



U.S. Department of Energy Categorical Exclusion Determination Form

Proposed Action Title: Excess Real Property Determination for Approximately 20 Acres of Self-Sufficiency Parcel #13 (CX-ORR-16-001)

Program or Field Office: Oak Ridge Reservation

Location(s) (City/County/State): Oak Ridge, Tennessee

Proposed Action Description:

The parcel is known as Self Sufficiency Parcel #13 (approximately 20 acres of an original 214 acre tract). The approximately 20 acres of primarily forested vacant land is located on the East end of Bethel Valley Road adjacent to the west side of the Bethel Valley Industrial Park and East of the Oak Ridge National Laboratory in Anderson County, Tennessee. The scope of this Categorical Exclusion Determination under the National Environmental Policy Act of 1969 (NEPA) is limited to the Department of Energy determination of excess real property, coordination with the General Services Administration and other agencies and stakeholders, and other administrative activities to support the excess real property process. A subsequent NEPA determination will be required once the proposed disposition of the parcel has been determined and prior to any transfer, lease, or sale of property out of Federal ownership or control.

No wetlands, floodplains, cultural resources, caves, or vernal pools are known to occur on the parcel. Two sink-hole areas are known on the parcel with eroded wet-weather conveyances draining to them. A large population of a Tennessee-listed plant species (tall larkspur, *Delphinium exaltatum*) is being studied just west of the parcel and some scattered individuals occur on the parcel. Also, just west of the parcel is an experimental area for the study of control of Emerald Ash Borer (EAB) insect with parasitoid wasps. McCoy Branch (east fork) is a small, intermittently flowing stream that is just to the west of the parcel.

Three Federally-listed bat species are known from the Oak Ridge Reservation. Two of these species (Indiana bat and northern long-eared bat) roost in trees during the roosting season and could be found on the parcel during this part of the year. There are numerous potential bat roost trees in the vicinity of the parcel. Any tree felling on this parcel should be restricted to the U.S. Fish and Wildlife Service (USFWS)-recommended window of November 15 – March 31 to protect bat roosting habitat. Tree felling should not be performed outside of these dates without being preceded by on-site acoustic surveys which can indicate current presence of these listed bat species. Clearing of more than ten acres of forest at one time within Indiana and northern long-eared bat summer roosting habitat requires a US Fish and Wildlife Service approved tree removal plan, and mitigation might be required. The third bat species (gray bat) roosts primarily in caves year-around and since no caves are known on the site, there should be no impacts to this species.

The overall site contains generally good quality wildlife habitat and probably supports some state listed “in need of management” (INM) bird species. Two other potential INM wildlife species for this site include four-toed salamander and southeastern shrew.

Categorical Exclusion(s) Applied:

B1.36 - Determinations of excess real property

A9 - Information gathering, analysis, and dissemination

Choose an item.

Choose an item.

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.

The above description accurately describes the proposed action, which reflects the requirements of the CX cited above. Therefore, I recommend that the proposed action be categorically excluded from further NEPA review and documentation.

Program Point of Contact: Cindy B. Finn *Cindy B. Finn* **Date Determined:** 2/5/2016

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: James L. Elmore *James L. Elmore* **Date Determined:** 2/8/2016