

2000 – DOE issued a draft environmental assessment on the proposed transfer of Parcel ED-3 (about 450 acres scattered around the vicinity of ETTP) to CROET

Boeing floodplain sale was proposed in the same time frame

January 17, 2001 – SELC, in support of AFORR and the Tennessee Conservation League (now Tennessee Wildlife Federation), asked DOE to stop leasing and selling pieces of the ORR without a full EIS that considers the combined, long-range impacts of land-use decisions on the Reservation as a whole. In the letter, Rick Parrish of SELC said "DOE is skirting the law by looking at each project individually while ignoring the long-range, cumulative impact of development."

January 30, 2001 – Public meeting on Reservation land use. DOE ORO Manager Leah Dever announced that the ED-3 proposal was being "put on pause" while DOE puts it "in context with its vision" for the ORR. She also announced that DOE would sign a Finding of No Significant Impact (FONSI) to allow the Boeing floodplain sale to go forward.

January 31, 2001, DOE issued a Finding of No Significant Impact (FONSI) to allow the Boeing floodplain sale to go forward.

On February 7, 2001, DOE said it would prepare an EIS on ORR land use, then cancelled plans for a formal announcement. The next day DOE announced that Leah Dever was being sent to DOE headquarters for a special 90-day assignment. (The plan for an EIS was dropped.) Dever returned to Oak Ridge that summer and initiated the land use focus group, which examined land use in the northwest part of the ORR, and was supposed to be the first step in a comprehensive reservation-wide land-use planning process.

In May 2002, DOE issued a draft EA on a proposal to deed parcel ED-1 (the Horizon Center) to CROET. Later that year, they changed to proposal to deed only the developable parts (426 acres) of parcel ED-1 to CROET.

AFORR continued to have concern about Development Area 4, a 35-acre tract at the far west end of ED-1. There is no road or infrastructure access to this area, which is separated from the rest of the Horizon Center by East Fork Poplar Creek and land that is supposed to be excluded from development. The access plan for this area is to convert the DOE patrol road at the west end of ED-1 (part of the North Boundary Greenway trail into a highway, thus eliminating the greenway and separating the natural area along East Fork Poplar Creek in ED-1 from the large tract of undisturbed land on McKinney Ridge (part of the 3,000-acre Black Oak Ridge Conservation Easement). This would interfere with important breeding habitat for several songbird species that are considered to be "in trouble," including the cerulean warbler.

In its final EA and FONSI in April 2003, DOE dismissed our concerns. For example, the FONSI said: "Construction activities associated with Development Area 4 could result in adverse impacts to rare bird species, such as the Cerulean Warbler, Wood Thrush, Kentucky Warbler, and Prothonotary Warbler. Loss of habitat from the complete or

partial clearing of the woodland would be the greatest detriment to these species. However, although locally important, the loss of a minimal amount of marginal habitat within this area should not have a major adverse impact on the species. Adverse impacts from further forest fragmentation could also result from improvements to the existing DOE patrol road to provide access into the area for construction and operational activities."

Following the ED-1 deed transfer, AFORR expressed objections to the transfer of Area 4 and the associated transfer of a narrow strip of land through the exclusion zone, which violated the assumptions of the FONSI. We asked to have that part of the transfer reversed. DOE agreed that the narrow corridor should not have been transferred, and advised AFORR that the agency would consider reversing the transfer of Area 4 if we could get CROET to agree to accept other land instead. DOE wanted to hold off on reversing the deed for the corridor until two transactions could be done at the same time.

In April 2003 AFORR initiated discussions with CROET President Lawrence Young with the aim of reaching agreement on a potential swap of other DOE lands in exchange for Development Area 4. We saw an opportunity for a "win-win" solution in which an ecologically valuable tract would be conserved and CROET would gain land with more value for near-term economic development. In pursuit of such a resolution, we met with Mr. Young on a total of ten occasions in 2003 and 2004, and discussed three different possible trades suggested by Mr. Young. The first area was vetoed by the city of Oak Ridge; it later became part of ED-6, which is slated to be transferred to the city for residential development. The second area was vetoed by Congressman Zach Wamp due to concerns of the former residents of the Wheat community. The third proposal was for almost all of the developable land in ED-3 (three times the acreage of the 37-acre Area 4) and AFORR rejected it as unreasonably large. Mr. Young repeatedly stated that his position was "intractable" (his words) in insisting on this total package.

In April 2004 we advised DOE in writing that our negotiation efforts had ended in stalemate. Our communication urged DOE to act quickly to withdraw the transfer of the corridor across the Exclusion Zone (that has not happened). We also reminded DOE us of the unresolved NEPA concerns related to broader Oak Ridge Reservation land use that had been raised with DOE in January 2001.

February 2008 – On February 5 CROET announced that it has an option to sell the Horizon Center property to unidentified investors. They will not allow siting of a spec building on the property (the alleged urgent need for a spec building was the reason for giving them the deed in 2003). Local industrial recruiters may continue their discussions with existing prospects for the site while sale negotiations proceed, but cannot market the industrial park to new prospects. Apparently the new owners would want to establish a "mixed use development," including residential use. CROET said they would use the sale proceeds for other projects, presumably the item listed next.

In a February 1, 2008 letter to DOE, CROET requested deed ownership of over 200 acres in the ETTP area, including the portion of ED-3 (called "ED-3", but with new

boundaries) that they asked AFORR for in 2003-2004. This is requested for "mixed-use development." Note that the consensus of participants in the Land-Use Focus Group was opposed to development of the ED-3 area.