



## 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 Rocky Flats Site, Colorado

**Location:** Rocky Flats Site, Colorado

---

### Proposed Action or Project Description:

LM is proposing to conduct aerial remote-sensing surveys at the the Rocky Flats Site, Colorado (Rocky Flats) and Rocky Flats National Wildlife Refuge (Refuge) to facilitate long-term management of the Site. Aerial surveys would be performed using small unmanned aircraft systems (sUASs), manned aircraft, or helicopter(s) to conduct the surveys. If a manned aircraft or helicopter were to be used, the takeoff and landing would occur from a nearby airport when feasible or from more distant (i.e., Salt Lake City, Utah) airports as needed. The aerial surveys would provide aerial photography and topographic mapping services onsite and offsite within the Rocky Flats Site and Rocky Flats National Wildlife Refuge. The primary datasets from the survey would include aerial imagery and light detection and ranging (lidar) elevation data on and surrounding the Site.

The proposed activities would include ground surveying and the installation of temporary targets. All associated field ground surveying, target placement, and subsequent removal would be the responsibility of Legacy Management Support (LMS) personnel and would be performed by a professional land surveyor or Site personnel. The temporary placement of targets on the ground surface would occur using an object less than 6 inches in length and would be installed and removed using hand-powered tools only. Target placement could occur at onsite and offsite locations within the Rocky Flats and Refuge boundary. If required, access agreements would be obtained from adjacent property owners prior to target placement. Temporary targets would be surface-mounted, stationary, and single-use markers. Targets would be removed when data collection activity is complete.

Placement of temporary targets would avoid vegetation, to the extent possible, to limit disturbance of native habitat. Targets would be placed in potential wetlands or heavily vegetated areas only when less sensitive areas are not usable. Efforts would be made to minimize impacts to all vegetation near the temporary targets. If vegetation prevents the proper placement of targets, vegetation may be trimmed in an area not to exceed 10 × 10 feet per target. Vegetation trimming would not occur in an area with active bird nests unless mitigation measures are implemented before vegetation is trimmed. Only hand tools would be used to trim vegetation; ground disturbance would be minimal. Additionally, the placement of temporary targets would avoid any area suspected of containing cultural resources.

Vehicles and all-terrain vehicle or utility terrain vehicle travel would be limited to existing onsite and offsite roads and established trails, unless the following requirements are followed: (1) sites with potential special-status species would be cleared by an ecologist before disturbance, and (2) active bird nests would not be disturbed. Vehicles would be driven at slower speeds to minimize dust generation at and adjacent to the Site. If onsite fueling is required the subcontractor would comply with the LMS fueling plan. Equipment must be fueled using an approved fuel container with spill containment and a spill kit in place. Equipment fueling would be conducted with the LMS representative's approval and would take place during work hours.

No aviation activities would commence until required aviation safety plans are approved by a certified LM aviation program 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 LM aviation program manager and LM site manager. All proposed work would be conducted by the LMS contractor or a subcontractor under LMS supervision. Aerial remote-sensing surveys would occur on an as-needed basis and would adhere to the established aviation requirements. sUAS flights would adhere to all federal, state, local, and tribal laws, ordinances, or restrictions.

---

### Categorical Exclusion(s) Applied:

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



## NEPA Categorical Exclusion Determination Form

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 E. Chavez Digitally signed by Joyce E. Chavez  
Date: 2022.03.29 12:01:16 -06'00'