



U.S. Department of Energy Categorical Exclusion Determination Form

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Proposed Action Title: Pueblo Canyon Grade Control Structure (GCS) Revitalization and Wetlands Stabilization, TA-74

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

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

Proposed Action Description:

The proposed Grade Control Structure (GCS) and Wetlands Stabilization (wetlands) project activities will take place within Santa Fe County, on Los Alamos County property in Pueblo Canyon between the convergence of Bayo and Pueblo Canyons and the NM 502/NM 4 interchange. The storm event from September 12-16, 2013, resulted in damage to the stream channel and wetlands area within Pueblo Canyon. The proposed work will repair flood damage, ensure continued operation of gage E060.1, provide safer access to the gage station for on-going maintenance activities, and minimize stream bank erosion along the New Mexico Department of Transportation right-of-way. The proposed work will stabilize the Pueblo Canyon wetlands area and assist floodplain development by promoting vegetation in the existing channel, prevent progression of head cuts in the channel, and stabilize channel banks with existing elevated sediment contaminants. The GCS and wetlands project activities will not cut down trees and shrubs between 1 June and 31 July of any year to comply with the Migratory Bird Treaty Act. There are no Threatened & Endangered species within the project area. The GCS and wetlands project will not affect any cultural resources within the project areas. The project area is within a 100-year floodplain. A Floodplain Assessment was completed for the original grade control structure in 2009 and in 2014 for the wetlands stabilization. The project will ensure that activities comply with Floodplain Best Management Practices described in the Floodplain Assessment. A Section 404 Permit Application for work within a 100-year floodplain was submitted to the United States Army Corps of Engineers. The GCS Project is authorized by Nationwide Permit 43 Stormwater Management Facilities and the wetlands project is authorized by Nationwide Permit 27 for Aquatic Habitat Restoration, Establishment, and Enhancement Activities (SPA-2014-00167-ABQ). See LAN No. 14-17 for more detail, including construction drawings.

Categorical Exclusion(s) Applied:

- B1.3 - Routine maintenance
- B1.11 - Fencing
- B1.13 - Pathways, short access roads, and rail lines
- B3.1 - Site characterization and environmental monitoring
- 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: **KAREN ODEN**

Digitally signed by KAREN ODEN
DN: cn=US, o=U.S. Government, ou=Department of Energy, cn=KAREN
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Date: 2015.02.18 16:37:31 -0700

Date Determined: 02/18/2015