

Categorical Exclusions and Administrative Record

The U.S. Department of Commerce

Background

The Department of Commerce (DOC) does not currently have any Department-wide Categorical Exclusions (CEs). Two Operating Units have existing CEs, the National Oceanic and Atmospheric Administration and the Economic Development Administration that are not available for use by other DOC operating units. DOC is submitting the following CEs (and their associated Administrative Records) for consideration for use by all Operating Units within the Department of Commerce.

Development Process

This list of CEs was compiled at DOC Headquarters through a joint effort with the National Institute of Standards and Technology (NIST), National Telecommunication and Information Administration (NTIA), NOAA, and DOC's Energy, Safety and Environment Division. All have been approved by DOC Office of General Counsel (OGC) and the designated Senior Agency Official for NEPA. Combined, these representatives from NIST, NTIA, NOAA, DOC, and OGC represent the review panel responsible for determining appropriate CEs for DOC.

Each proposed CE was reviewed and deliberated in concept, coverage, applicability, and wording by members of the review panel. The review panel carefully reviewed the Administrative Record on each of these CEs to ensure they fulfilled the goal of balancing increased administrative efficiency in National Environmental Policy Act (NEPA) compliance with avoidance of misinterpretations and misapplications of exclusionary language that could lead to non-compliance with NEPA requirements. The review panel concurred that the attached categorical exclusions meet both objectives. The actions contemplated by these categorical exclusions encompass administrative activities that have no inherent potential for significant environmental impacts.

The review panel also noted that numerous other Federal agencies have CEs for similar activities that are sufficiently descriptive of the activity as to establish for the review panel that those activities were similar in nature, scope, and impact on the human environment as those performed by Department. In addition, the review panel recognized that all Federal agencies, with very few limitations, must meet the same requirements to protect the environment. The review panel determined from their experience in or on behalf of other Federal agencies that the characteristics of the activities in the Department were no different than those performed by other Federal agencies.

Accordingly, through a deliberative process, the review panel determined that the proposed categorical exclusions encompassed activities that inherently did not have individual or cumulative significant impact on the human environment. National Historic Preservation Act requirements, if appropriate, still apply to all projects. The use of these CEs does not constitute a release from Section 106 consultation requirements.

The Department hereby amends the Department Administrative Order 216-6 (DAO),

“Implementing the National Environmental Policy Act” to include the following CEs. The Department also amends the DAO to require that all projects involving a federal action will be required to complete the “Departmental NEPA Checklist”. The NEPA Checklist will assist the Department in determining the appropriate level of NEPA documentation. The Department NEPA checklist is available at <http://www.nepa.noaa.gov/procedures.html> under "Department of Commerce NEPA Checklist". The Checklist is divided into two sections. Section One is to be completed by those projects that have historically shown to not create significant environmental impacts to the human or natural environment. Projects consisting solely of administrative or personnel actions, production of informational materials; purchase of electronic equipment for use in existing buildings; and minor interior renovations are subject to Section One of the checklist. Projects involving ground disturbance or that have the potential for significant impacts to the human or natural environment are required to complete Section Two of the Departmental NEPA Checklist. If the proposal is determined to have an effect (checked “yes”) or the preparer is unable to determine if the proposal will have an effect (checked “unable to determine”), the project might be subject to further environmental review, notwithstanding other determinations under state environmental review laws and regulations. Moreover, the National Historic Preservation Act requirements, if appropriate, still apply to all projects. The use of these CEs does not constitute a release from Section 106 consultation requirements.

Public comments on the proposed Categorical Exclusions were invited for a 20 day period ending on June 15, 2009. Three comments were received representing 1 organization, 1 individual, and a federal agency. All comments were fully considered and in fact many recommendations were adopted in the final document. Every effort was made to respond in detail to every question raised or suggestion offered.

CATEGORICAL EXCLUSIONS for ADMINISTRATIVE AND REGULATORY ACTIVITIES. These Categorical Exclusions must also be conducted in conformance with the Executive Orders on Greening the Government, e.g., EO 13101, 13123, 13148, 13149, and 13423.

A1 Minor renovations and additions to buildings, roads, airfields, grounds, equipment, and other facilities that do not result in a change in the functional use of the real property (e.g. realigning interior spaces of an existing building, adding a small storage shed to an existing building, retrofitting for energy conservation, or installing a small antenna on an already existing antenna tower that does not cause the total height to exceed 200 feet and where the FCC would not require an environmental assessment or environmental impact statement for the installation). This Categorical Exclusion does not apply where the project must be submitted to the National Capital Planning Commission (NCPC) for review and NCPC determines it does not have an applicable categorical exclusion.

This categorical exclusion is supported by long-standing categorical exclusions and administrative records. In particular, the review panel identified the legacy categorical exclusions and Environmental Assessments from the U.S. Department of Agriculture, Federal Emergency Management Agency, Federal Aviation Administration, U.S. Coast Guard, the U.S. Air Force, Immigration and Naturalization Services. Further, the review panel found that Environmental Assessments of a similar nature, scope, and intensity were performed at EDA, NOAA, U.S. Department of Agriculture, Federal Law Enforcement Training Center and the U.S. Border Patrol without significant environmental impacts.

DOC AND COMPARABLE AGENCY CATEGORICAL EXCLUSIONS AND ADMINISTRATIVE RECORD

U.S. Department of Commerce, Economic Development Administration

Reference: *Environmental Assessment for Renovation of an industrial building formerly owned by Nestle Corporation for Re-use as a Business Center and Incubator and Finding of No Significant Impact. Finding of No Significant Impact issued on July 26th 2007.*

The Pembroke Township Small Business Incubator Project involved the renovation and expansion of an existing commercial building. The existing ~21,848 square feet masonry and steel frame building was extensively renovated and a 15,000 square feet matching masonry and steel frame addition was constructed. The renovated, expanded structure contained the following work and support areas:

14 finished office suites	(1000 to 2,500 square feet each)
2 conference/ training rooms	(1000 square feet each)
Common support center	(3000 square feet)
Warehousing area	(11,500 square feet with 5 docks)

Analysis: Based upon the findings of this Environmental Assessment, no significant environmental impacts would result from the proposed action.

U.S. Department of Agriculture- Animal Plant Health Inspection Service

Reference: *7CFR372.5 (c)*

7CFR372.5 (c) (4) Rehabilitation of facilities. Rehabilitation of existing laboratories and other Animal Plant Health Inspection Service (APHIS) facilities, functional replacement of parts and equipment, and minor additions to such existing APHIS facilities

U.S. Department of Agriculture- Agricultural Research Service

Reference: *Environmental Assessment for the Bulk Fuel Oil Storage and Distribution System Project, Plum Island Animal Research Center, resulting in a Finding of No Significant Impact.*

The U.S. Department of Agriculture, Agricultural Research Service (ARS) has proposed to provide Plum Island Animal Research Center with a bulk fuel oil storage and distribution system that meets or exceeds local, state, and federal requirements for fuel oil systems. The proposed action involves making necessary repairs/modifications to the existing fuel system to meet appropriate regulations and construction of new fuel oil system in a new location not currently being used for the bulk fuel oil system. The associated impacts will be minimized by preventive construction techniques.

Analysis: Based upon the findings of this EA, no significant environmental impacts would result from the proposed action.

Federal Emergency Management Agency

Reference: *44CFR10.8 (d) (2)*

(x) Routine maintenance, repair, and grounds-keeping activities at FEMA facilities;

(xv) Repair, reconstruction, restoration, elevation, retrofitting, upgrading to current codes and standards, or replacement of any facility in a manner that substantially conforms to the preexisting design, function, and location.

Federal Aviation Administration

Reference: *FAA Order 5050.4A Chapter 3, Section 23*

(a) (5) Construction, relocation or repair of entrance and service roadway.

U.S. Coast Guard

Reference: *Coast Guard Categorical Exclusions COMDTINST M16475.1D*

Real and Personal Property Related Actions q. Minor renovations and additions to buildings, roads, airfields, grounds, equipment, and other facilities that do not result in a change in functional use of the real property (e.g. realigning interior spaces of an existing building, extending an existing roadway in a developed area a short distance, installing a small antenna on an already existing antenna tower, adding a small storage shed to an existing building, etc.). (Checklist and CED required.) u. Routine repair and maintenance of buildings, roads, airfields, grounds, equipment, and other facilities which do not result in a change in functional use, or an impact on a historically significant element or setting. v. Routine repair and maintenance to waterfront facilities, including mooring piles, fixed floating piers, existing piers, and unburied power cables. w. Minor

renovations and additions to waterfront facilities, including mooring piles, fixed floating piers, existing piers, and unburied power cables, which do not require special, site-specific regulatory permits. (Checklist and CED required.) x. Routine grounds maintenance and activities at units and facilities. Examples include localized pest management actions and actions to maintain improved grounds (such as landscaping, lawn care and minor erosion control measures) that are conducted in accordance with applicable Federal, state, and local directives.

U.S. Air Force

Reference: *32CFR989 Appendix B*

A2.3.8. Performing interior and exterior construction within the 5-foot line of a building without changing the land use of the existing building.

Federal Law Enforcement Training Center

Reference: *Environmental Assessment for the Expansion of the Alcohol, Tobacco and Firearms (ATF) Facility at the Federal Law Enforcement Training Center in Glynco, GA, resulting in a Finding of No Significant Impact signed in May 2001.*

This project sought to expand the existing ATF Facility from three office trailers up to a maximum of eight office trailers with one additional septic tank, and provide an additional parking area for ATF employees. The new trailers (approximately 1,755 square feet each) would be located in a wooded area adjacent to the three existing ATF trailers. The trailers would be used for ATF offices.

Analysis: This EA concluded that the proposal would not significantly affect the environment.

Reference: *Environmental Assessment for Building 2 Expansion at the Federal Law Enforcement Training Center Artesia, New Mexico, resulting in a Finding of No Significant Impact signed in July 1999.*

This project examined expanding Building 2, or the Physical Training Building, within the FLETC compound near Artesia, New Mexico, on the north and west sides by approximately 15,000 square feet.

Analysis: This EA concluded that would not significantly affect the physical, cultural, and socioeconomic environments

Reference: *Environmental Assessment and Finding of No Significant Impact Construction of Building Alterations and Additions to Buildings 95, 96, & 97*

FLETC, Glynco, GA, December 2000, resulting in a Finding of No Significant Impact signed in December 2002.

This EA analyzed the proposed construction of alterations and additions for buildings 95, 96, and 97 at the Federal Law Enforcement Training Center (FLETC) at Glynco, Georgia. This proposed action has been developed for FLETC to renovate primarily the interiors of the existing dormitories, i.e., Buildings 95 and 96, and associated boiler house (Building 97), and to construct a new Recreational/Community Building within the footprint of the existing buildings. The existing footprint of building 95 and 96 (57,480 square feet) would not change; however, the existing footprint (3500 square feet) for building 97 would be reduced by the removal of an obsolete cooling tower.

Analysis: It was concluded that the proposed building modifications does not constitute a “major federal action significantly affecting the quality of the human environment” when considered individually or cumulative in the context of the referenced act including both direct and indirect impacts. Therefore, an Environmental Impact Statement is not required.

Reference: *Impact for Construction of Building Alterations and Additions, September 2000, resulting in a Finding of No Significant Impact signed on September 19, 2000.*

This EA analyzed the impacts of the proposed construction of building alterations and additions for the Federal Law Enforcement Training Center (FLETC) at Glynco, Georgia. This project proposes alterations and additions to 19 buildings at FLETC. The building modifications involve interior alteration of 15 of the 31 existing townhouse buildings; expansion of building 92; and interior renovation of buildings 90, 94, and 46. The building modifications in the proposed action involve primarily interior alterations and renovations.

Analysis: It was concluded that the proposed building modifications does not constitute a “major federal action significantly affecting the quality of the human environment” when considered individually or cumulative in the context of the referenced act including both direct and indirect impacts. Therefore, an Environmental Impact Statement is not required.

Immigration and Naturalization Service

Reference: *28CFR61 Appendix C*

Actions Which Normally Do Not Require Either an Environmental Impact Statement or an Environmental Assessment: (a) Construction projects for existing facilities including but not limited to: Remodeling; replacement of building systems and components; maintenance and operations repairs and general

improvements when such projects do not significantly alter the initial occupancy and program of the facility or significantly impact upon the environment.

U.S. Border Patrol

Reference: *Environmental Assessment for Proposed Construction/Renovation of Border Checkpoint Stations near Las Cruces and Alamogordo, New Mexico and Comstock and El Paso, Texas, March 24, 1997, resulting in a Finding of No Significant Impact.*

This document assessed the construction or renovation of six border check points: two near Las Cruces, New Mexico; two near Alamogordo, New Mexico; one near El Paso, Texas; and one near Comstock, Texas.

Analysis: Based on the findings of this analysis, no significant adverse impacts would occur from the proposed actions.

Reference: *Environmental Impact Analysis to Support a Categorical exclusion for the Repair and Replacement of a Communications Tower and Access Road Immigration and Naturalization Service, July 1998,*

The U.S. Border Patrol proposes to repair and/or replace a 260-foot radio communications tower and make improvements to the existing access road leading to the proposed tower site east of Bayview, Texas. INS proposes to repair and/or replace the radio tower and make improvements to the existing access road leading to the tower site, which is east of Bayview, Texas. The proposed action would involve minimal construction activities due to the existing service road and concrete pad which will be utilized.

Analysis: Based on the findings of this analysis, no significant adverse impacts would occur from the proposed actions. Therefore, no further analysis or documentation (Environmental Assessment or Impact Statement) is warranted. The INS, in implementing this decision, will employ all practical means to minimize the potential adverse impacts on the local environment.

Reference: *Final Environmental Assessment for the Proposed Expansion of the Ajo U.S. Border Patrol Station Why, AR, May 2001, resulting in a Finding of No Significant Impact.*

This Environmental Assessment (EA) evaluates the potential for environmental impacts associated with expanding the U.S. Border Patrol, Ajo Station in Why, Pima County, Arizona. The site is located within Why, Pima County, Arizona, along Highway 85 approximately 28 miles north of the Mexico border. Approximately 0.92 acres of land currently owned by U.S. Border Patrol will be utilized for the station expansion. The proposed action (Alternative 1) expands the existing Ajo Station approximately 200 feet to the east. Existing conditions on the

proposed expansion site consist of disturbed land which formerly served as a corral for horses used by the U.S. Border Patrol.

Analysis: Based upon the results of the EA, it has been concluded that the proposed action would not have a significant adverse impact on the natural or human environment, and no further NEPA analysis (i.e., Environmental Impact Statement) is warranted.

A-2 New construction upon or improvement of land where all of the following conditions are met:

- (a) The site is in a developed area and/or a previously disturbed site,**
- (b) The structure and proposed use are compatible with applicable Federal, tribal, state, and local planning and zoning standards and consistent with federally approved state coastal management programs,**
- (c) The proposed use will not substantially increase the number of motor vehicles at the facility or in the area,**
- (d) The site and scale of construction or improvement are consistent with those of existing, adjacent, or nearby buildings, and,**
- (e) The construction or improvement will not result in uses that exceed existing support infrastructure capacities (roads, sewer, water, parking, etc.). This Categorical Exclusion does not apply where the project must be submitted to the National Capital Planning Commission (NCPC) for review and NCPC determines that it does not have an applicable categorical exclusion.**

The Department of Commerce is not a major land managing agency in the Federal government. Department activities involving new construction or improvements of land typically involve single buildings and supporting infrastructure in a single locality. Any potential for environmental impacts would be of a small scale and confined to more localized impacts.

The review panel identified an internal Departmental Environmental Assessment from the Economic Development Administration that resulted in a Finding of No Significant Impact and legacy categorical exclusions and Findings of No Significant Impact from the U.S. Coast Guard, Federal Emergency Management Agency, U.S. Navy, and the U.S. Border Patrol. The Economic Development Administration issues construction grants to stimulate economic development. Both NOAA and the U.S. Coast Guard manage a large number of facilities in sensitive aquatic environments along all maritime coasts and several rivers. The National Aeronautics and Space Administration has a large number of specialty buildings used to help develop and promote the nation's space program. Legacy categorical exclusions from the Federal Emergency Management Agency include public assistance programs that could be implemented in any part of the United States to assist in preparing and recovering from a disaster. Additionally, legacy categorical exclusions from the U.S. Navy allow minor construction under circumstances identical to those proposed under this DOC Categorical Exclusion. The U.S. Border Patrol brought a legacy of environmental assessments and findings of no significant impact for its land

based activities. Based upon this extensive history of environmental analyses and the experience of its members, the review panel found that actions of a similar nature, scope, and intensity were performed throughout the Federal government without significant environmental impacts.

Since new construction or improvements on land could involve numerous considerations, the review panel took great care to establish limiting provisions to avoid the potential for significant impacts to the human environment. The following limiting provisions were established to both conform to the evidence presented in the administrative record, to clarify meaning of those limiting provisions found in the administrative record, or to add to or modify limitations found in the record based on the experience of the review panel members to further avoid the potential for significant impacts to the human environment:

- (a) The site is in a developed area and/or a previously disturbed site,
- (b) The structure and proposed use are compatible with applicable Federal, tribal, state, and local planning and zoning standards and consistent with federally approved state coastal management programs (pursuant to the Coastal Zone Management Act);
- (c) The proposed use will not substantially increase the number of motor vehicles at the facility or in the area;
- (d) The site and scale of construction or improvement are consistent with those of existing, adjacent, or nearby buildings; and
- (e) The construction or improvement will not result in uses that exceed existing support infrastructure capacities (roads, sewer, water, parking, etc.)

As a result of all of these limitations, the review panel determined that this categorical exclusion contemplated activities that would inherently have no potential for significant impacts to the human environment.

The review panel defined this categorical exclusion to be sufficiently related to actions that may involve one or more extraordinary circumstances. To ensure that only those actions having negligible impacts on the human environment are contemplated by this categorical exclusion, the review panel proposed that a Record of Environmental Consideration be prepared to document the determination whether the action is either appropriately categorically excluded or whether it requires further analysis through an EA or EIS process.

DOC AND COMPARABLE AGENCY CATEGORICAL EXCLUSIONS AND ADMINISTRATIVE RECORD

U.S. Department of Commerce, Economic Development Administration

Reference: *Environmental Assessment for Grantsburg Business Enterprise Center. Finding of No Significant Impact issued April 4th, 2007*

This project involved the construction of a new insulated, heated, metal skinned, Manufacturing Facility within the Village limits of Grantsburg, WI. This facility will be constructed with at grade and truck bed level loading docks. This facility was designed to allow utilization by any type of light or heavy manufacturing

and/or warehousing needs. The facility is approximately 18,000 square feet of usable space plus flexible restroom facilities.

Analysis: Based upon the results of the EA, it has been concluded that the proposed action would not have a significant adverse impact on the environment.

U.S. Department of Commerce, National Oceanic and Atmospheric Administration
Reference: *U.S. Climate Reference Network Project.*

This project consists of site preparation and climate instrument installation. The site will encompass approximately a 60x60 square foot area of land, with an approximate 4 foot high fence and wind shield, surrounding 2 sets of instruments within the site area. A concrete pad (3 x 3 foot) will be used to anchor the 10 foot high instrument tower with a second pad (2 x 2 foot) used to anchor the precipitation gauge. The remaining area will retain the original ground cover. AC power to the site will be via underground cable with the burial depth dependent on local code requirements. Permits may be required to pull AC power from local lines to the site. Duration of site preparation and installation will not exceed 2 weeks. Following installation, the site will operate automatically with site maintenance frequency dictated by the location and the physical characteristics of each site.

Analysis: Based upon the results of the NOAA NEPA Checklist, this project was Categorically Excluded from additional NEPA documentation.

U.S. Coast Guard

Reference: *Coast Guard Categorical Exclusions*

Real and Personal Property Related Actions h. Coast Guard new construction upon, or improvement of, land where all of the following conditions are met (Checklist and CED required.): The structure and proposed use are substantially in compliance with prevailing local planning and zoning standards. The site is on heavily developed property and/or located on a previously disturbed site in a developed area. The proposed use will not substantially increase the number of motor vehicles at the facility. The site and scale of construction are consistent with those of existing, adjacent, or nearby buildings.

National Aeronautics and Space Administration

Reference: *Environmental Assessment for the Addition to Operations Building at NASA's Mars Site (Mojave Desert)*

This Environmental Assessment was prepared to address the proposed addition to building G-86 at the Mars Site, which will provide space for new electronic equipment to consolidate the Deep Space Network (DSN) support facilities from other Goldstone Deep Space Communication Complex (GDSCC) sites at the Mars Site, and will include a fifth telemetry and command group with its associated link monitor, control processor, and operator consoles.

Analysis: The Environmental Assessment resulted in a Finding of No Significant Impacts.

Federal Emergency Management Agency

Reference: *44CFR10.8 (d) (2)*

(xvi) Improvements to existing facilities and the construction of small scale hazard mitigation measures in existing developed areas with substantially completed infrastructure, when the immediate project area has already been disturbed, and when those actions do not alter basic functions, do not exceed capacity of other system components, or modify intended land use; provided the operation of the completed project will not, of itself, have an adverse effect on the quality of the human environment.

U.S. Navy

Reference: *32CFR775.6*

(9) New construction that is consistent with existing land use and, when completed, the use or operation of which complies with existing regulatory requirements and constraints, e.g., a building on a parking lot with associated

discharges/runoff within existing handling capacities, a bus stop along a roadway, and a foundation pad for portable buildings within a building complex.

U.S. Border Patrol

Reference: *Preliminary Draft Amended Environmental Assessment Construction/Renovation Of Border Patrol Checkpoints Near Las Cruces And Alamogordo, New Mexico And El Paso, Texas, February 2001, resulting in a Finding of No Significant Impact.*

The project involves construction of two facilities near Alamogordo, New Mexico, renovation of four existing facilities near Las Cruces, New Mexico, and construction of a new facility near El Paso, Texas. Construction and renovation would occur on land already heavily disturbed and within the highway right-of-ways.

Analysis: Based upon the results of the EA, it has been concluded that the proposed action would not have a significant adverse impact on the environment.

Reference: *Environmental Assessment for Proposed Construction and Operation of a U. S. Border Patrol Station in Eagle Pass, Texas.*

The Proposed Action calls for the construction of a new border patrol station located approximately one mile south of Eagle Pass on Farm-to-Market Road (FM) 1021. The proposed station would be located on an approximately 39-acre site in a rural area, allowing the future possibility of expansion.

Analysis: Based upon the results of the EA, it has been concluded that the proposed action would not have a significant adverse impact on the natural or human environment, and no further NEPA analysis (i.e., Environmental Impact Statement) is warranted.

Reference: *Environmental Assessment Immigration and Naturalization Service New 350-Agent Border Patrol Station Campo, California October 2002 resulting in a Finding of No Significant Impact. .*

The proposed action consists of building a 350-Agent Border Patrol Station near Campo, San Diego. This EA analyzes the potential for significant adverse or beneficial impacts of the proposed action. The proposed action addresses the construction of a 350-Agent U.S. Border Patrol station at one of the three locations near Campo, California. A total of 34 acres of land would be acquired. Of this, only 13 acres would be altered. The affected land is currently in open rangeland. The remaining area would serve as a buffer zone and would be used as a turn-out pasture for U.S. Border Patrol horse patrols that may occur in the region.

Analysis: Based upon the results of the EA, it has been concluded that the proposed action would not have a significant adverse impact on the environment.

Reference: *Environmental Assessment Proposed Immigration and Naturalization Service District Office Oakdale, Louisiana August 1996 resulting in a Finding of No Significant Impact.*

This EA analyzed the proposed construction and operation of an Immigration and Naturalization Service (INS) District Office. The location of the proposed action is within the northeast portion of the city of Oakdale, Allen Parish, Louisiana. The proposed District Office would be constructed near the Oakdale Federal Detention Center (FDC) and the Oakdale Federal Deportation Center (FDTC). The proposed action would provide necessary parking, storage, office space, and related special space (e.g., conference/training rooms, holding areas) that would meet INS personnel requirements in support of the missions at the Oakdale FDC and the Oakdale FDTC. Depending on the site chosen, the proposed construction would involve clearing, grading, and development on a minimum of three and a maximum of four acres for building space and parking lots.

Analysis: Based on the findings of the Environmental Assessment, and the incorporation of mitigation measures as part of the proposed action, the proposed action would not have a significant adverse impact on the environment. Therefore, issuance of a Finding of No Significant Impact is warranted and an Environmental Impact Statement is not required.

Reference: *Environmental Assessment for the Proposed Lockdown Dormitory Krome Service Processing Center Miami-Dade County, Florida October 2002 resulting in a Finding of No Significant Impact signed in October of 2002.*

The U.S. Department of Justice, Immigration and Naturalization Service (INS), proposes to construct and operate a 304-bed lockdown dormitory at the Krome Service Processing Center (SPC) site in Miami-Dade County Florida.

Analysis: The proposed action would result in minimal short and long-term impacts to the immediate area of the project location and the surrounding community. Cumulative impacts have been taken into account. Beneficial impacts would result from the proposed action: the Krome SPC would be able to meet its mission requirements in a facility with adequate resources to serve the current and anticipated migrant population.

Reference: *Environmental Assessment on Proposed JTF-6 Projects in West Texas September 1993 resulting in a Finding of No Significant Impact.*

The proposed action would involve four separate projects at several locations in seven southwest Texas counties. The proposed projects are: (1) the repair/upgrade of approximately 150 miles (241 kilometers) of existing roads in Terrell, Brewster, Presidio, Jeff Davis, Culberson, and Hudspeth counties; (2) the construction of helicopter landing zones at radio repeater stations on Christmas

Mountain, Santiago Peak, and Tres Hermanos in Brewster County and Mount Livermore in Jeff Davis County; (3) the upgrade of an existing firing range near Fabens in El Paso County; and (4) the construction of a U.S. Border Patrol check station on U.S. Highway 62-180 in El Paso County.

Analysis: Based upon the results of the EA, it has been concluded that the proposed action would not have a significant adverse impact on the natural or human environment, and no further NEPA analysis (i.e., Environmental Impact Statement) is warranted.

Reference: *Preliminary Draft Abbreviated Environmental Assessment for Proposed Construction/Renovation of Border Checkpoint Stations near Las Cruces and Alamogordo, New Mexico and Comstock and El Paso, Texas, March 24, 1997 resulting in a Finding of No Significant Impact.*

This project proposes to construct or renovate six border check points: two near Las Cruces, New Mexico; two near Alamogordo, New Mexico; one near El Paso, Texas; and one near Comstock, Texas.

Analysis: Based on the findings of this analysis, no significant adverse impacts would occur from the proposed actions.

Reference: *Environmental Assessment U.S. Border Patrol Station, Sierra Blanca, Texas February, 2000 resulting in a Finding of No Significant Impact signed in February of 2000*

This Environmental Assessment (EA) was prepared to evaluate the potential environmental impacts of constructing a U.S. Border Patrol Facility in Sierra Blanca, Texas. Currently, U.S. Border Patrol Sierra Blanca Sector headquarters facilities are located in the town of Sierra Blartca, Texas. The current station is a 927-square foot building originally built to staff 5 agents. The facility is occupied by 31 agents. Operational functions such as detention cells and parking are either inadequate or not available. These facilities do not provide sufficient space for current or future border patrol operations.

Analysis: On the basis of the findings of the Environmental Assessment, no significant impact is anticipated from the proposed project on human health or the natural environment. A Finding of No Significant Impact is warranted and an Environmental Impact Statement is not required for this action.

Reference: *Environmental Assessment Proposed Construction of the U.S. Border Patrol Station in Laredo, Webb County, Texas May 1998 resulting in a Finding of No Significant Impact signed in May of 1998*

This Environmental Assessment was prepared for the Immigration and Naturalization Service (INS) proposed land purchase, construction of a U.S. Border Patrol station, and relocation of agents to the new facility on an

approximately 10-acre tract at the southeast corner of Grand Central Boulevard and the McPherson Road extension in Laredo, Webb County, Texas.

The INS proposes to purchase an approximately 10-acre tract of land from a private landowner in order to construct a U.S. Border Patrol station at the southeast corner of Grand Central Boulevard and the McPherson Boulevard extension in Laredo, Webb County, Texas. The U.S. Border Patrol agents stationed at the currently leased Laredo North Station would relocate to the new facility when construction is complete. The new station would consist of the following structures or components: a single-story building (30,500 square feet [with a detention area (2,500 sf)]; three aboveground storage tanks (two 10,000-gallon gasoline tanks and one 12,000-gallon diesel tank); a 2,500-sf drive/parking area; a dog kennel for twenty-six dogs; and a radio tower.

Analysis: The proposed action is not anticipated to have any significant adverse impacts to soils, water, biological, or cultural resources. No significant adverse impacts are anticipated to land use, socioeconomics, hazardous materials and waste, air quality, or noise. In addition, the proposed action is not anticipated to have any long-term adverse impacts to the environment.

Reference: *Environmental Assessment Proposed Construction of the U.S. Border Patrol Station in Sanderson, Terrell County, Texas February 12, 2001, resulting in a Finding of No Significant Impact signed in February 2001*

This EA addresses the potential impacts of the Immigration and Naturalization Service (INS) proposed property purchase, construction of a U.S. Border Patrol station, and relocation of agents from an existing facility to the new facility. The proposed facility would be located on an approximately 33-acre tract of land north of U.S. Highway 90 and west of Highland Plaza Ave. in Sanderson, Terrell County, Texas. The purpose is to construct a new facility to accommodate an increased number of agents who will be assigned to the Marfa Sector, Sanderson Station. The current Sanderson Station can accommodate up to 5 personnel, but has inadequate ancillary facilities and does not have the capability to expand to include these facilities. A new station would allow for the necessary expansion of agent staff size as well as more efficient and effective operations in a modern facility that can best support the U.S. Border Patrol mission. The new station would consist of the following structures or components: a single-story building (14,000 square feet); one aboveground gasoline storage tank; a 39,858 sf drive/parking area; a dog kennel; and a radio tower.

Analysis: Based upon the results of the EA, it has been concluded that the proposed action would not have a significant adverse impact on the environment.

Reference: *Environmental Assessment for the United States Border Patrol Station, Alpine, Texas, resulting in a Finding of No Significant Impact signed in July 2000*

The Immigration and Naturalization Service is proposing to construct a larger Border Patrol station in Alpine that would accommodate an increase from twenty Border Patrol agents to 100. The proposed Border Patrol station would be located on a 5-acre parcel of land along U.S. Highway 67/90, just west of Alpine's city limits, in Bretster County, Texas. The existing station is located in a leased facility that formerly housed an automobile dealership and is inadequate to meet the station's need for additional office space, alien processing, interweaving and detention, as well as support facilities. Facilities that are proposed are a administration building, a vehicle maintenance shop, a helicopter landing pad, a fuel island, a car wash, a dog kennel, parking, perimeter chain link fence, high pressure sodium lighting security systems for the interior and exterior of site, landscaping with irrigation, and a 40-foot radio tower with satellite dish.

Analysis: The proposed action would not result in any moderate or significant, short or long-term, cumulative adverse effects and, therefore, an Environmental Impact Statement will not be generated for the proposed action.

Reference: *Draft Supplemental Environmental Assessment Proposed Phase II Housing Facilities at the United States Border Patrol Station Presidio, Texas, February 2001, resulting in a Finding of No Significant Impact.*

The Immigration and Naturalization Service is proposing to construct 38 housing units (Phase II) adjacent to the Phase I housing project in order to increase human resources at the Presidio Border Patrol Station (BPS). The proposed housing construction would be located on an 18-acre parcel of land north of the intersection of Erma Avenue and Foothill Boulevard, in the City of Presidio, Presidio County, Texas.

Analysis: In the long-term, human health and safety and vegetation would benefit from the proposed project. Socioeconomics would also benefit from the project with the increase in BP agents and construction workforce. Minimal long-term impact would occur to wildlife, noise, land use and transportation. Short-term impacts would occur to soils, air quality and noise during construction and could occur to human health and safety. No long-term impacts would occur to soils, geology, climate, air quality, groundwater, wetlands and other waters of the United States, floodplains, special status species, environmental justice, cultural resources and irreversible or irretrievable resources. It would not result in any moderate or significant, short or long-term, cumulative adverse effects and, therefore, is recommended. An Environmental Impact Statement (EIS) will not be generated for the proposed action.

Reference: *Draft Environmental Assessment Immigration and Naturalization Service Expansion of Parking/Storage Facility and New Traffic Checkpoint at Sonoita, Arizona, October 2000. resulting in a Finding of No Significant Impact signed on January 9, 2000.*

This Environmental Assessment (EA) addresses the potential effects, beneficial and adverse, of the proposed expansion of the parking and storage facilities at the Sonoita U.S. Border Patrol Station, Sonoita, AZ, and the construction of new traffic checkpoint along State Route (SR) 83 at milepost 40.8, approximately eight miles north of Sonoita, AZ. The proposed action would involve construction activities within sites that have been previously disturbed and within the existing right-of-way

Analysis: Based on the findings of this analysis, no significant adverse impacts would occur from the proposed action. Increased or enhanced interdiction of illegal and drug entry and activities would have positive, indirect socioeconomic benefits.

Reference: *Environmental Assessment for the U.S. Border Patrol Station, Yuma, Arizona, November 2001, resulting in a Finding of No Significant Impact signed on April 17, 2002*

This EA will analyze the impacts of a new U.S. Border Patrol Station (BPS) adjacent to the Yuma Sector Headquarters Complex on the southern edge of Yuma, Arizona. After construction of the new facilities, the staffing would increase from 190 to 350 people. The selected site would be purchased by the U.S. Government to support the U.S. Border Patrol. The new Border Patrol Station would cover approximately 50,000 square feet and would include such facilities as the main station, sally port, dog kennels, parking, seized vehicle temporary storage, fuel island, wash station, communication towers, and a two-bay vehicle maintenance shop.

Analysis: On the basis of the findings of the environmental assessment, no significant impact is anticipated from the proposed project on human health or the natural environment. A Finding of No Significant Impact is warranted and an Environmental Impact Statement is not required for this action.

Reference: *Environmental Assessment U.S. Border Patrol San Diego Sector Support Facilities at Brown Field San Diego, California, October 1999, resulting in a Finding of No Significant Impact.*

This EA analyzed the proposed construction and operation of the San Diego Sector Support Facilities at Brown Field in San Diego, California. Proposed development includes an air operations facility, vehicle maintenance garage, electronics maintenance shop, facilities maintenance shop, parking areas, interior access roads, and associated ancillary functions. This EA evaluates the potential effects of the Proposed Action on the following resource areas: geology and soils, biological resources, cultural resources, water resources, air quality, noise, public health and safety, land use, visual resources, traffic and circulation, utilities and public services, socioeconomics, and hazardous materials and wastes.

Analysis: Based upon the results of the EA, it has been concluded that the proposed action would not have a significant adverse impact on the environment.

Reference: *Draft Environmental Assessment Proposed Construction of Border Patrol Checkpoint at I-35 Mile Marker 29 Laredo, Webb County, Texas, March 28, 2002 resulting in a Finding of No Significant Impact .*

The proposed action calls for the construction of a checkpoint station located approximately two miles north of the I-35/Camino Colombia exit. Vehicles traveling north on I-35 from the toll road will be forced to pass through the new checkpoint, situated east of the access road. The proposed action could result in potential impacts to a prehistoric site of possible cultural significance identified during the field investigation Site 41WB612 is a lithic scatter with surface and subsurface material covering about 2.07 acres. No diagnostic artifacts or features were recovered, and the period of occupation is unclear. However, the site is contained within a flat eolian plain that appears to be stable below the top layer of loose soil, and the potential for additional subsurface cultural material is good. The layout of the proposed checkpoint is such avoidance of the site is not possible, so it appears that the proposed action will impact the site. For this reason, testing of the site for eligibility on the National Register of Historic Places (NRHP) has been undertaken. The results of the testing will be addressed in a separate document. If the site is determined to be ineligible for inclusion on the NR the potential impact on this cultural resource would be considered insignificant.

Analysis: Based on the findings of this analysis, no significant adverse impacts would occur from the proposed actions.

Reference: *Draft Environmental Assessment New Building Construction San Angelo, Tom Green County, Texas, February 2002, resulting in a signed on May 5, 2003*

This Environmental Assessment (EA) addresses site-specific actual and potential cumulative effects, beneficial and adverse, of the Immigration and Naturalization Service (INS) and U.S. Border Patrol activity regarding construction of office space for the Anti-Smuggling Unit of the Del Rio Sector.

Analysis: Based on the findings of this analysis and assuming that all mitigation measures recommended herein are implemented, no significant adverse impacts would occur from the Proposed Action. As previously stated, increased or enhanced interdiction of illegal drug activities would have positive, indirect socioeconomic benefits.

Reference: *Environmental Assessment for Construction of New Border Station, Sault Sainte Marie, Michigan Chippewa County, January 1999, resulting in a Finding of No Significant Impact signed in January 1999.*

The proposed action involves the construction of a 48,000 gross square feet building on the existing government owned site, and an adjacent 0.33 acre parcel to be purchased by the General Services Administration (GSA) from the State of Michigan. The total square footage includes canopied areas. The new facility will provide expanded office, lobby, and storage space, a firing range, five primary inspection lanes, a garage, and a secondary inspection building to allow the search of buses and private vehicles. The proposed action will allow the U.S. Customs Service, U.S. Immigration and Naturalization Service, and U.S. Department of Agriculture Plant Protection and Quarantine Service to efficiently carry out their missions at the International Bridge border crossing at Sault Sainte Marie, Michigan. According to the definitions in the U.S. Border Station Design Guide, this station is expanding from a ‘small’ station to a ‘medium’ station. The U.S. Department of Agriculture Plant Protection and Quarantine (PPQ) has also submitted a request for space at this location, a result of the increased passage of produce from Asia through Canada.

Analysis: Based on the findings of this analysis, no significant adverse impacts would occur from the proposed actions.

Reference: *Environmental Assessment for the Construction of a Physical Security Training Facility, Building 15, for the Federal Law Enforcement Training Center (FLETC) at Glynco, Georgia, resulting in a Finding of No Significant Impact signed on September 19, 2000*

The proposed action would consist of construction a new building (Building 15) at the intersection of Legislative Drive and Records Avenue to house the physical security training that is presently being conducted in Building 146. The building would be called the Physical Security Training Facility. The work would include:

- (1) Construction of a 12,000 square foot, one-story, standing seam galvanized steel roofed building, with architectural concrete masonry for the exterior bearing walls;
- (2) Site improvements consisting of storm drainage, walkways and landscaping;
- (3) Connection to the FLETC-wide underground chilled water and natural gas distribution loops. The new chilled water loop (supply and return lines) would connect to the nearest existing valve pit located approximately 800 feet southeast of the new facility;
- (4) Restoration of a roughly 5,000 square-foot existing paved area for parking;
- (5) Relocation of the training activities from Building 146; and
- (6) Modification and reuse of the existing training facility for other ongoing FLETC activities.

Analysis: Based upon the findings of this analysis no significant adverse impacts would occur from these activities.

Reference: *Environmental Assessment for the Administration Building Construction Project, Building 93, FLETC, Glynco, Georgia resulting in a Finding of No Significant Impact.*

This Environmental Assessment describes those environmental impacts that would result from the proposed construction of the new administration building. A new administration building would consolidate safety and environmental, finance, procurement, security, and other offices from many scattered locations into one location. The personnel would work in a modern, spacious, healthful and more comfortable environment.

Analysis: Based upon the findings of this analysis no significant adverse impacts would occur from these activities.

Reference: *Draft Environmental Assessment and Finding of No Significant Impact for Construction of Multi-Activity Center FLETC, Glynco, Georgia, August 2002, resulting in a Finding of No Significant Impact signed on September 3, 2002*

The Multi-Activity Center would consist of one 2-story building (approximately 20,000 square feet) that includes rooms for short-term ammo storage, a weapons display area, weapons storage, classrooms, and office space. The project also includes parking and would result in disturbance to an area of approximately 5.5 acres.

Analysis: Based upon the findings of this analysis no significant adverse impacts would occur from these activities

Reference: *Environmental Assessment for Mock Port of Entry and Border Patrol Station and Related Facilities at the Federal Law Enforcement Training Center Glynco, Georgia, resulting in a Finding of No Significant Impact signed in July 2001.*

INS, U.S. Customs, and U.S. Border Patrol constructed a training center at the Federal Law Enforcement Training Center (FLETC) located in Glynco, GA. The facilities included a training center (23,000 square feet) thirty-six parking spaces, and various outdoor training areas. Specifically, a new single story building was constructed to contain a single classroom, a mock port of entry, a mock border patrol station, various training rooms for specific exercises, office spaces, rest rooms, break rooms, and storage areas. The project also included fabrication of outdoor venues to simulate traffic circulation at Ports of Entry. The site was a total of five acres and was previously vacant and wooded. Through coordination with the appropriate resource agencies, the Environmental Assessment determined there would be no significant adverse impacts to the environment from this action. In an effort to reduce impacts during construction, INS and FLETC implemented several Best Management Practices (BMP5) including:

avoiding construction near wetlands, using existing tree cover or new plantings to shield historic bunkers near the site, using native plants species, applying energy conservation to design techniques, and using BMPs for erosion, sedimentation and dust control. With the incorporation of the mitigation measures, the EA determined there were no significant impacts to the human environment, nor were any cumulative or irreversible impacts anticipated.

Analysis: Though this project was larger than this CATEX would allow, and didn't meet the requirements that the site in a developed area and/or on a previously disturbed site, this project still resulted in a Finding of No Significant Impact.

Reference: *Final Environmental Assessment Area Lighting, Fencing, and Roadways at International Border San Diego, California, August 1997, resulting in a Finding of No Significant Impact signed in August 1997*

This Environmental Assessment (EA) prepared for the Los Angeles District for the Immigration and Naturalization Service (INS) Lighting, Fencing and Roads Project at the International Border San Diego, California. The INS proposes to implement a system of lighting, fencing, and roadways. The project consists of parallel construction of lighting, fencing, and roadways (total length about 7.3 miles) up to approximately 150 feet north of the existing border fence, originating at Arnies Point (approximately seven miles east of the Pacific Ocean) and terminating at the San Ysidro Mountain foothills to the east.

Analysis: Based upon the results of the EA, it has been concluded that the proposed action would not have a significant adverse impact on the natural or human environment, and no further NEPA analysis (i.e., Environmental Impact Statement) is warranted.

Reference: *Final Environmental Assessment for Border Road and Fence; Construction and Repair Tecate to Canyon City, San Diego County, California, October 1993, resulting in a Finding of No Significant Impact signed in October 1993*

This document analyzes the actions to be taken for border road construction and repair, and fence construction and repair. This PEA has been prepared to assess any environmental concerns associated with this action segments; the installation and/or repair of fencing; and the installation of culverts on about 10 miles of the U.S/Mexico border in the vicinity of Tecate, California. The project will include some widening of roads. A detailed project description is included in Section 4.0 of this FEA.

Analysis: Based upon the results of the EA, it has been concluded that the proposed action would not have a significant adverse impact on the natural or human environment, and no further NEPA analysis (i.e., Environmental Impact Statement) is warranted.

Reference: *Final Environmental Assessment for Conversion of Vehicle Barriers to Landing Mat Fence Naco, Arizona Immigration and Naturalization Service Washington, DC, October 2002, resulting in a Finding of No Significant Impact signed in October 2002*

The proposed action is to convert 1.2 miles of vehicle barriers east of Naco, Arizona into landing mat fence. The project involved the conversion of 1.2 miles of existing vehicle barriers with 10-foot support poles into landing mat fence with little or no additional ground disturbance. The Preferred Alternative would involve minimal construction activities within an area that has been previously disturbed.

Analysis: Based on the findings of this analysis and assuming that all mitigation measures recommended herein are implemented, no significant adverse impacts would occur from the Preferred Alternative.

Reference: *Final Environmental Assessment for Joint Task Force Six Operations JT089-93, JT094-93 and JT265-93 Douglas, Cochise County, Arizona, February 1993, resulting in a Finding of No Significant Impact signed in February 1993*

The purpose of JTF—6 Operations in Douglas, Arizona is to provide routine maintenance to existing drag and mountain roads, along the U.S.—Mexico Border and to install fences at the U.S. Border Patrol Station in Douglas, Arizona. The proposed project includes three components: JT 265—93, the maintenance, of 24 miles of an existing drag road east and west of Douglas, Arizona. JT 094—93, the maintenance of about one mile of mountain road east of Douglas, Arizona. JT 089—93, the installation of fences at the U. S. Border Patrol Station at Douglas, Arizona. The road maintenance will consist of light scraping, installation of culverts, grading and shaping for drainage, placing gravel in a slowly flowing wash and resetting existing cattle guards. Road projects will be maintained within their existing width. Limited turnarounds and passing areas will be coordinated with on—site monitors.

Analysis: A review of this Environmental Assessment and coordination with the appropriate agencies indicate that the actions, as proposed by the Joint Task Force Six Operation for road maintenance and fence installation, will not have a significant impact on the quality of the physical or biological environment. All requirements of the National Environmental Policy Act have been satisfied; therefore, preparation of an Environmental Impact Statement is not required.

Reference: *Final Environmental Assessment for Naco Roadway and Fence Construction Naco, Cochise County, Arizona, April 2003, resulting in a Finding of No Significant Impact.*

This Environmental Assessment analyzed infrastructure improvements, including the construction of 4 miles of roads and approximately 1.5 miles of fence. The 4

miles of road improvement would occur along the northern edge of the existing border road, 2 miles east and west of the Naco port of entry (POE), with a new access road to the border from the newly constructed Naco Highway. Landing mat or bollard fence, beginning approximately one mile west of the POE and continuing for a distance of one mile would replace existing vehicle barriers. An additional 0.5 miles of bollard fence would be installed in the natural washes and drains that transect the proposed road.

Analysis: Based on the findings of this analysis and assuming that all design measures recommended herein are implemented, no significant adverse impacts would occur from the Proposed Action Alternative.

Reference: *Final Environmental Assessment for Various Road Improvements from Canyon City, California to The Imperial County Line San Diego County, California, U.S. Border Patrol, March 2003, resulting in a Finding of No Significant Impact signed in March 2003*

The proposed actions consists of: 1) the placement of up to 50 portable lights, as needed, within 60 feet of the border from the Pacific Crest Trail to the Imperial County line; 2) night vision scope pad and access road construction; 3) installation/repair of four drainage structures; 4) the installation of a 300-foot bollard fence section near Jacumba; 5) blasting activities; and 6) the installation of two water wells and holding tanks by the U.S. Border Patrol. All activities would take place between Canyon City, California and the Imperial County line in San Diego County, California.

Analysis: Based upon the findings of this analysis and assuming that all mitigation measures recommended herein are implemented, no significant adverse impacts would occur from the Proposed Action Alternative.

A-3 Software development, data analysis, or testing, including but not limited to computer modeling in existing facilities.

Research, development, testing, and evaluation activities or laboratory operations contemplated by this categorical exclusion are those that would be undertaken within facilities that are operated under stringent requirements designed to protect the quality of the human environment. As exemplified by documents in the administrative record, these requirements include strict operating procedures governing laboratory operations and personnel responsibilities. Because of these controls, these types of laboratory activities have no potential for significant environmental impacts. Further, the Panel found that actions of a similar nature, scope, and intensity were performed in laboratories throughout the Federal government.

This categorical exclusion is supported by long-standing categorical exclusions and administrative records. In particular, the review panel identified legacy categorical exclusions from Federal Emergency Management Agency, U.S. Department of Agriculture, U.S. Department of Energy, the U.S. Department of Interior, and the U.S.

Navy. Additionally, the review panel identified Environmental Assessments that resulted in Findings of No Significant Impact from the National Oceanic and Atmospheric Administration and the National Aeronautics and Science Administration.

DOC AND COMPARABLE AGENCY CATEGORICAL EXCLUSIONS AND ADMINISTRATIVE RECORDS

U.S. Department of Commerce, National Oceanic and Atmospheric Administration/National Marine Fisheries

Reference: *Environmental Assessment of the issuance of scientific research permit #1303 to the National Marine Fisheries Service- Honolulu Laboratory- February 2002.*

The purpose of this environmental assessment (EA) is to evaluate the potential environmental effects as a consequence of the NMFS-OPR action of issuing a permit (#1303) to NMFSSWFSC- Honolulu Laboratory for an annual take of ESA-listed sea turtles under the jurisdiction of NMFS associated with the proposed research activities.

Analysis: This action resulted in a Finding of No Significant Impact.

National Aeronautics and Space Administration

Reference: *Environmental Assessment for Ice, Cloud, and Land Elevation Satellite. March 2002.*

The purpose of this Environmental Assessment is to program proposes to design, fabricate, test and operate on-orbit the Ice, Cloud, and Land Elevation Satellite (ICESat) which would retrieve global distributed altimeter data to measure the long term changes in the mass of the ice sheets and to assess their impact on global sea level. Specific actions by NASA Goddard Space Flight Center include: providing the laser instrument; capturing, processing and distributing mission data; developing and validating science algorithms; and processing and analysis of science data.

Analysis: This Environmental Assessment resulted in a Finding of No Significant Impact.

U.S. Department of the Interior

Reference: *Departmental Manual 516, Part 2, Appendix 1.*

Nondestructive data collection, inventory (including field, aerial, and satellite surveying and mapping), study, research, and monitoring activities. Activities which are educational, informational, advisory, or consultative to other agencies, public and private entities, visitors, individuals, or the general public.

Federal Emergency Management Agency

Reference: *44CFR10.8 (d) (2) Categorical Exclusion:*

(iii) Studies that involve no commitment of resources other than manpower and associated funding.

U.S. Department of Energy

Reference: *10CFR1021*

Subpart D Typical Classes of Actions

Appendix A to Subpart D of Part 1021--Categorical Exclusions Applicable to General Agency Actions

Information gathering (including, but not limited to, literature surveys, inventories, audits), data analysis (including computer modeling), document preparation (such as conceptual design or feasibility studies, analytical energy supply and demand studies), and dissemination (including, but not limited to, document mailings, publication, and distribution; and classroom training and informational programs), but not including site characterization or environmental monitoring.

U.S. Department of Agriculture

Reference: *7CFR1b.3 (a) Categorical Exclusion*

Inventories, research activities, and studies, such as resource inventories and routine data collection when such actions are clearly limited in context and intensity; Activities which are advisory and consultative to other agencies and public and private entities, such as legal counseling and representation.

U.S. Department of the Interior

Reference: *Departmental Manual 516, Part 2, Appendix 1. Categorical Exclusion 1.6 Nondestructive data collection, inventory (including field, aerial, and satellite surveying and mapping), study, research, and monitoring activities.*

Activities which are educational, informational, advisory, or consultative to other agencies, public and private entities, visitors, individuals, or the general public.

U.S. Navy

Reference: *Categorical Exclusion, 32 CFR, Part 775*

(4) Administrative studies, surveys, and data collection;

(18) Studies, data, and information gathering that involve no permanent physical change to the environment (e.g., topographic surveys, wetlands mapping, surveys

for evaluating environmental damage, and engineering efforts to support environmental analyses);

A-4 Siting/construction/operation of microwave/radio communication towers less than 200 feet in height without guy wires on previously disturbed ground.

The Department of Commerce, through the National Telecommunications and Information Administration is involved in issuing grants for siting, construction, operation, and maintenance, communications systems and similar electronic equipment. These types of electronic equipment are essential to support the nationwide telecommunications network.

This categorical exclusion is supported by Findings of No Significant Impact on the recently completed Programmatic Environmental Assessment for the National Telecommunications and Information Administration and on Environmental Assessments from the U.S. Department of Energy. Furthermore, this Categorical Exclusion is supported by long-standing categorical exclusions from the Federal Emergency Management Agency.

DOC AND COMPARABLE AGENCY CATEGORICAL EXCLUSIONS AND ADMINISTRATIVE RECORD

U.S. Department of Commerce, National Telecommunications and Information Administration

Reference: *Public Safety Interoperable Communications Grant Program Programmatic Environmental Assessment*

The purpose of this Programmatic Environmental Assessment (PEA) is to evaluate the project types proposed and the potential environmental effects of the nationwide public safety grant program. The construction of new sites to address all voice, data, video, and interoperability requirements are evaluated.

Analysis: This action resulted in a Finding of No Significant Impact.

U.S. Department of Energy

Reference: *10CFR1021, Appendix B- Categorical Exclusion*

B1.19 Siting, construction, and operation of microwave and radio communication towers and associated facilities, if the towers and associated facilities would not be in an area of great visual value.

U.S. Department of Energy

Reference: *Environmental Assessment for Construction of Eight Microwave Communication Facilities.*

Western Area Power Administration proposes to construct, operate, and maintain eight microwave communication facilities in southwestern Colorado, southeastern Utah, and northern Arizona. The project would upgrade to meet the minimum fade margin criteria.

Analysis: Western prepared an environmental assessment on the proposal which indicated that the impacts would not be significant. EIS not required.

Reference: *Determination Memorandum for Akron Hill Microwave Communications Site, Colorado.*

The proposed Akron Hill microwave communications site is located in Washington County, Colorado. A 199-foot guyed tower would be located centrally in a 600-foot by 600-foot plot of ground, with 80 percent (160-foot) guying. The area to be fenced would include a 50-foot by 90-foot chain link fence around the building, propane tank, and tower; and wood pole fencing around each of the three guy anchors. All other land would be allowed to remain in its present condition.

Analysis: The proposed action is not a major Federal action significantly affecting the quality of the human environment and the preparation of an EA or EIS is not required.

Reference: *Determination Memorandum, Billings Area Microwave—North Dakota Stage II Relocation of the Eckelson Repeater Site.*

One of the original 16 repeater sites would not allow a clear signal to be transmitted to the next repeater site without using a much taller tower than planned. It therefore became necessary to select another site. The new Eckelson Repeater would consist of a guyed steel lattice tower, 125 feet tall, a 10' x 20' single story building, and a 500-gallon propane fuel tank. About three acres of land would be acquired. The site would be located adjacent to a county road, therefore, no new access would be required.

Analysis: The proposed microwave repeater station would clearly have no significant environmental impact; it is recommended that the proposed action not require the preparation of an environmental impact statement or assessment.

Federal Emergency Management Agency

Reference: *44CFR10.8 (d) (2)*

(ix) Acquisition, installation, or operation of utility and communication systems that use existing distribution systems or facilities, or currently used infrastructure rights-of-way;

A-5 Retrofit/upgrade existing microwave/radio communication towers that do not require ground disturbance.

This categorical exclusion is supported by the recently completed Programmatic Environmental Assessment for the National Telecommunications and Information Administration with a Finding of No Significant Impact and an Environmental Assessment for the National Aeronautics and Space Administration, also with a Finding of No Significant Impact.

DOC AND COMPARABLE AGENCY ADMINISTRATIVE RECORD

U.S. Department of Commerce, National Telecommunications and Information Administration

Reference: *Public Safety Interoperable Communications Grant Program Programmatic Environmental Assessment*

The purpose of this Programmatic Environmental Assessment (PEA) is to evaluate the project types proposed and the potential environmental effects on the nationwide public safety grant program. The upgrade of existing transmission and receiving sites to address all voice, data, video, and interoperability requirements are evaluated.

Analysis: This action resulted in a Finding of No Significant Impact.

National Aeronautics and Space Administration

Reference: *Environmental Assessment for new 34- meter microwave Antenna at the Apollo Site.*

The purpose of this project is to construct and operate a new multi-frequency beam wave-guide type antenna at NASA's Mojave Base Site.

Analysis: The proposed project resulted in a Finding of No Significant Impact.

A-6 Adding fiber optic cable to transmission structures or burying fiber optic cable in existing transmission line rights-of-way.

This categorical exclusion is supported by a long-standing categorical exclusion with the Department of Energy and Findings of No Significant Impact on Environmental Assessments prepared for the Bureau of Land Management, Vandenberg Air Force Base, the US Park Service, and the Tennessee Valley Authority.

COMPARABLE AGENCY CATEGORICAL EXCLUSIONS AND ADMINISTRATIVE RECORD

U.S. Department of Energy

Reference: *10CFR1021, Appendix B- Categorical Exclusion*

B4. 7 Adding fiber optic cable to transmission structures or burying fiber optic cable in existing transmission line rights-of-way.

Bureau of Land Management

Reference: *Environmental Assessment for AT & T Fiber Optic Cable Replacement Project. Record of Decision indicating no significant impacts issued 2008.*

This Environmental Assessment evaluated the impacts of replacing deteriorating portions of approximately 190-mile fiber optic cable extending from Las Vegas, Nevada, to Victorville, California. The activities required to ensure the function and capacity of the overall system included replacement of portions of the direct bury cable, as well as replacement of portions of the cable within existing conduit. Constructed in 1988–89 pursuant in part to the BLM ROW Grant CA-21604/NV-48572 and CSLC Lease No. PRC 7264.2, this cable route contains a 0.5-inch diameter fiber optic cable that is either “directly buried” in the ground or otherwise enclose within existing buried conduit. Ancillary facilities along the route consist of eight regeneration stations, several short segments of electrical distribution line, splice boxes, marker poles, marker ribbon, and access vaults.

Analysis: This Environmental Assessment resulted in a Finding of No Significant Impact.

Reference: *Environmental Assessment to Amend Existing Right-of-Way to upgrade 115kV transmission line and to include Fiber Optic Cable. Finding of No Significant Impact Issued June 2004 (For Bureau of Land Management portion of project only).*

This project included a transmission line upgrade with a new fiber optic line that would cross public lands managed by the BLM northwest of Santa Fe, New Mexico. The upgraded transmission line and fiber optic line on public lands

managed by BLM are part of a larger proposal to upgrade and enhance the electrical transmission system for the cities of Santa Fe and Las Vegas, New Mexico.

Analysis: This Environmental Assessment resulted in a Finding of No Significant Impact.

Vandenberg Air Force Base

Reference: *Environmental Assessment for Range Standardization and Automation Fiber Optic Transmission System, Vandenberg Air Force Base, California*

The Air Force proposed to install dual fiber optic cables along a route of approximately 6.6 miles to support the Range Standardization and Automation program at Vandenberg AFB. Approximately 1.9 miles of the route will be located off Vandenberg AFB in a Santa Barbara County road right of way.

Analysis: Based on information in the EA, a Finding of No Significant Impact was issued.

U.S. Park Service/ Rural Utility Service

Reference: *Environmental Assessment for Fiber Optic Line, Why to Organ Pipe Cactus National Monument Headquarters. August 2007*

The purpose of the proposed project is to replace and upgrade the telecommunications system between Why and OPCNM's headquarters in order to provide improved safety for residents and visitors in the region and additional, more reliable, and faster telecommunications networking services in the area. The proposed Alternative would install 22 miles of buried fiber optics line.

Analysis: The Environmental Assessment resulted in a Finding of No Significant Impact.

Tennessee Valley Authority

Reference: *Environmental Assessment – Provision of in-kind assistance and Administration of Appalachian Regional Commission Grant for MEGAPOP Fiber Optic Internet Backbone Ring, Neshoba, Newton, and Lauderdale Counties, Mississippi.*

The proposed action consisted of allowing the use of part of TVA's fiber optic system for internet access and administering a \$2,000,000 Appalachian Regional Commission grant for installation of 40 miles of in-ground fiber optic cable.

Analysis: Based on the analysis in the EA, TVA has determined that as a category such projects would normally not result in significant environmental impacts and qualify as

categorical exclusions, subject to certain conditions that are identified in the EA. Accordingly, subsidiary fiber optic lines connected to the proposed regional loop would not require preparation of EAs or EISs.

A-7 Acquisition, installation, operation, and removal of communications systems, data processing equipment, and similar electronic equipment.

This categorical exclusion is supported by a legacy categorical exclusion from the U.S. Department of Energy and Findings of No Significant Impact on several Description Memorandums from the U.S. Department of Energy.

COMPARABLE AGENCY ADMINISTRATIVE RECORD

U.S. Department of Energy

Reference: *10CFR1021, Appendix B- Categorical Exclusion*

B1.7 Acquisition, installation, operation, and removal of communication systems, data processing equipment, and similar electronic equipment.

Reference: *Action Description Memorandum for Broadband Cable Utilization/Multiple Project.*

The purpose of the proposed project is to provide a tie-in connection to the existing broadband cable network system at the Oak Ridge National Laboratory Y-12 facilities. The project is needed to increase efficiency in computer workload distribution, to provide flexibility in computer hardware acquisitions, to centralize work processing and electronic mail, and to increase computer utilization. The construction aspects of the proposed project will involve installing broadband cable system components to allow tie-in to the existing broadband cable network. The construction will include the installation of cable inside the proposed buildings as well as outside along support poles. Amplifiers, power and distribution components will also be installed during construction.

Analysis: No significant environmental impacts were determined to result from the proposed project.

Reference: *Project Description Memorandum, Accelerator Improvements and Modification Project, EN-Tandem Facility.*

The proposed action consists of improving the existing EN-Tandem accelerator by installing the following:

- A. An upgraded data acquisition system.
- B. Equipment for fast pulsing and bunching of the accelerator's heavy ion beams.

These improvements are needed to accommodate changing experimental requirements and to keep pace with advances in technology.

Analysis: There were no significant adverse environmental impacts attributable to this project.

Reference: *Action Description Memorandum for the FY1986 Fusion Energy Subdirective GPP, Connect Buildings 1503, 1505, and 3504 to ORNL High-Speed Data Link.*

The purpose of the proposed project is to provide tie-in connections to the existing ORNL High-Speed Data Link Communication System. Presently, personnel in two major Environmental Sciences Division (ESD) facilities (Buildings 1503 and 1505), as well as in Building 3504, do not have access to the services provided by the High-Speed Data Link System. The proposed project is needed to improve data processing distribution, to extend centralized word processing, and to provide computer-to-computer communication, electronic mail, and teleconferencing between personnel in the ESD facilities and those now connected to the data communication system.

Analysis: The proposed project was not expected to adversely affect the environment.

U.S. Department of Navy

Reference: *Categorical Exclusions- 32 CFR, Part 755*

36) Acquisition, installation, and operation of utility (e.g., water, sewer, electrical) and communication systems (e.g., data processing cable and similar electronic equipment) which use existing rights of way, easements, distribution systems, and/or facilities;

A-8 Planning activities and classroom-based training and classroom-based exercises using existing conference rooms and training facilities.

This categorical exclusion is supported by a long-standing Categorical Exclusion with the Department of Energy and a Finding of No Significant Impact on an Environmental Assessment from the recently completed Programmatic Environmental Assessment for the National Telecommunications and Information Administration.

COMPARABLE AGENCY CATEGORICAL EXCLUSION AND DOC ADMINISTRATIVE RECORD

U.S. Department of Energy

Reference: *10CFR1021- Categorical Exclusion*

Training exercises and simulations (including, but not limited to, firing-range training, emergency response training, fire fighter and rescue training, and spill cleanup training).

National Telecommunications and Information Administration

Reference: *Public Safety Interoperable Communications Grant Program Programmatic Environmental Assessment*

The purpose of this Programmatic Environmental Assessment (PEA) is to evaluate the project types proposed and the potential environmental effects of the nationwide public safety grant program. The analysis included a review of single- and multi-event activities, including planning, classroom-based training and field-based exercises, to prepare first responders and support personnel to use interoperable communications in a coordinated and efficient manner. Field-based exercises to be conducted at previously undisturbed sites that would involve ground disturbance of one acre or more are not included in the action.

Analysis: This action resulted in a Finding of No Significant Impact.

A-9 Purchase of mobile and portable equipment and infrastructure which is stored in previously existing structures or facilities.

This categorical exclusion is supported by a long-standing Categorical Exclusion with the U.S. Coast Guard and a Finding of No Significant Impact on an Environmental Assessment from the recently completed Programmatic Environmental Assessment for the National Telecommunications and Information Administration and.

DOC AND COMPARABLE AGENCY CATEGORICAL EXCLUSIONS AND ADMINISTRATIVE RECORD

U.S. Department of Commerce, National Telecommunications and Information Administration

Reference: *Public Safety Interoperable Communications Grant Program Programmatic Environmental Assessment*

The purpose of this Programmatic Environmental Assessment (PEA) is to evaluate the project types proposed and the potential environmental effects of the nationwide public safety grant program. The project that involve acquiring, storing, and deploying subscriber units and similar equipment, including but not limited to, mobile and handheld radios and satellite phones, laptops, and other mobile devices, radio caches and battery packs are evaluated. The projects involving acquiring, storing, and deploying non-fixed infrastructure equipment and incident command equipment associated with transmit/receive communications, including but not limited to, mobile command vehicles and trailers, cell-on-wheels, cell-on-light trucks, and site on wheels equipment, portable towers and antennae, and mobile gateways, mobile data terminals, and very small aperture terminals are evaluated.

Analysis: This action resulted in a Finding of No Significant Impact.

U.S. Coast Guard

Reference: *Coast Guard Categorical Exclusions*

Administrative Actions: b. Routine procurement activities and actions for goods and services, including office supplies, equipment, mobile assets, and utility services for routine administration, operation, and maintenance.

A-10 Siting, construction (or modification), and operation of support buildings and support structures (including, but not limited to, trailers and prefabricated buildings) within or contiguous to an already developed area (where active utilities and currently used roads are readily accessible). This Categorical Exclusion does not apply where the project must be submitted to the National Capital Planning Commission (NCPC) for review and NCPC determines that it does not have an applicable categorical exclusion.

This categorical exclusion is supported by a long-standing categorical exclusion with the U.S. Department of Energy and two Memorandum for File for relevant projects and their supporting documentation that indicated insignificant impacts, also with the U.S. Department of Energy.

COMPARABLE AGENCY CATEGORICAL EXCLUSION AND MEMORANDUM FOR FILE

U.S. Department of Energy

Reference: *10CFR1021, Appendix B- Categorical Exclusion*

B1.15 Siting, construction (or modification), and operation of support buildings and support structures (including, but not limited to, trailers and prefabricated buildings) within or contiguous to an already developed area (where active utilities and currently used roads are readily accessible). Covered support buildings and structures include those for office purposes; parking; cafeteria services; education and training; visitor reception; computer and data processing services; employee health services or recreation activities; routine maintenance activities; storage of supplies and equipment for administrative services and routine maintenance activities; security (including security posts); fire protection; and similar support purposes, but excluding facilities for waste storage activities, except as provided in other parts of this appendix.

U.S. Department of Energy

Reference: *Memorandum to File, Installation of Trailers at the Paducah Gaseous Diffusion Plant*

Two trailers will be purchased and installed with their associated utilities northeast of Building C-720. The trailers are needed for computer maintenance facilities. One trailer will be used as a maintenance shop while the other trailer will serve as a storage area. A maintenance diagnostic computer will also be installed in Building C-335.

Analysis: The environmental impacts of the proposed activity have been assessed and found to be clearly insignificant.

Reference: *Memorandum to File, Fermi National Accelerator Laboratory (FERMILAB) Facilities Management Hardstand and Utilities Improvements at Site 39*

The action is to construct a 120 foot long access road and hardstand and improve the supporting utilities at Site 39 at Fermilab. The hardstand is needed to provide vehicular access to the existing building. It is necessary to be able to accommodate heavy equipment used in maintenance of the Fermilab facility. The utility improvements are needed to correct inadequate utilities in this general area in order to provide utilities for this building.

Analysis: The information available is adequate and sufficient to show that the proposed activity clearly does not constitute a major Federal action significantly affecting the quality of the human environment.

A-11 Personnel, fiscal, management, and administrative activities, such as recruiting, processing, paying, recordkeeping, resource management, budgeting, personnel actions, and travel.

The actions contemplated by this categorical exclusion are a variety of administrative activities that have no inherent potential for significant environmental impacts. This Categorical Exclusion is supported by long-standing Categorical Exclusions from the U.S. Coast Guard, U.S. Navy, Federal Emergency Management Agency, U.S. Air Force, U.S. Army, and the U.S. Department of the Interior. Further, the Panel found that actions of a similar nature, scope, and intensity were performed throughout the Federal government without significant environmental impacts.

U.S. Coast Guard

Reference: *Categorical Exclusion*

Administrative Actions: c. Routine personnel, fiscal, and administrative activities, actions, procedures, and policies which clearly do not have any environmental impacts, such as military and civilian personnel recruiting, processing, paying, and record keeping.

U.S. Navy

Reference: *Categorical Exclusion, 32 CFR, Part 775*

(7) Routine procurement of goods and services conducted in accordance with applicable procurement regulations, executive orders, and policies;

(10) Routine personnel actions;

(39) Relocation of personnel into existing Federally-owned or commercially leased space that does not involve a substantial change affecting the supporting infrastructure (e.g., no increase in vehicular traffic beyond the capacity of the supporting road network to accommodate such an increase)

Federal Emergency Management Agency

Reference: *44CFR10.8 (d) (2)*

(i) Administrative actions such as personnel actions, travel, procurement of supplies, etc., in support of normal day-to-day activities and disaster related activities;

1. Administrative Actions: c. Routine personnel, fiscal, and administrative activities, actions, procedures, and policies which clearly do not have any environmental impacts, such as military and civilian personnel recruiting, processing, paying, and record keeping.

U.S. Air Force

Reference: *Air Force Instruction, January 24, 1995*

A2.3.4. Normal personnel, fiscal or budgeting, and administrative activities and decisions including those involving military and civilian personnel (for example, recruiting, processing, paying, and records keeping).

U.S. Army

Reference: *Categorical Exclusions, 32CFR651 Appendix B*

(b) Administration/operation activities:

(5) Normal personnel, fiscal, and administrative activities involving military and civilian personnel (recruiting, processing, paying, and records keeping).U.S.

Department of the Interior

Reference: *Departmental Manual 516, Part 2, Appendix 1.*

1.1 Personnel actions and investigations and personnel services contracts.

1.3 Routine financial transactions including such things as salaries and expenses, procurement contracts (in accordance with applicable procedures and Executive Orders) procurement), guarantees, financial assistance, income transfers, audits, fees, bonds, and royalties.

1.7 Routine and continuing government business, including such things as supervision, administration, operations, maintenance, renovations, and replacement activities having limited context and intensity (e.g., limited size and magnitude or short-term effects).

1.8 Management, formulation, allocation, transfer, and reprogramming of the Department's budget at all levels. (This does not exclude the preparation of environmental documents for proposals included in the budget when otherwise required.)

Curriculum Vitae for the DOC Review Panel Technical Experts

Steve Kokkinakis

Senior Advisor on NEPA
Office of Program Planning and Integration (PPI)
National Oceanic and Atmospheric Administration (NOAA)
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Steve Kokkinakis is the senior advisor on the National Environmental Policy Act (NEPA) for the agency (NOAA) and Department of Commerce. In this position, he is responsible for overseeing coordination and implementation on NEPA. He is responsible for ensuring reviews and final clearance on all NEPA environmental documents; transmitting PPI cleared NEPA documents to the public and Federal agencies; developing and recommending national policy, procedures, and training necessary to ensure agency compliance on NEPA. He also provides liaison between NOAA and the White House Council on Environmental Quality (CEQ), including consultation with CEQ on emergencies and pre-decisional NEPA referrals to CEQ. Steve was the primary NOAA lead for coordinating the highly controversial 2001 referral on “Oregon Inlet, North Carolina” to CEQ, which resulted in a successful outcome for the agency. Additionally, he has served as NOAA’s lead representative on two CEQ NEPA Task Force Interagency working groups developing guidance documents for Federal agencies to improve the NEPA process.

Prior to joining PPI in 1999, from 1993-1999, Steve joined NOAA’s Ocean Service, Coastal Monitoring & Bioeffects Assessment Division working on national monitoring programs. He was first hired by NOAA’s Ocean Service in 1992, coordinating science policy for the Assistant Administrator. Steve was accepted to the class of 1991 John A. Knauss Sea Grant Fellowship program, where he served as a legislative assistant within Congressman James Saxton’s (R-NJ) personal office, focusing on Merchant Marine and Fisheries Committee issues. Steve received his B.A. in biological sciences from Colgate University in 1983. He completed a M.S. in biological oceanography from Oregon State University (OSU) in 1987, publishing his thesis and other studies in major research journals, and worked as an oceanographic research assistant from 1986-1990.

Genevieve J. Walker

Acting Chief, Energy, Safety, and Environment Division
United States Department of Commerce

Ms. Walker is currently the Environmental Programs Manager for the Department of Commerce and has over 25-years experience in Environmental Management. She was previously the Project Manager overseeing National Environmental Policy Act (NEPA) compliance assessments for the Federal Aviation Administration, has prepared numerous Environmental Assessments for the National Guard, the Department of Energy, the World Bank, and a private rocket launching company. Ms. Walker was also part of the team that

addressed comments on the Environmental Impact Statement for the disposal of spent nuclear fuel and high-level radioactive waste at Yucca Mountain. Additionally, Ms. Walker has developed several multi-media environmental management programs for the Air National Guard, the US Coast Guard, Miami International Airport, and Richmond International Airport. She has also worked extensively with NASA, assisting them at the HQ level in development of a Sustainability Program, an Environmental Management System (agency-wide), several training programs for environmental compliance (including NEPA), development of a staffing protocol, preparation of briefings and white papers for presentation to Congress and the White House, and development of an agency-wide policy on perchlorate contamination.