



NEPA Categorical Exclusion Determination Form

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

Project Title: Site transition at the Bayo Canyon Aggregate Area, New Mexico

Location: Bayo Canyon, Los Alamos, New Mexico

Proposed Action or Project Description:

DOE Office of Environmental Management (EM) is proposing to transition the Bayo Canyon Aggregate Area (BCAA) at Los Alamos National Laboratory (LANL) in Los Alamos, New Mexico, to LM early in fiscal year (FY) 2019. This proposed action is for administrative and asset management activities, and post-transition long-term surveillance and maintenance (LTS&M) actions related to transition of the BCAA. Activities covered under these actions are described below.

Administrative functions and LTS&M actions associated with post site transition would include: acquiring and preserving site information, inspecting physical structures, assessing the need for institutional controls, and documenting, prioritizing, and scheduling post-closure care requirements.

As a category 2 site, LM would conduct post-transition work that would include (1) periodic site inspections to assess the condition of bollards; (2) evaluating erosion and existing control features; (3) coordinating with EM and LANL to obtain any existing archaeological survey reports and State Historic Preservation Office correspondence to document the status of any known archaeological or historic properties on the site, including the historic wagon trail; (4) documenting locations of federal and state threatened and endangered species and their habitat; (5) identifying deep rooted trees/chamisa plants near the landfill area (which may contain elevated levels of the strontium-90 radioactive isotope); (6) evaluating regulatory requirements under the Resource Conservation and Recovery Act permit, the Consent Order, and the National Pollution Discharge Elimination System permit; and (7) evaluating the overall condition of the site, including the areas of residual contamination.

Implementation of LTS&M would begin in FY 2019 or when administrative site transition is complete. Proposed real property actions would include acquiring copies of early homesteader easements, access agreements and rights-of-way, and negotiating additional institutional controls as necessary.

Proposed ongoing routine maintenance activities could include (1) sign installation and replacement; (2) survey monument repair or replacement; (3) fixing, painting, or replacing bollards; (4) vegetation management including trimming vegetation that encroaches on site features or obstructs signs, hand or mechanical removal of undesired vegetation and weeds; (5) small-scale erosion control repair activities as needed; (6) fence maintenance, repair, and/or removal; and (7) removal of lights and electrical boxes from remote areas that previously contained small buildings or other structures.

Proposed monitoring activities could include performing on-site and offsite environmental monitoring of site systems which might include, but is not limited to: (1) groundwater and/or surface water sampling; (2) sampling of flora and fauna; (3) vegetation management, (4) using off-road and all-terrain vehicles as needed for access; and (5) land surveying to provide precise location information for various activities, including replacing boundary monuments, working with EM to identify and report potential erosion control issues, and obtaining survey coordinates. Proposed activities could also include performing ground or aerial photography, or topographic, ecologic, or other surveys by various means for documentation.

Categorical Exclusion(s) Applied:

- A1 Routine DOE business actions
 - A9 Information gathering, analysis, and dissemination
 - B1.3 Routine maintenance
 - B3.1 Site characterization and environmental monitoring
 - B3.2 Aviation activities
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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).

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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.



Digitally signed by JOYCE CHAVEZ
Date: 2019.02.22 11:43:43 -07'00'

NEPA Compliance Officer

Date Determined