



## NEPA Categorical Exclusion Determination Form

**Program or Field Office:** Department of Energy (DOE), Office of Legacy Management (LM)

**Project Title and I.D. No.:** Conduct Aerial Surveys at the Tuba City, Arizona, Disposal Site (LM 42-17)

**Location:** Tuba City, Arizona

### Proposed Action or Project Description:

U.S. Department of Energy (DOE) Office of Legacy Management (LM) is proposing to conduct aerial surveys at the Tuba City, Arizona, Disposal Site. Authorities and requirements for managing this site derive from Title I of the Uranium Mill Tailings Radiation Control Act. Proposed activities would include the following:

- Baseline aerial survey of the approximately 50-acre disposal cell (see figure) using a lidar system to collect topographic data
- Photogrammetric survey of an approximately 500-acre area (see figure). Resulting data would be used to construct a model of the site and surroundings for use in an outreach video
- Videography, to consist of a flyover recording from the site to the Moenkopi Wash, for use in the outreach video

Proposed survey and videography activities would be conducted using an unmanned aerial system (UAS). A launch site that allows for safe takeoff and landing of the UAS and offers a good vantage point to maintain view of the UAS over the entire area of interest would be selected at the site. The launch site would be selected by the subcontractor (aerial survey company) during a site walk that would take place prior to the aerial survey. Control points, or targets, would be placed at locations determined by the subcontractor to satisfy the accuracy requirements for the desired datasets. Each target would be temporary so as not to allow any intrusion below the ground surface. The subcontractor pilot operating the UAS would prepare a Project Aviation Safety Plan (PASP) as required by the U.S. Department of the Interior Office of Aviation Services and they would have primary responsibility for implementing the PASP. LM currently plans to initiate the proposed activities in December 2017. See Parts B and C of the attached Environmental Review Form for further detail.

### Categorical Exclusion(s) Applied:

- B3.2 Aviation Activities

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.

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Revision: September

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**NEPA Compliance Officer:**

**Date Determined:**