

**U.S. DEPARTMENT OF ENERGY
OFFICE OF ENERGY EFFICIENCY AND RENEWABLE ENERGY
NEPA DETERMINATION**



RECIPIENT: U.S. Department of Energy

STATE: CO

PROJECT TITLE : U.S. Department of Energy Land Exchange with Jefferson County and the State of Colorado

Funding Opportunity Announcement Number Procurement Instrument Number NEPA Control Number CID Number
GFO-LandExchangeJeffCO-001

Based on my review of the information concerning the proposed action, as NEPA Compliance Officer (authorized under DOE Policy 451.1), I have made the following determination:

CX, EA, EIS APPENDIX AND NUMBER:

Description:

B1.24 Transfer, lease, disposition, or acquisition of interests in personal property (including, but not limited to, equipment and materials) or real property (including, but not limited to, permanent structures and land), provided that under **Property** reasonably foreseeable uses (1) there would be no potential for release of substances at a level, or in a form, that **transfers** could pose a threat to public health or the environment and (2) the covered actions would not have the potential to cause a significant change in impacts from before the transfer, lease, disposition, or acquisition of interests.

Rationale for determination:

The U.S. Department of Energy (DOE) is proposing to conduct a multi-party land exchange with Jefferson County Open Space (JCOS) and the State of Colorado (the State). This would be completed in a two-step process.

First, DOE would exchange parcels with JCOS. DOE would exchange several parcels it currently owns for an approximately 9.3-acre parcel inside Pleasant View Park currently owned by JCOS. The parcels that would be exchanged between DOE and JCOS have been appraised by DOE and determined to have equal value. DOE proposes to exchange the following with JCOS for the 9.3 acre parcel:

- 3 parcels (approximately 157 acres, 2.4 acres, and 3.5 acres) to the North and East of DOE's National Renewable Energy Laboratory (NREL) South Table Mountain campus
- 1 parcel (approximately 0.8 acres) on the corner of S. Golden Rd. and Research Rd.
- a trail easement (approximately 29.6 acres)

Second, DOE would exchange parcels with the State. DOE would exchange the 9.3-acre parcel obtained in the exchange with JCOS with the State for a parcel located in Camp George West. The parcels that would be exchanged between DOE and the State have been appraised by DOE and DOE has completed a Phase 1 Environmental Site Assessment of the Camp George West parcels. The parcels that would be exchanged between DOE and the State has been determined to have equal value.

To date, JCOS, DOE, and the State have conceptual plans for what would be done with each parcel acquired in the exchange. JCOS, consistent with its mission to preserve, protect, and provide healthy nature-based experiences for Colorado and the community of Jefferson County, is proposing to enhance access to contiguous open space by developing a trailhead and providing additional parking. The State envisions developing a "Global Energy Park" on the 9.3-acre parcel to foster collaboration in renewable and sustainable energy between NREL, industry, and academia. Additionally, on the parcel the State exchanges to DOE, the State would relocate the Camp George West Correctional Facility. DOE envisions the former correctional facility parcel as an open portion of the NREL campus and to operate laboratories, research and testing sites and facilities, which encourages community involvement.

As these are only conceptual plans at this time, there is not sufficient information available to DOE to complete a meaningful analysis of the potential impacts associated with the conceptual future actions. DOE will complete additional NEPA review for any future major federal actions associated with any of the exchanged parcels when sufficient information is available to conduct a meaningful analysis of the potential impacts to the human environment.

DOE has determined that the reasonably foreseeable uses for the exchanged parcels would not result in (1) the release of substances that could pose a threat to public health or the environment, or (2) a significant change in impacts from before the land exchange.

NEPA PROVISION

DOE has made a final NEPA determination.

FOR CATEGORICAL EXCLUSION DETERMINATIONS

The proposed action (or the part of the proposal defined in the Rationale above) 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 proposed action that may affect the significance of the environmental effects of the proposal.

The proposed action 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.

The proposed action is categorically excluded from further NEPA review.

SIGNATURE OF THIS MEMORANDUM CONSTITUTES A RECORD OF THIS DECISION.

NEPA Compliance Officer Signature:  _____ Date: 1/19/2022
NEPA Compliance Officer

FIELD OFFICE MANAGER DETERMINATION

- Field Office Manager review not required
 Field Office Manager review required

BASED ON MY REVIEW I CONCUR WITH THE DETERMINATION OF THE NCO :

Field Office Manager's Signature: _____ Date: _____
Field Office Manager