



**U.S. Department of Energy
Office of Legacy Management
Categorical Exclusion Determination Form**



Program or Field Office: Office of Legacy Management (LM)

Project Title and I.D. No.: Blocking McDonald Ditch Drainage Structure, Near Grand Junction, Colorado, Disposal Site (LM 12 – 17)

Location: Mesa County, Colorado—Near the Grand Junction Disposal Site

Proposed Action or Project Description:

The U.S. Department of Energy (DOE) Office of Legacy Management (LM) is developing plans to alter a vintage (i.e., 50 years or more in age), water diversion structure (5ME.21905) in rural Mesa County in order to control stormwater runoff. The goal of the alteration is to prevent flooding a portion of the disposal cell at our Grand Junction, Colorado, Disposal Site due to high spring flows in Indian Creek associated with heavy snowpack on the Grand Mesa. When these high spring flows occur, the otherwise derelict water diversion structure routes storm water into the unmaintained McDonald Ditch, which then diverts water onto LM property. The work would involve fabricating and installing a new steel weir to replace the original wooden weir, which is no longer intact. The new weir would be inserted into existing grooves in the diversion structure. No alterations to the diversion structure would be required. Once the new weir has been installed, it would be backfilled on the downstream side by rock riprap, which would be removable if needed.

The proposed closure of the diversion structure was determined to be an undertaking. The diversion structure, estimated to be greater than 50 years of age was evaluated for its potential to be a historic property. A Colorado architectural history inventory form was completed for the diversion structure. LM determined that the diversion structure was not a historic property and that the undertaking would result in no historic properties affected. This conclusion was conveyed to the Colorado State Historic Preservation Officer (SHPO) in writing on April 25, 2017. The Colorado SHPO concurred with this determination on May 1, 2017.

Categorical Exclusion(s) Applied:

- B1.3 Routine maintenance
- B1.33 Storm water runoff control

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.

Joyce E. Chavez
2017.05.25 15:59:49 -06'00'

NEPA Compliance Officer:

Date Determined: