



NEPA Categorical Exclusion Determination Form

Program or Field Office: U.S. Department of Energy (DOE) Office of Legacy Management (LM)

Project Title: Grazing and Haying at the Split Rock, Wyoming, Disposal Site

Location: Split Rock, Wyoming, Disposal Site

Proposed Action or Project Description:

LM is proposing to allow grazing and haying actions, including irrigation, at the Split Rock, Wyoming, Disposal Site, which transitioned from Western Nuclear Incorporated (WNI) to LM on November 7, 2023. Grazing and haying would be conducted by the same entity that had onsite grazing and haying agreements with WNI and the site's previous federal land management agency, the U.S. Bureau of Land Management. LM and the grazing and haying licensee have agreed to the terms of new grazing and haying licenses that require the licensee to conduct grazing and haying in the same manner as previously conducted. LM and the licensee have agreed that grazing and haying activities would be conducted in a manner that does not adversely affect site flora and fauna or general rangeland health as defined by LM. LM would oversee the licensee's grazing and haying actions and would have the authority to require the licensee to modify those actions, including the type and location of actions, for the purposes of conserving or improving site ecology or rangeland health. The proposed grazing and haying actions could change based on the terms of the grazing and haying licenses between LM and the licensee being altered or as otherwise agreed to by the parties.

Categorical Exclusion(s) Applied:

- A1 Routine DOE Business Actions
- A9 Information Gathering, Analysis, and Dissemination
- B1.3 Routine Maintenance
- B1.15 Support Buildings
- B1.24 Property Transfers
- B3.1 Site Characterization and Environmental Monitoring

For the complete DOE National Environmental Policy Act (NEPA) regulations regarding categorical exclusions, including the full text of each categorical exclusion, see Subpart D of Title 10 *Code of Federal Regulations* Section 1021 (10 CFR 1021).

Regulatory Requirements in 10 CFR 1021.410(b): (See full text in regulation)

☒ The proposal fits within a class of actions that is listed in Appendix A or B to 10 CFR Part 1021, Subpart D

To fit within the classes of actions listed in 10 CFR Part 1021, Subpart D, Appendix B, a proposal must be one that would not: (1) threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health, or similar requirements of DOE or Executive Orders; (2) require siting and construction or major expansion of waste storage, disposal, recovery, or treatment facilities (including incinerators), but the proposal may include categorically excluded waste storage, disposal, recovery, or treatment actions or facilities; (3) disturb hazardous substances, pollutants, contaminants, or CERCLA-excluded petroleum and natural gas products that preexist in the environment such that there would be uncontrolled or unpermitted releases; (4) have the potential to cause significant impacts on environmentally sensitive resources, including, but not limited to, those listed in paragraph B(4) of 10 CFR Part 1021, Subpart D, Appendix B; (5) involve genetically engineered organisms, synthetic biology, governmentally designated noxious weeds, or invasive species, unless the proposed activity would be contained or confined in a manner designed and operated to prevent unauthorized release into the environment and conducted in accordance with applicable requirements, such as those listed in paragraph B(5) of 10 CFR Part 1021, Subpart D, Appendix B.

☒ There are no extraordinary circumstances related to the proposal that may affect the significance of the environmental effects of the proposal.

☒ The proposal has not been segmented to meet the definition of a categorical exclusion. This proposal is not connected to other actions with potentially significant impacts (40 CFR 1508.25(a)(1)), is not related to other actions with individually insignificant but cumulatively significant impacts (40 CFR 1508.27(b)(7)), and is not precluded by 40 CFR 1506.1 or 10 CFR 1021.211 concerning limitations on actions during preparation of an environmental impact statement.

Based on my review of the proposed action, as NEPA Compliance Officer (as authorized by the LM Director per DOE Policy 451.1), I have determined that the proposed action fits within the specified classes of action, the other regulatory requirements set forth above are met, and the proposed action is hereby categorically excluded from further NEPA review.

**NEPA Compliance Officer Signature and
Determination Date**

JOYCE CHAVEZ Digitally signed by JOYCE CHAVEZ
Date: 2024.01.31 11:26:34 -07'00'