U.S. Department of Energy
Categorical Exclusion Determination Form

Submit by E-mail

Proposed Action Title: Pantex Lake Land Utilization

Program or Field Office: NNSA Production Office

Location(s) (City/County/State): Amarillo, Carson, Texas

Proposed Action Description:
This project would remove approximately 1,150 linear feet of existing fence and install approximately 840 linear feet of new fence. The purpose of this project would be to allow an adjacent land owner the ability to use the approximately three acres of Department of Energy (DOE) land that is currently in cultivation as part of the Service Agreement between the U. S. Department of Energy/National Nuclear Security Administration (Pantex Site Office) and Babcock and Wilcox Technical Services Pantex, LLC and Texas Tech University. The adjacent land owner is the Cooperator that currently farms the 37 acres of DOE land that lies to the south and west of the adjacent land owner's center pivot irrigated property. Moving the fence would allow the land owner the ability to irrigate an additional 40 acres of their property. The Cooperator would be responsible for removing the existing fence and installing the new fence. Installation of the new fence would include new steel corner posts embedded in concrete, new barbed wire, and the used T-posts from the removed fence would be reused when possible. The removed barbed wire would be rolled up for proper disposal by Pantex.

Categorical Exclusion(s) Applied:
B1.11 - Fencing

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: James Barrows Digitally signed by James Barrows DN: c=us, o=U.S. Government, ou=Department of Energy, ou=Pantex Plant, ou=NNSA Site Office, serialNumber=jbarrows, cn=James Barrows Date: 2013.11.05 15:18:08 -06'00' Date Determined: November 5, 2013