, mastodon, and others

The Monument Proclamation and an accompanying management guide provided by the White House set forth specific actions and established a basis for managing of the Monument. In addition, they set forth the following mechanisms for protection of the significant resources found:

- Federal lands are withdrawn from disposition under public land laws. This includes all interests in these lands, such as future mining claims
- Off-road motorized and mechanized vehicle use is prohibited, except for emergency or other federally authorized purposes, including remediation purposes
- The ability to apply for water rights
- Livestock grazing is prohibited
- The Service and DOE (subject to certain provisions) are established as the managers of the Monument
- A land management transfer mechanism from DOE to the Service
- Clean-up and restoration activities are assured
- Existing rights, including tribal rights, are protected

## 1.2.4 Area under Consideration

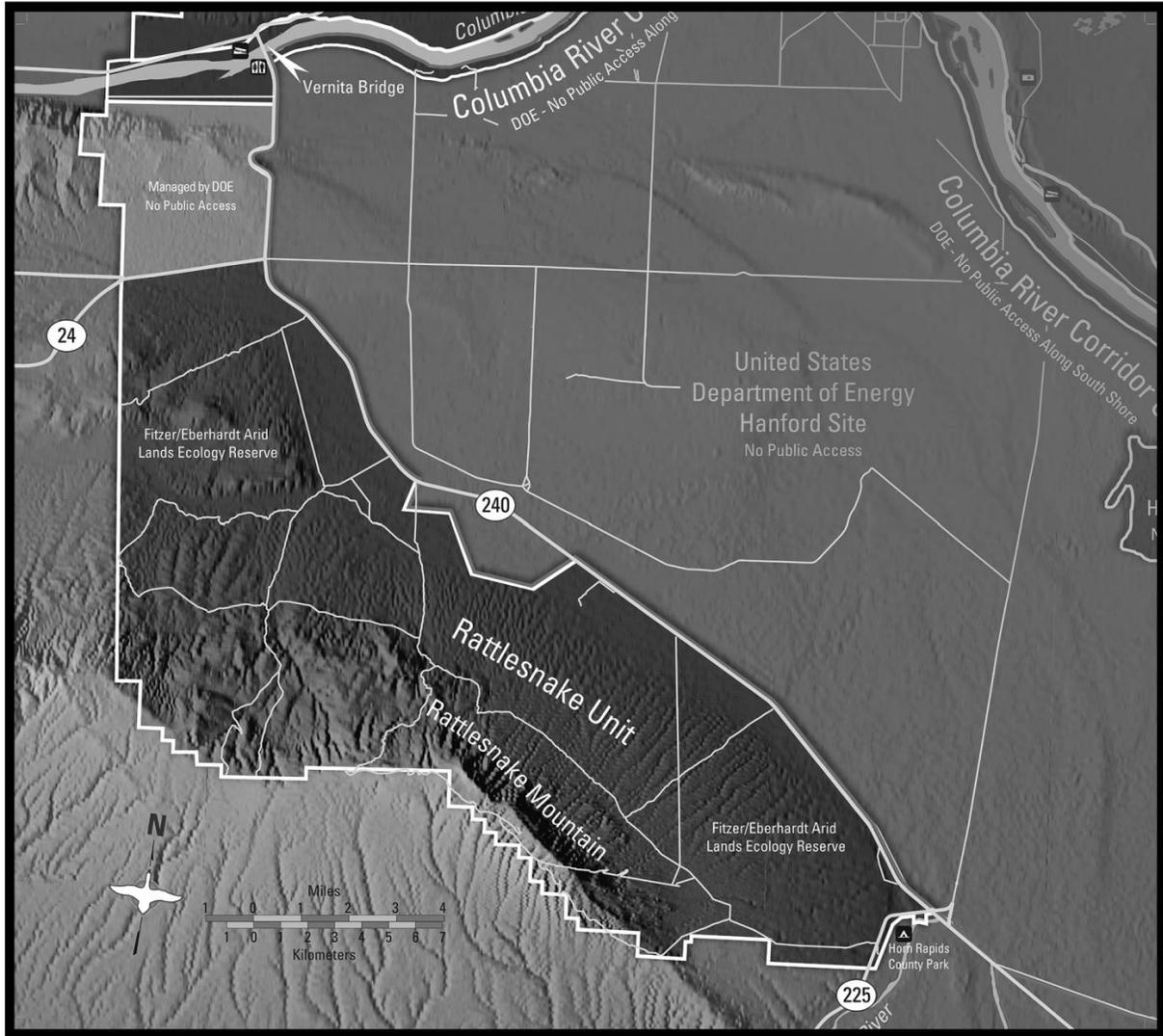
Rattlesnake Mountain runs along the southwestern edge of the Rattlesnake Mountain Unit. The axis of Rattlesnake Mountain runs from southeast to northwest and rises approximately 3,000 feet from the toe of the mountain to the crest (with elevations of over 3,450 feet). The slopes of Rattlesnake Mountain are as steep as 60 percent and have been incised by numerous watercourses that seasonally flow into Dry Creek or Cold Creek. West of Rattlesnake Mountain at the southwest corner of the Unit are the Rattlesnake Hills. North of the Rattlesnake Hills, the eastern end of the Yakima Ridge enters the unit and is visible from State Routes 240 and 243. Most of the topography found at the lower elevations of the Rattlesnake Mountain Unit is gently rolling or relatively flat. The north edge of the unit is located several miles east of the State Route 240-State Route 24 junction and overlooks the Columbia River Valley.

The lands within the Rattlesnake Mountain Unit represent one of the largest remaining intact shrub-steppe habitats within the Columbia Basin eco-region. While these lands have been impacted by catastrophic fire events, this land base has not been significantly disturbed by humans for more than sixty years. Consequently, the area has remained a prime example of successional recovery, including a mixture of lower successional communities as well as recovering bunchgrass/sage communities. Shrub-steppe associations here are more biologically diverse than on surrounding lands. Studies conducted in the unit have documented a rare plant population found nowhere else, Umtanum desert buckwheat. The rarity of large blocks of shrub-steppe habitat has led, in part, to the designation of the ALE Reserve as a Research Natural Area.

This unit is also rich in cultural resources and contains some of the earliest known cultural sites in the Monument. For at least 13,000 years the area has been the homeland of Native Americans. When Euro-American explorers arrived in the early 1800s, Native Americans currently referred to as the Wanapum inhabited numerous villages and fishing camps scattered throughout the area of the mid-Columbia River Basin. Neighboring groups, known today as the Yakama, Umatilla, Cayuse, Walla Walla, Palus, Nez Perce and Middle Columbia Salish, frequented the area to trade, gather resources, and conduct other activities. Descendants of the Native Americans are affiliated with the Wanapum, Confederated Tribes and Bands of the Yakama Nation, Confederated Tribes of the Umatilla Reservation (CTUIR) and Nez Perce Tribe of Idaho and they retain traditional, cultural, and religious ties to the area. The landscape is filled with archaeological and other cultural resources from their presence. The 1855 treaties specified that the Native Americans would cede millions of acres of their homelands to the United States. The area contains lands within the ceded territories of the Yakama Nation and the CTUIR. Rattlesnake Mountain (Laliik), Yakima Ridge, and Umtanum Ridge are all culturally significant properties. Rattlesnake Mountain is a formally designated property “of traditional religious and cultural importance,” or Traditional Cultural Property (TCP) under the National Historic Preservation Act of 1966, as amended (NHPA), and the 36 Code of Federal Regulation (CFR) 800 regulations implementing it. The TCP encompasses approximately 55,300 acres or 75 percent of the ALE unit. Laliik is a TCP because of its long association with the religious and cultural practices and beliefs of regional Native Americans, especially the Washani community, and is considered a sacred site. The area continues to be an important place where visions, songs, and resources are obtained.

As noted earlier, the NDAA requires the Service to provide access to Rattlesnake Mountain only, but our assessment includes all Service-managed lands within the Rattlesnake Mountain Unit. Within the Rattlesnake Mountain Unit (81,070 acres), the Service manages the ALE Reserve (73,930 acres), and the DOE manages the northwestern portion of the unit, an area formerly known as the McGee Ranch (7,140 acres). This report covers the ALE Reserve (Map 1).

Map 1. Area under Consideration.



## 2. Description of Scoping Process

Scoping is the term used in the Council on Environmental Quality (CEQ) Regulations implementing NEPA (40 CFR Parts 1500 et. seq.) to define “the early and open process for determining the scope of issues to be addressed in a NEPA process.” Scoping is open to the public and Tribal, state, and local governments, as well as to affected Federal agencies. Scoping is meant to provide opportunities to contribute ideas and feedback for consideration early in the NEPA process.

### 2.1 Outreach

A Notice of Request for Comments and Public Meetings was published in the *Federal Register* on October 7, 2015 (80 FR 60701), initiating the initial public scoping comment period, announcing public meetings, and requesting comments on issues and opportunities for potential access alternatives to consider for the Rattlesnake Mountain Unit. The initial scoping period closed November 13, 2015.

In addition to the *Federal Register* notice, the Service issued a press release to area media. Local television stations and newspapers provided coverage about the scoping and public meetings, as well as covering the meetings themselves. Several organizations (e.g., Lower Columbia Basin Audubon Society) notified their members of the scoping through newsletters and electronic means.

On October 14, 2015, two public scoping meetings were held. The meetings were held at the Hanford Reach Interpretive Center, in Richland, Washington. Approximately 70 people attended the afternoon meeting, with another 30 in attendance for the evening meeting; 76 signed-in to be added to the mailing list for this scoping report.

The meetings were conducted in an “open house” format. Following short presentations by the Project Leader and the Visitor Services Manager of Mid-Columbia River National Wildlife Refuge Complex, which administers the Monument, the attendees met one-on-one with Service personnel to discuss access issues and options to the Rattlesnake Mountain Unit and the ALE Reserve. Comments were recorded on flipcharts and people were also encouraged to provide their own written comments.

Comments received from the public during the scoping process were grouped based on the issues raised and are substantive comments are summarized in this report. This scoping report is not meant to resolve issues. Instead, it identifies the nature and extent of issues that may be addressed as environmental assessments are prepared and actions analyzed. Some of the issues identified will be analyzed further, while others may be eliminated because they are not allowed by law, policy or a lack of resources to implement.

### 2.2 Rattlesnake Mountain Unit Access Tribal Working Group

Because much of the area under consideration, including Rattlesnake Mountain, is part of the Laliik Traditional Cultural Property and holds tremendous cultural significance to area tribes, the affected tribes, along with the DOE and the Service, formed a Tribal Working Group to assist the Service with implementation of the NDAA. This group will help to ensure that access is provided in a manner that is respectful and protective of the natural and cultural resources found in the Rattlesnake Mountain Unit.

The first meeting of the Rattlesnake Mountain Unit Access Tribal Working Group was held on October 1, 2015. At that meeting, the four tribes in attendance (Confederated Tribes of the Umatilla Indian Reservation, Nez Perce Tribe, Wanapum Band, and Yakama Nation), the DOE, and the Service shared their interests, concerns, and suggestions regarding public access within the Rattlesnake Mountain Unit. Specifically, the primary concern raised by the Tribes was protection of the area as a sacred site. Collectively, the Tribes stated they do not support public access because it will have a negative impact on the qualities which make the area a sacred site.

Additional comments/questions are summarized as follows:

- Additional Government-to-Government consultation will be needed
- No new groundbreaking activities
- No motorized access
- What is the status of the road to the top i.e., condition and ownership?
- Only want access to consist of 2 visits/days every 10 years
- There should not be open access
- Will not support trails
- There should never be access to the top
- What is the status of NEPA coverage for public access?
- Hold a lottery for public access with guides
- Don't have an issue with access outside the TCP
- Concerns related to operational security and emergency response
- How would impacts be mitigated?

### **3. Results of Public Scoping**

During the initial public scoping period, 145 comment letters were received, mostly as emails. Scoping comments were also captured during public and tribal meetings. All scoping comments were reviewed and grouped by issue. Comments considered non-substantive because they are not relevant to public access on the Rattlesnake Mountain Unit (e.g., access to the White Bluffs) are not included below.

#### **3.1 Public Use and Access Issues Submitted**

- Re-establishment of guided tours. The types of tours specifically mentioned include:
  - Wildflower
  - Sightseeing
  - Guided hikes
  - Photography
  - Birdwatching
  - Geology
  - Guided mountain bikes
  - Astronomy
  - History
  - Plants and plant communities
- Specifics for tours included duration, timing, and implementation. Ideas offered include:
  - Tours on the first weekend of every month

- Tours in the spring
- Recreational tours on weekends and educational/school tours during the week
- No tours during hunting season
- Charging a fee
- Limiting mountaintop access to already disturbed areas
- Tours led by Native Americans
- Tours led by Service staff or guides under Service instruction, including volunteers, only
- Guides must be certified by the Service and follow guidelines established by the agency
- Tours provided for specific-interest groups/clubs
- Limits on tour group size
- Virtual video tours available at the Hanford Reach Interpretive Center and other facilities
- Automobile access:
  - Full, unregulated access to the Rattlesnake Mountain Unit
  - No public motor vehicle access
  - Only vehicles related to Service-controlled tours allowed
- All-terrain vehicle (ATV) access
- Biking on existing roads, including the road to the summit of Rattlesnake Mountain
- Cross-country biking
- Biking on new constructed trails
- Hiking on existing roads
- Cross-country hiking
- Construction of new trails for hiking, specifically:
  - From Highway 225 to the mountaintop
  - From Highway 240 to the mountaintop
  - From Crooks Road (south side of Rattlesnake Mountain) to the mountaintop
  - From the WDFW parking area southeast of the Monument to the mountaintop
  - On the extreme southern and eastern ends of the Rattlesnake Mountain Unit as an extension of existing trails on WDFW lands
  - From Hodges Ranch to the mountaintop
  - From Bennett/North Rotha Roads to Snively Canyon
  - From Franks Road to the mountaintop
  - Through the former McWhorter Ranch
  - From Horn Rapids Park to the mountaintop
  - From the summit of Rattlesnake Mountain to Rattlesnake Spring/Cold Creek/Yakima Ridge as part of a connection for a longer trail system
  - Linking of new trails into a system of trails connecting with Badger Mountain trails, as part of a Ridgeline Trail in the Tri-Cities, etc.
- Horseback riding on existing roads
- Horseback riding on designated trails
- Cross-country horseback riding
- A horse camp at Snively Spring
- Consideration of multiple access points for hiking, biking, and/or horseback riding
- Wildlife and plant observation opportunities
- Install an elk feeding station to enhance viewing opportunities
- Hunting

- Target shooting
- Hang gliding or paragliding
- Camping or backpacking, including campgrounds and open camping
- Dog walking
- Skiing
- Access for research and monitoring
- Access via commercial guiding
- Access for group meditation
- Access for special events, such as charity events, road races, teacher training
- Access for the disabled
- Methods for controlling or limiting access, including:
  - A self-regulating hiking allocation system (e.g., only allowing access on a first-come, first-served basis; access would be limited to those who were able to get a parking space within a designated parking area with a limited number of spaces)
  - A lottery system
  - A permit system
  - Access fee
  - Guided access only
  - Open-access days
    - Several days each year, provide open access for appropriate types of access. Provide shuttles for those unable to hike, bike, etc. Use guides and/or volunteers to ensure compliance with rules
  - Hours of access, including consideration of 24-hours-per-day and daylight hours only
  - Partitioning of access days based on use type (e.g., select days of the week set aside for hikers only with no motor vehicle access)
  - Partitioning of different zones for different activities
- Ensure that the access road to the summit of Rattlesnake Mountain is entirely within Federal Government ownership or that the Federal Government has approved access
- Construction of additional facilities and support/amenities, specifically:
  - Parking areas
  - Picnic areas/tables
  - Signs to communicate regulations
  - Interpretive signs
  - An anemometer on Rattlesnake Mountain to facilitate public safety
  - Pull-off areas along the road to allow brake-cooling and create viewpoints
  - Restrooms
  - Boundary markers to denote areas of Native American concern (i.e., to prevent trespass)
  - Shaded areas
  - Barriers on the mountaintop to protect people from falling
  - More informational and viewing pullouts along Highways 240 and 225
  - Shops/snack bars
  - Timed gate to let vehicles into the area for whatever access is provided
  - Helicopter pad on Rattlesnake Mountain for emergencies
  - Fencing along the entire length of the road to ensure visitors remain within the corridor
  - Windbreak on the mountaintop
  - Gondola, tram, or ski lift

- An amusement park with waterslides and rollercoasters
  - Observatory
- Construction of new roads
- Repair and/or improve the existing road (including related structures, such as guardrails) to allow for public use, either for automobiles, bicycles, or motorbikes
- Provide a shuttle service to the summit of Rattlesnake Mountain
- Maintain the existing network of utility roads throughout the Rattlesnake Mountain Unit
- Access along the 1,200-foot road, including to Snively Canyon
- Additional law enforcement, including through partnerships (e.g., the Benton County Sheriff's Office and Hanford Patrol)
- Public safety concerns, including:
  - Risks from severe weather, such as high winds and cold temperatures
  - Risks from unmapped hazardous structures, such as abandoned gas wells
  - Risks from being trapped on the mountain by fire or severe weather, complicated by the existence of only one access road
  - Long response times due to distance and isolation
  - Lack of cell phone coverage
- Volunteers and support organizations:
  - Use volunteers, including existing organizations like the Washington Trails Association, to offset costs and staffing limitations
  - Create a new organization, similar to Friends of Badger Mountain, to manage access, seek funding for development, etc.
  - Develop a program to train volunteers to assist with access
  - Develop a contract with Native American tribes to pay tribal members to monitor access and provide guiding services
- Prioritize the access of particular groups over others (e.g., senior citizens or Hanford retirees getting priority for access)
- Limiting access only to Native Americans
- Providing equal access to all

### **3.2 Environmental and Cultural Considerations Submitted**

- Impacts of allocation/redirection of resources (e.g., money, staff time) to provide public access to the Rattlesnake Mountain Unit on management of the rest of the Monument and other refuges of the Mid-Columbia River National Wildlife Refuge Complex
- Potential for disturbance of cultural resources
- Preservation of existing Native American and early settler artifacts
- Impacts to the designated Traditional Cultural Property
- Development of a Cultural Resources Management Plan
- Impacts of short- and/or long-term conversion of habitat from road improvements and construction of trails, parking lots, etc., including habitat fragmentation
- Protection of rare, sensitive, threatened, and/or endangered plant species and plant communities and plant communities near the summit
- Protection of xeric, spring, and riparian areas with distinctive plants/communities
- Protection of sensitive and slow-regenerating biological soil crusts
- Protection of native plants and their habitats

- Protection of the native genetic bank, including use of local seeds for any restoration activities
- Trampling of vegetation, especially when users do not stay on trails or within designated areas
- Increased risk of the introduction and/or spread of noxious plants due to public access
- Increased risk of wildfire due to increasing public use
- Protection of wildlife resources
- Timing of tours and other access, as well as any construction activities, in a manner that is compatible with wildlife cycles (e.g., breeding birds), habitat needs, and research operations
- Seasonal closures if there are any wildlife migrations in the area and/or periods of extreme sensitivity for a wildlife species
- Development of a Travel Management Plan to address protection of plants and habitats
- Increased potential for erosion due to allowing public access
- Need to address human waste as a result of allowing public access. This would be further compounded if dogs and/or horses were allowed
- Littering due to public access
- Emergency response
- Ongoing research and monitoring
- Environmental and cultural education:
  - Native American tribes should provide information and education from their perspective
  - Allow special classroom access
  - Build a Cultural Center at the base of Rattlesnake Mountain to promote awareness and education of Native American traditions
  - Publish a small brochure exclusively about the Rattlesnake Mountain Unit, highlighting history, resources, cultural background, and protection of the area

## **4. Access Options Eliminated from Consideration by Law or Previous Analysis**

Current management, laws, or policy can address some of the actions/issues raised during scoping. These are listed in this section.

### **4.1 Actions Not Permitted Under Proclamation 7319 or Existing Law/Policy**

The following are actions that cannot be allowed according to Proclamation 7319, which established the Monument, or are prohibited by law.

- Cross-country all-terrain vehicle (ATV) access
- Cross-country biking
- Biking on new constructed trails
- Gondola, tram, or ski lift
- Amusement park

- Target shooting
- Limiting access to Native Americans only

## 4.2 Actions Previously Analyzed

The following are actions that were previously analyzed in the Monument CCP/EIS, including appropriate use findings and compatibility determinations, and found to be inconsistent with Monument management objectives.

- Backpacking or camping, including campgrounds
- Dog walking, except for hunting purposes
- Hang gliding and paragliding, including launch facilities for these uses
- Cross-country horseback riding
- Sport hunting within the Rattlesnake Mountain Unit (excluding controlled elk hunting as a population control measure)

## 5. Next Steps

All relevant comments and access options will be considered as we continue our process to provide public access to the Rattlesnake Mountain Unit. However, some options will not be evaluated further because they are not allowed by law (e.g., off-road motorized and mechanized vehicle use); do not meet Service policy (e.g., cross-country hiking or cross-country horseback riding); or have been previously analyzed within a NEPA process such as the CCP/EIS and determined to be inconsistent with Monument management objectives (e.g., backpacking or camping).

Some options that have been identified through public scoping have been previously analyzed within the CCP/EIS and selected as part of the Monument's management direction. With available resources or an expectation that those resources could be made available in the near future, these options could be implementable, pending other compliance as appropriate:

- Re-establishing guided tours
- Ensuring that the access road to the summit of Rattlesnake Mountain is entirely within Federal Government ownership, or that the Federal Government has approved access
- Partnering with Native American tribes to provide information and education from their perspective
- Allowing special classroom access
- Publishing a small brochure exclusively about the Rattlesnake Unit, highlighting history, resources, cultural background, and protection of the area
- Using volunteers to offset costs and staffing limitations
- Developing a program to train volunteers to assist with access
- Allowing access for special events, such as charity events, teacher training, etc.

Other options would require additional NEPA analysis, such as:

- Provide open-access days several times each year for appropriate and compatible types of access. Provide shuttles for public safety, as needed

- Allow biking on the existing roads, including the road to the summit of Rattlesnake Mountain, on open-access days
- Allow hiking on existing roads on open-access days
- Allow horseback riding on existing roads on open-access days
- Allow access along the 1200-Foot Road to Snively Canyon on open-access days

These and other options would be evaluated under alternatives in a forthcoming EA. The EA will be drafted to evaluate the effects of potential access options that meet the purpose and need (Section 1.1) and that the Service could implement in a reasonable timeframe. Alternatives will be formulated by identifying a range of reasonable combinations of public uses and management practices that address issues identified during public scoping. Based on further analysis, there will likely be other access options, in addition to those listed in Section 4, that are deemed inconsistent with law or policy. The final selected access option could be any one of the alternatives or a combination of alternative strategies. In addition, the Service will fulfill its other regulatory obligations, including the provisions of the NHPA.

The NHPA establishes the Federal government's policy on historic preservation and the programs through which that policy is implemented. Concurrent with the NEPA process and prior to implementation of any actions to fulfill the purpose and need for public access to the Rattlesnake Mountain Unit, the Service will conduct the NHPA Section 106 process, including consultation with Native American tribes, Washington State Historic Preservation Office, and other interested parties. The Service will consult with Native American tribes to identify their concerns about historic properties; advise on the identification and evaluation of historic properties, including those of traditional religious and cultural importance; articulate their views on the undertaking's effects on such properties; and participate in the resolution of adverse effects.