



NEPA Categorical Exclusion Determination Form

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

Project Title: Install and Maintain Aerial Survey Monuments and Perform Aerial Surveys at Lakeview, Oregon, Disposal Site (LM 22-19)

Location: Lakeview, Oregon, Disposal Site

Proposed Action or Project Description:

LM is proposing to install permanent aerial survey quality control monuments at the Lakeview, Oregon, Disposal Site. The aerial survey monuments would be constructed at five proposed locations near the engineered disposal cell to provide reliable monuments for repeatable aerial surveys. Because the proposed locations have not been field checked, alternate locations are also included for consideration. Alternate locations would be used if, for example, adverse soil conditions or access limitations are encountered. All monuments would be located off the disposal cell.

Proposed work would include ground surveying of the locations and placement of survey pins at all locations. A skid-steer loader or backhoe would be used to dig the holes to construct the monuments. The proposed action would result in approximately 25 square feet of surface disturbance at each of the five proposed monument locations, resulting in approximately 125 square feet of disturbance. Subsurface disturbance would vary from 12 to 40 inches in depth, with the center rod reaching a full depth of 6 feet or less at each of the five proposed locations. Efforts would be made to minimize areas of land disturbance during monument construction. Care would be taken to drive construction equipment on site roads or existing tracks, to the extent possible. Refueling of equipment could occur at the site in accordance with a fueling plan.

An archaeological survey of the Lakeview site was completed in April 2019 by a permitted archeologist. The resulting archaeological survey report, which documented the lack of historic properties at this location, was submitted by LM to the Oregon State Historic Preservation Officer (SHPO) and local Native American tribes for their review and comment on June 10, 2019, along with the formal determination that there is no historic property in the areas to be affected by the construction of the quality control monuments. SHPO concurred with this determination in a letter dated July 19, 2019. No tribal responses were received.

The aerial monument construction work is scheduled for August and September 2019. Ongoing maintenance of the aerial survey monuments would be performed in out years, as needed.

Performance of aerial remote-sensing surveys would occur on an as-needed basis. No aviation activities would commence until required Flight Safety Plans are approved by a certified DOE aviation manager and permission is received from LM to proceed with aviation activities. The need to perform follow-on surveys would depend, in part, upon the results of the baseline surveys. Follow-on surveys would require new Flight Safety Plans approved by a certified DOE aviation manager. The surveys are expected to be conducted by unmanned aerial vehicles (also called drones), aircraft, or helicopters, depending on the types of sensors being used. Figure 3 shows the extent of the aerial survey boundaries.

All proposed work would be conducted by the Legacy Management Support (LMS) contactor or a subcontractor under LMS supervision.

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Categorical Exclusion(s) Applied:

- B1.3, Routine maintenance; B3.1, Site characterization and environmental monitoring; B3.2, Aviation activities

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

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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: 2019.08.05 15:24:23 -06'00'

NEPA Compliance Officer

Date Determined