



# U.S. Department of Energy Categorical Exclusion Determination Form

Submit by E-mail

Proposed Action Title: Storm Water Control Measures at Individual Permit Site, TA-72

Program or Field Office: Los Alamos Site Office (DOE/NNSA)

Location(s) (City/County/State): Los Alamos, NM

Proposed Action Description:

The purpose of this project is to implement engineered storm water control measures at Technical Area (TA) 72, Sandia Watershed Site Monitoring Area 6 (S-SMA-6), at Los Alamos National Laboratory (LANL). Storm water controls would be designed and installed to meet the requirements of National Pollutant Discharge Elimination System (NPDES) Permit No. NM0030759, commonly referred to as the LANL Individual Storm Water Permit (IP). The storm water control measures would address storm water mitigation for the area within the boundary of AOC 72-001. The total anticipated area of disturbance for the proposed project is 3.50 acres (~2 acres related to the retention area and upstream check dams, ~1.25 acres related to conveyance construction and berm enhancement, and ~0.25 acres for a laydown area). The total area of existing waterway with disturbance occurring is <0.3 acres (800 feet length at approximate average width of 15 feet). A floodplain assessment was completed for this site and concluded that the long-term effects to the floodplain are positive and would consist of reducing the amount of potentially contaminated soil leaving LANL property and reducing the strength of water during flood events moving down Sandia Canyon. Best management practices (BMPs) for soil erosion control and floodplain protection would be implemented during all project activities. For any construction or excavation, a NPDES General Notice of Intent would be filed, and a Storm Water Pollution Prevention Plan (SWPPP) would be implemented as required. Under the provisions of the Migratory Bird Treaty Act (16 U.S.C. 703-712), the project would ensure that construction activities would not cut down trees and shrubs between 1 June and 31 July of any year, or have qualified personnel survey trees and shrubs immediately prior to removal to ensure no nestlings or eggs are destroyed. There are no archaeological sites within the proposed project area. See LAN 13-001 for additional project information.

Categorical Exclusion(s) Applied:

B1.33 - Stormwater runoff control

B6.1 - Cleanup actions

For the complete DOE National Environmental Policy Act regulations regarding categorical exclusions, including the full text of each categorical exclusion, see Subpart D of 10 CFR Part 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 under DOE Order 451.1B), I have determined that the proposed action fits within the specified class(es) 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:

Date Determined: Nov. 14, 2012