

**CATEGORICAL EXCLUSION  
NEPA COMPLIANCE CHECKLIST**

State: Texas

Project Name: Koch Marcelinas Creek NRDA Restoration—Acquisition of Kelley Tract

This proposal ☒ is completely covered by categorical exclusion in 43 CFR Section 46.205-215 and/or 516 DM 8.5 (516 DM 8.5 B (11) Natural resource damage assessment restoration plans, prepared under sections 107, 111, and 122 (j) of the Comprehensive Environmental and Liability Act (CERCLA); section 311(f)(4) of the Clean Water Act; and the Oil Pollution Act; when only minor or negligible change in the use of the affected areas is planned.} Note: An appropriate categorical exclusion must be identified before completing the remainder of the Checklist. If a categorical exclusion cannot be identified, or the proposal cannot meet the qualifying criteria in the categorical exclusion, or an extraordinary circumstance applies (see below), an EA must be prepared.)

**Extraordinary Circumstances:**

Will This Proposal (check (✓) yes or no for each item below):

Yes	No	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	1. Have significant impacts on public health or safety.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].
<input type="checkbox"/>	<input checked="" type="checkbox"/>	4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	7. Have significant impacts on properties listed or eligible for listing on the National Register of Historic Places as determined by either the bureau.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).
<input type="checkbox"/>	<input checked="" type="checkbox"/>	11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).
<input type="checkbox"/>	<input checked="" type="checkbox"/>	12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).

(If any of the above extraordinary circumstances receive a "Yes" check (✓), an EA must be prepared.)

☐ Yes ☒ No This project includes additional information supporting the Checklist. [Attach if applicable or list if on file]

Project Officer: M. Claire Lee

Date: 7/28/15

Project Leader: E. Dean Gardner

Date: 7/28/15