



NEPA Categorical Exclusion Determination Form

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

Project Title: Conduct Aerial Surveys at Weldon Spring Site, Missouri

Location: Weldon Spring Site, Missouri

Proposed Action or Project Description:

LM is proposing to perform light detection and ranging (lidar) survey of the disposal cell at the Weldon Spring Site. This is required by the Long-Term Surveillance and Maintenance (LTS&M) Plan every five years and required by agreement with the regulators every two years to take the place of the LTS&M required annual transect walk of the disposal cell. An aerial survey is also being performed to provide an updated aerial photo of the Site. Regular collection of aerial survey data is expected to facilitate long-term management of the disposal cell by providing accurate baseline data sets from which various site characteristics, including topography, may be assessed, and compared to future site aerial surveys and to existing ground survey data. These activities are essential to meeting LM's overall mission to protect human health and the environment and to manage legacy land and assets.

Aerial surveys would be performed using manned aircraft to conduct the surveys. The takeoff and landing would occur from a nearby airport when feasible or from more distant airports as needed. The aerial surveys would provide aerial photography and lidar survey of the disposal cell. The primary datasets from the survey would include aerial imagery and lidar elevation data on and surrounding the Site.

The proposed activities would include ground surveying and placement of temporary targets. All associated ground surveying and target placement would be performed by a professional land surveyor. Subsequent target removal would be the responsibility of LMS contractor personnel, or the subcontractor with LMS supervision. Placement of temporary targets on the ground surface would occur using an object driven into the ground less than 6-inches in length, and would be installed using hand-powered tools only. No mechanized equipment would be used. Placement of temporary targets would avoid vegetation to the extent possible to limit disturbance of native habitat.

Targets could be placed in potential wetlands or heavily vegetated areas only when less sensitive areas are not useable. If required, vegetation may be trimmed or mowed in an area not to exceed 10' x 10' per target area. The monarch butterfly, a candidate species, is dependent on the milkweed plant, which could be present at the site. The proposed project would occur in November/December when the butterfly would not be present. No herbicide application or mowing would occur within 50 feet of milkweed plants to protect the butterfly. Vegetation trimming would not occur in an area with active bird nests unless the site's Ecologist has provided mitigation measures to be implemented before vegetation is trimmed. Only hand tools, including weed whackers, would be used to trim or mow vegetation, and ground disturbance would be minimal. The placement of temporary targets would avoid any area suspected of containing cultural resources.

Target placement would occur at on-site locations, including placement on the disposal cell. Temporary targets shall be surface mounted, stationary, and single use markers. All temporary targets would be removed when data collection is completed. Vehicles, all-terrain vehicles (ATVs), and utility terrain vehicles (UTVs) would be limited to existing on- and off-site roads and established trails, unless the following requirements are followed:

- Active bird nests would not be disturbed.
- Vehicles, ATVs, and UTVs would be driven at slower speeds to minimize dust generation at and adjacent to the site.

On-site refueling would not be required. No aviation activities would commence until required Aviation Safety Plans are approved by a certified DOE Aviation Manager and permission is received from the LM Site Manager to proceed with aviation activities. The need to perform follow-up aerial surveys would depend, in part, upon the results of the baseline aerial survey. Follow up aerial surveys would require new Aviation Safety Plans approved by a certified DOE Aviation Manager and LM site manager. All proposed work would be conducted by the LMS contractor or a subcontractor under LMS contractor supervision.

Categorical Exclusion(s) Applied:

- B1.3 Routine Maintenance
- B1.24 Property Transfer
- B3.1 Site Characterization and Environmental Monitoring
- B3.2 Aviation Activities

U.S. Department of Energy
Office of Legacy Management



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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).

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: 2022.11.25 08:07:45 -07'00'