

Re: Key points for response to DOE/EA-1113-A2, Draft Environmental Assessment (EA) Addendum, Proposed Revitalization of Parcel ED-1 at the Horizon Center in Oak Ridge, Tennessee.

To: Anyone who wishes to send a letter of response to the Department of Energy (DOE)

Send comments to: Katatra.Vasquez@science.doe.gov; John.Shewairy@science.doe.gov

From: Advocates for the Oak Ridge Reservation (AFORR)

Date: October 18, 2020

Background:

In August 2020, the US Department of Energy (DOE) issued a Draft Environmental Assessment (EA) Addendum for Proposed Revitalization of Parcel ED-1 at the Horizon Center in Oak Ridge, Tennessee for motorsports complex. The full document is available for review and comment at <https://doeic.science.energy.gov/uploads/A.0100.037.2683.pdf>. Comments are due October 21.

The history of this parcel is relevant to the EA. After reductions in federal activity associated with the end of the Cold War, DOE gave the Horizon Center to the Community Reuse Organization of East Tennessee (CROET) for development of an industrial park to fill an identified need for greenfield industrial property to help boost the local and regional economy. Initially, this 1000-acre tract was proposed for industrial development. However, after a 1996 EA on the proposal found that the parcel was an area of exceptional ecological and natural resource value, DOE decided to allow development conditioned on mitigation measures necessary to avoid significant impacts. The 1996 EA thus has a finding of no significant impact (FONSI) dependent on excluding about half of the property from development, including the floodplain of East Fork Poplar Creek, certain areas identified as having significant ecological value, and wildlife corridors between development areas. These corridors provide for wildlife movement within and between riparian areas near the creek and forested areas to the north. DOE retains ownership of these exclusion areas.

The Oak Ridge Industrial Development Board now has title to the Horizon Center property and has entered into a purchase agreement with a developer who proposes to build and operate a motorsports venue and associated commercial and entertainment enterprises on the site. The prospective developer would like DOE to eliminate the deed restrictions that restrict the developable areas to industrial use and transfer the wildlife corridors and some other protected areas to the developer. The Draft EA Addendum was prepared to assess the impacts of these changes, including the impacts of a motorsports venue. DOE has drafted a proposed revised FONSI that would allow roadways to be built across the wildlife corridors as part of a race car track, with fencing to block wildlife movement, and would revise allowable land uses on developable parts of the Horizon Center to include hotels, an RV park, a motorsports park, a vehicle test facility, residential development, and an amphitheater.

Key points to emphasize in comments to DOE:

- The Draft EA Addendum is completely inadequate as a NEPA environmental impact document.
- The environmental mitigations that were found to be essential in 1996 are still essential today and may be even more important due to continuing global and regional losses of wildlife populations and species. The mitigation requirements must not be abrogated.

- DOE should retain ownership of the areas restricted from development under previous FONSI and should not allow wildlife barriers to be placed across wildlife corridors.
- In the years since the Horizon Center was first authorized, the Black Oak Ridge Conservation Easement (BORCE) was created on adjoining DOE property, and DOE patrol roads near Parcel ED-1 were opened to the public as recreational greenways. These additions increased public recognition and appreciation of the ecological resources of the protected components of the Horizon Center. Areas that were formerly off-limits to the community are now valuable public assets and attractants to new residents. These public assets should not be sacrificed.
- This draft EA Addendum has a flawed definition of the purpose and need for DOE action. The stated purpose is to enhance the potential for development by providing a single large parcel and expanding allowable land use to provide a greater diversity of development opportunities. This stated purpose is entirely inappropriate for a federal agency action. It is rather a summary of the proposal. A more accurate purpose would be to further economically productive development in the Horizon Center, consistent with the purpose of the original lease of Parcel ED-1. This would allow consideration of alternatives not considered in the document.
- The document is premised on an assertion that environmental constraints and land use restrictions are responsible for the anemic progress of development in the Horizon Center. No evidence is presented to support this. Public statements over the years by industrial recruiters have identified other factors responsible for failure to attract industry - such as lack of a spec building, high asking price for land, and lack of electric infrastructure.
- There is no support for the document's implicit assumption that a motorsports complex is a coherent and economically viable plan that will yield economic benefits. In fact, its viability is questionable.
- This document should include information from the 1996 EA and its mitigation commitments regarding the special ecological values of the natural landscapes of the ED-1 area and the ecological functions that the mitigation measures were intended to preserve.
- The assessment of the effects of noise on nearby residential areas is seen by local experts as flawed and inaccurate. An analysis done by an independent and certified contractor is required, using methodology that has been validated by testing its ability to accurately simulate the impacts of existing motorsports operations. Analysis must not be limited to the noise from motorsports but must also consider impacts from an outdoor entertainment venue. Noise impacts on wildlife in adjacent stream corridor and woodlands (including the Black Oak Ridge Conservation Easement) would be severe, but they are neither mentioned nor assessed in the EA Addendum.
- Impacts on greenways and greenway users are not adequately addressed. A motorsports complex in the Horizon would significantly and negatively impact the experience of the greenway trail for the thousands of current users. The motorcar track will run adjacent to a significant section of the greenway, and constant noise pollution will permanently degrade the experience for all who enjoy the greenway and Black Oak Ridge Conservation Easement (BORCE). Removal of a short segment of the existing greenway (which crosses a Horizon Center development area) is inappropriately written off as a minor impact because it is only a small part of the total length of the greenway trail, but connectivity – as a way to get from one place to another, and as a loop trail -- is a major value of a greenway.

- If DOE issues a finding of no significant impact for the changes proposed in this document, the Natural Resource Damage Assessment (NRDA) compensation of the Black Oak Ridge Conservation Easement (BORCE) will need to be reevaluated by the NRDA trustees. The BORCE was established as compensation to the people of Tennessee and the United States for damages from DOE contamination of Watts Bar Reservoir, but the high noise levels predicted throughout the entire adjacent section of the BORCE would seriously diminish the value of this area as NRDA compensation.
- The development of Parcel ED-1 (the Horizon Center) would not provide a benefit to the surrounding recreation network. In contrast, it will result in significant, constant, and long-term noise pollution, decreased access, and be a significant detriment to the user experience. In addition, greenway visitors to the trail adjacent to the motor sports park may see an ugly, tall fence.
- The wildlife corridors between Horizon Center development areas were required as essential mitigations to avoid significant environmental impact by preserving some of the important ecological function of the ED-1 area. Eliminating those areas or fencing across them (as part of fencing around the perimeter of the proposed automobile track), would have devastating effects on the wildlife that remain in this area, by completely eliminating the wildlife movement that these natural corridors were intended to protect. A 1.6-mile-long strip of development may not seem like much of a barrier to humans who drive fast cars on paved roads, but it would be an insurmountable barrier for almost all wild creatures.
- The document claims that it “bounds” the impacts of releasing protected land to development and eliminating land-use restrictions, but it repeatedly asserts that certain impacts would be minimized because of avoidance measures that future landowners would take “where practicable” or “to the extent practicable.” This language does not portray bounding of impacts. DOE cannot assume or claim that impacts (to residential areas, wildlife, greenways, the Black Oak Ridge Conservation Easement, and other environmental resources that residents hold dear) would be avoided through mitigation unless DOE is enforcing the mitigation.
- Although the document claims to bound impacts, it makes the unrealistic assumption that there would be no nighttime activity on the property, including the motorsports and entertainment venues. There needs to be acknowledgement and analysis of the potential impacts of nighttime activity and security lighting on night sky and on wildlife that need dark.
- The conclusion of the EA that the proposed action would have no significant environmental impact is unsupported.