

## RECORD OF CATEGORICAL EXCLUSION DETERMINATION

**Project ID No.:** LE-2 Wetland JD

**Title:** BH Wetland Jurisdictional Determination

**Description:** The objective of this effort is to assist the United States Department of Energy (DOE) Strategic Petroleum Reserve (SPR) with the preparation of a wetland jurisdictional determination in accordance with U.S. Army Corps of Engineers (USACE) guidance. The contractor needs to provide the field data and reporting concerning vegetation, soils, and hydrology that are required for jurisdictional decisions. This work is located at BH RWIS Road and Wilbur Road.

**Regulatory Requirements** National Environmental Policy Act (NEPA) Implementing Procedures (10 Code of Federal Regulations (CFR) 1021)

### **10 CFR 1021.410 (Application of Categorical Exclusions)**

(a) The actions listed in Appendices A and B of Subpart D are classes of actions that Department of Energy (DOE) has determined do not individually or cumulatively have a significant effect on the human environment (categorical exclusions).

(b) To find that a proposal is categorically excluded, DOE shall determine the following:

- (1) The proposed action fits within a class of actions that is listed in Appendix A or B of Subpart D;
- (2) There are no extraordinary circumstances related to the proposal that may affect the significance of the environmental effects of the proposal; and
- (3) The proposal is not "connected" (40 CFR 1508.25(a)(1)) to other actions with potentially significant impact, is not related to other proposed actions with cumulatively significant impacts (40 CFR 1508.25(a)(2)), and is not precluded by 40 CFR 1506.1 or 10 CFR 1021.211.

### **Appendix B (Categorical Exclusions Applicable to Specific Agency Actions)**

The proposed action must not:

1. Threaten a violation of statutory, regulatory, or permit requirements for environment, safety, and health, including requirements of DOE and/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 Comprehensive Environmental Response, Compensation and Liability Act (CERCLA)-excluded petroleum and natural gas products that preexist in the environment such that would be uncontrolled or un-permitted releases;
4. Have the potential to cause significant impacts on environmentally sensitive resources, which includes (i) property (sites, buildings, structures, and objects) of historical, archeological, or architectural significance; (ii) federally-listed and state-listed threatened or endangered species or their habitat, federally-protected marine mammals and essential fish habitat and otherwise federally-protected species; (iii) floodplains and wetlands; (iv) federally and state designated areas (wilderness areas, national parks, national monuments, national natural landmarks, wild and scenic rivers, wildlife refuges, scenic areas, and marine sanctuaries); (v) prime or unique farmland; (vi) special sources of water (sole-source aquifers, wellhead protection areas, and other vital water resources); and (vii) tundra, coral reefs, or rain forests); or
5. Involve genetically engineered organisms, synthetic biology, governmentally designated noxious weeds, or invasive species.

NEPA Preparer: Matthew Dubuc

Creation Date: 10/30/2019

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**Environmental Analysis:** (mark all environmental aspects that are applicable to this project)

Air Emissions		Environmental Monitoring		Fire	
Green Procurement		Project Design		Waste	
Spills/Releases		Cavern Integrity		Discharges	
Energy Use		Natural Resource Conservation		Water Use	
Transportation		Chemical Use/Selection		Public Involvement	
Sustainable Building		Electronic Stewardship		Wetlands Permitting	
Clean Water		Pollution Prevention			

**Categorical Exclusion (CX) Determination**

NEPA review suggests this project is a Categorical Exclusion. This suggestion is based on review of the project description. If there are changes in the scope of this project additional NEPA review may be required.

CX to be applied B3.1

Site characterization and environmental monitoring (including, but not limited to, siting, construction, modification, operation, and dismantlement and removal or otherwise proper closure (such as of a well) of characterization and monitoring devices, and siting, construction, and associated operation of a smallscale laboratory building or renovation of a room in an existing building for sample analysis). Such activities would be designed in conformance with applicable requirements and use best management practices to limit the potential effects of any resultant ground disturbance. Covered activities include, but are not limited to, site characterization and environmental monitoring under CERCLA and RCRA. Specific activities include, but are not limited to: Sampling and characterization of water, soil, rock, or contaminants (such as drilling using truck- or mobile-scale equipment, and modification, use, and plugging of boreholes).

**NEPA Approval**

Based on my review of information conveyed to me and in my possession the proposed action, as NEPA Compliance Officer (as authorized under DOE Order 451.1) I have determined that the proposed action fits within the specified actions, the other regulatory requirements set forth above are met, and the action is hereby excluded from further NEPA review.

Approved By

DOE NEPA Compliance Officer

Stephen Reese

# NEPA Review Summary

Created By:	Dubuc, Matthew
Date NEPA Review Initiated:	10/30/2019
Type of NEPA Review:	Type B
Project ID Number:	LE-2 Wetland JD
Title:	BH Wetland Jurisdictional Determination
Workflow Status:	Approved

If Workflow Status is Rejected, see below for Reason:

## Concurrence Details:

**Sevcik, Bob** 11/4/2019  
*FFPO Environmental Concurrence* *Compliance Date*  
(not required for Type A-DOE Only Record of NEPA Review or Type B-DOE Only Record of Categorical Exclusion Determination)

**Crosby, Thomas** 11/4/2019  
*SPR Derivative Classifier* *Compliance Date*  
(only required for Type B)

**Catyb, Joseph** 11/5/2019  
*DOE ES&H Director (or Acting)* *Compliance Date*  
(only required for Type B & Type A-DOE Only Record of NEPA Review)

**Reese, Stephen** 11/5/2019  
*DOE NEPA Compliance Officer (or Acting)* *Compliance Date*

**ALL SIGNATURES WERE CAPTURED VIA THE ELECTRONIC WORKFLOW SYSTEM.**

Click on the following Link to view the associated NEPA Document:

[https://myspr.spr.doe.gov/sites/sprworkflow/nepa/NEPA\\_Uploaded\\_Documents/BH\\_Wetland\\_JD.docx, NEPA\\_Doc\\_Link](https://myspr.spr.doe.gov/sites/sprworkflow/nepa/NEPA_Uploaded_Documents/BH_Wetland_JD.docx, NEPA_Doc_Link)