



U.S. Department of Energy
Categorical Exclusion Determination Form

Proposed Action Title: Aerial Photography Activity Over the Proposed Richmond Bay Campus CX-13-04

Program or Field Office: Berkeley Site Office

Location(s) (City/County/State): Richmond/ Contra Costa County, California

Proposed Action Description:

The Department of Energy (DOE) proposes that Lawrence Berkeley National Laboratory (LBNL) shall subcontract for a commercial aviation service to perform aerial photography over University of California (UC) properties in Richmond, CA. Aerial photo documentation of the overall site is needed for use in planning and environmental documentation. The mission would last approximately ten to twenty minutes (over the site).

The exact day the aviation service would be conducted is based on when the subcontract is in place, DOE aviation mission approval, vendor availability, and weather. The flight altitude range over the site would be between twelve hundred and forty-five hundred feet above ground level. The flight is expected to originate from and conclude at Reid Hillview Airport, 2500 Cunningham Avenue, San Jose, CA 95148.

The aviation service would contact the Northern California TRACON (FAA) Traffic Management Unit, 11375 Douglas Road, Mather, CA 95655, with flight details at least one day prior to conducting the flyover and would require the pilot to announce intentions with NorCal TRACON. LBNL Aviation Point of Contact and Safety Officer would contact the NorCal TRACON (FAA) Traffic Management Unit to verify NorCal TRACON acknowledgement of the mission. The pilot would communicate with any other airspace control authority as required. LBNL mission requestor would notify LBNL Aviation Point of Contact and Safety Officer when the flight operation day and time were determined.

The aviation service would have current standing on the DOE Accepted Operators List for commercial aviation service providers. The aviation service would be subcontracted by LBNL Procurement under the conditions of the LBNL Aviation Policy and Procedures, 1998, with adjustments to meet 2013 insurance requirements.

Description of Affected Environment:

Air space over the San Francisco Bay Area from San Jose in the south to Richmond Field Station in the northwest.

Purpose and Need:

To provide aerial-photo documentation needed by DOE contractor (University of California) to complete the Long Range Development Plan for the Richmond Bay Campus at the Richmond Field Station.

Categorical Exclusion(s) Applied:

B3.2 - Aviation activities

For the complete DOE National Environmental Policy Act regulations regarding categorical exclusions, including the full text of each categorical exclusion, see Subpart D of 10 CFR Part 1021.

Regulatory Requirements in 10 CFR 1021.410(b): (See full text in regulation)

The proposal fits within a class of actions that is listed in Appendix A or B to 10 CFR Part 1021, Subpart D.

To fit within the classes of actions listed in 10 CFR Part 1021, Subpart D, Appendix B, a proposal must be one that would not: (1) threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health, or similar requirements of DOE or Executive Orders; (2) require siting and construction or major expansion of

waste storage, disposal, recovery, or treatment facilities (including incinerators), but the proposal may include categorically excluded waste storage, disposal, recovery, or treatment actions or facilities; (3) disturb hazardous substances, pollutants, contaminants, or CERCLA-excluded petroleum and natural gas products that preexist in the environment such that there would be uncontrolled or unpermitted releases; (4) have the potential to cause significant impacts on environmentally sensitive resources, including, but not limited to, those listed in paragraph B(4) of 10 CFR Part 1021, Subpart D, Appendix B; (5) involve genetically engineered organisms, synthetic biology, governmentally designated noxious weeds, or invasive species, unless the proposed activity would be contained or confined in a manner designed and operated to prevent unauthorized release into the environment and conducted in accordance with applicable requirements, such as those listed in paragraph B(5) of 10 CFR Part 1021, Subpart D, Appendix B.

There are no extraordinary circumstances related to the proposal that may affect the significance of the environmental effects of the proposal.

The proposal has not been segmented to meet the definition of a categorical exclusion. This proposal is not connected to other actions with potentially significant impacts (40 CFR 1508.25(a)(1)), is not related to other actions with individually insignificant but cumulatively significant impacts (40 CFR 1508.27(b)(7)), and is not precluded by 40 CFR 1506.1 or 10 CFR 1021.211 concerning limitations on actions during preparation of an environmental impact statement.

I concur that the above description accurately describes the proposed action.

LBNL Environmental Planner: Jeff Philliber /s/ Date Determined: 4-3-13

I concur that the above description accurately describes the proposed action.

BSO Project Manager: Mike Carr /s/ Date Determined: 4/3/13

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

BSO NEPA Program Manager: Kim Abbott /s/ Date Determined: 4/3/13

Based on my review of the proposed action, as NEPA Compliance Officer (as authorized under DOE Order 451.1 B), I have determined that the proposed action fits within the specified class(es) of action, the other regulatory requirements set forth above are met, and the proposed action is hereby categorically excluded from further NEPA review.

NEPA Compliance Officer: Gary S. Hartman /s/ Date Determined: 4/4/2013