



U.S. Department of Energy

Categorical Exclusion Determination Form

Proposed Action Title: Agent Operations Eastern Command Drivers Training Course and Other West Side Development (CX-ORR-16-004)

Program or Field Office: Oak Ridge Reservation

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

Proposed Action Description: The Office of Secure Transportation (OST) is an organization within the Department of Energy (DOE) National Nuclear Security Administration (NNSA) that provides safe and secure transportation of items for the national security of the United States of America. The Agent Operations Eastern Command (AOEC) Training Facility is part of NNSA's OST. At the AOEC Training Facility, training is provided for federal and contractor security personnel in the use and safe handling of firearms, security responses, protection of personnel and property, and physical and tactical training. This facility is located on Bear Creek Road in Oak Ridge, Tennessee.

The proposed site is located generally between Bear Creek Road on the north, Walker Road on the south, New Zion Patrol Road to the west, and the developed area of the OST Firing Range on the east. The total site is approximately 24 acres in size. It is proposed to create a road from the Firing Range area into the proposed site by traversing the unnamed creek on the eastern boundary of the action area. Also, other roadways are planned on the site. In the future, a driver's training course has been proposed for the area.

The site currently contains second growth woodlands. Yellow poplar, sweetgum, red maple, flowering dogwood, and eastern red cedar are the common species regenerating within the former plantation areas. There are also a few remaining loblolly pine that were not impacted by the pine beetle. Other tree species present on the site include Virginia pine, southern red oak, American beech, sourwood and sumac. There are a number of invasive plant species on the site, including privet, autumn olive, Japanese honeysuckle, Nepal grass and Johnson grass. The eastern end of the site contains some larger American beech and tulip poplar. Also notable on this eastern end are Christmas fern, muscadine, and a rather large area of *Lycopodium* (ground pine). From a timber perspective, merchantable-sized trees of marketable quantity and quality are generally absent from the site. No rare plants or rare plant communities were noted during the surveys.

The site would be expected to support bird species that frequent forest edges and small woodlots. Bird species noted during the 2010 site visit included blue jay, Carolina wren, Carolina chickadee and eastern wood-pewee. Bird species noted during the 2016 survey included killdeer (flyover) and American crow. The eastern wood-pewee is listed by Partners In Flight as a bird species of "regional concern". White-tailed deer and raccoon signs were also noted during the 2016 field survey. Dead and down woody material on the site provides important cover, nesting and foraging areas for a variety of wildlife species. Additional forested areas capable of supporting interior forest bird species exist to the south of the site. Minimizing the clearing of trees and other natural vegetation to the maximum extent possible will lessen impacts to wildlife species that occur on the site, including forest and forest edge species. The only potential bat roosting habitat noted on the site was one standing dead snag seen toward the middle of the property during the 2016 field survey. In order to minimize impacts to the federally-listed Indiana and northern long-eared bats, US Fish and Wildlife Service guidance has indicated seasonal restrictions to limit tree felling to between November 15 and March 31. 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. No other threatened or endangered species habitat was noted on this site. No caves are known from the site so no direct impacts to the endangered gray bat should occur.

The site contains a fairly diverse stream system. The primary stream, Grassy Creek, runs along the southern border of the site. Grassy Creek has many reaches that flow underground during parts of the year. It has only been sampled for fish at the furthest western portion of this property (stream kilometer 2.6) and also further downstream (stream kilometer 1.4). Tennessee dace (State-listed In Need of Management) have never been encountered at either of these two sites; however, only one sample has been taken since 1992. Tennessee dace do occur in neighboring watersheds and it is possible that they could occur in Grassy Creek also.

The site was evaluated for the presence of wetlands using U. S. Army Corps of Engineers (ACOE) protocols during the 2010 survey. The three ACOE criteria for wetland designation (vegetation, hydrology and soils) were evaluated. Two small wetlands were found adjacent to creeks on the site. Both wetlands were flagged and Global Positioning System (GPS) locations taken in 2010. Wetland #1 was found along the north-south running creek on the eastern end of the site. This site contains both wetland shrub and herb species, with established wetland soils. The area was found to be wet with water to the ground surface. The area appears to receive drainage from surrounding developed areas, based on the presence of rip-rap on the site. Wetland #2 is located along Grassy Creek. This is a very small wetland along a drainage into Grassy Creek from the north. The site contains both wetland shrub and herb species, with established wetland soils. Soils were found to be saturated to the surface, with free water to within 3 inches of the ground surface. Boundaries for both wetlands were re-checked during the 2016 survey. The flagging for Wetland #1 was still intact from the 2010 survey, conditions had not changed and GPS

coordinates were taken to delineate the boundary. Not all flagging for Wetland #2 was intact from the 2010 survey and conditions had changed in the area. Therefore, Wetland #2 will require re-delineation. This re-delineation will be performed in Spring 2016 after plant leaf-out.

In natural areas it is recommended to maintain a 100 foot (30m) buffer from top of bank on each side of a blue line stream, wherever possible. This is recommended to fully protect the stream and the associated riparian zone. This would include any construction of road crossings or removal of riparian vegetation to within 100 feet of the top of the stream bank. Any placement of culverts needs to be appropriately sized for the drainage and should be placed on grade to prevent fish passage barriers on the downstream end. Special precautions should be taken in the areas adjacent to the proposed driver training facility to prevent erosion and sedimentation issues. Use of culverts or other means will be important in certain areas to contain and maintain existing flow, while also protecting these drainage areas. Additional buffers in riparian zones would be an extra precaution to prevent sediment transport into the streams.

The small unnamed tributary on the east side of the property that is to be traversed by a small road does flow year-round and fish have been observed in it. As a follow-up to the field surveys, the tributary will be sampled to determine the actual fish species present within the reach. There is also a small drainage in the western portion of the site in the area proposed for the driver training facility and within the area where vegetation clearing had been conducted recently. This drainage has sustained flows for extended periods in the lower reach where aquatic invertebrates were observed, including snails. The upper end of this drainage is likely a wet weather conveyance. Follow-up surveys will be conducted as soon as weather permits (i.e. 7-10 days without precipitation), which should determine where the actual stream begins.

Aquatic Resources Alteration Permits (ARAPs) would be obtained as needed for projects involving Waters of the State, e.g., wetlands and blue-line streams. Stipulations contained in these permits would require Best Management Practices (BMPs) or other mitigation that would protect/mitigate these resources. If Tennessee Dace are found in any of the streams, these fishes would be protected by appropriate means, e.g., moving the fishes away from the area of impact. Excavation permits would be obtained via appropriate administrative channels in place on the Oak Ridge Reservation if needed, including Tennessee One requirements. In addition, any disturbed areas would be seeded, if necessary, with native grasses.

Any wastes generated by the proposed activity are expected to be managed through existing, standard waste management and/or recycling programs. Stored materials would be managed so as to prevent discharges to storm drains and/or waters of the state. To the best of DOE's knowledge, there are no hazardous wastes or pre-existing environmental hazards in the site area; however, should any hazardous materials be discovered during construction activities, the work would stop and DOE would be notified immediately.

No cultural resources are known from the parcel. If unanticipated discoveries of cultural resources are made during construction or operations, OST shall contact ORO's Cultural Resources Manager for consultation prior to continuing any activities.

Categorical Exclusion(s) Applied:

B1.2 - Training exercises and simulations

B1.3 - Routine maintenance

B1.13 - Pathways, short access roads, and rail lines

B1.15 - Support buildings

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

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:  Larry M. Rose

Date Determined: 4/4/2016

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

Date Determined: ^{4/4/2016} Click here to enter a date.