



DEPARTMENT OF THE NAVY
NAVAL SUPPORT ACTIVITY ORLANDO
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23 Jan 24

MEMORANDUM FOR THE RECORD

Subj: UNITED STATES NAVY RECORD OF CATEGORICAL EXCLUSION FOR BUGG SPRING MAINTENANCE AND REPAIR PROJECTS, NSA ORLANDO, OKAHUMPKA/LAKE COUNTY, FL

Ref: (a) National Environmental Policy Act (NEPA) of 1969, 42 USC 4321-4347
(b) Council on Environmental Quality Regulations for Implementing NEPA, 40 CFR 1500-1508
(c) Policies and Responsibilities for Implementation of the National Environmental Policy Act within the Department of the Navy, 32 CFR 775
(d) OPNAV Manual M-5090.1

Encl: (1) CNRSE PERS Bugg Spring maintenance/repair project FY24 CNRSE PERS
(2) Project Description and Fundable Estimate Request Form TF1 NUWC Misc. repairs
(3) NSA Orlando/Bugg Spring CCD Pkg
(4) Department of the Navy CZMA Coastal Consistency Determination Correspondence
(5) Florida Clearinghouse CCD Response

1. Introduction: This Record of Categorical Exclusion (RCE), prepared in accordance with references (a) through (d), addresses the environmental effects and impacts related to the Bugg Spring maintenance and repair project at NSA Orlando. A categorical exclusion (CATEX) is defined as “[a] published category of actions that do not individually or cumulatively have a significant impact on the human environment under normal circumstances, and, therefore, do not require either an environmental assessment or an environmental impact statement.”

2. Proposed Action: The proposed action is as detailed in accordance with intended project description, Enclosure (2), to repair of the hoist rail and supporting steel on the floating crane barge; replace four steel pontoons with poly pontoons on floating walkway; repair and de-water approximately 10 poly pontoons on the barge to correct the listing of the crane barge; Demolition a loading dock structure, Building 41; Repair asphalt near loading ramp to eliminate a safety hazard; Repair and enlarge a portion of the asphalt loading area.

3. Applicable Exclusion: This action falls under Categorical Exclusion #8 of 32 CFR 775, which provides for an exception from further NEPA analysis for, “*Alterations of and additions to existing buildings, facilities, and systems (e.g., structures, roads, runways, vessels, aircraft, equipment) when the environmental effects will remain substantially the same and the use is consistent with applicable regulations.*”; and under Categorical Exclusion #34 of 32 CFR 775, which provides for an exception from further NEPA analysis for, “*Demolition, disposal, or improvements involving buildings or structures when done in accordance with applicable regulations including those regulations applying to removal of asbestos, polychlorinated biphenyls (PCB), and other HMs.*”

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4. Summary of Environmental Impacts: The Proposed Action is located in a floodplain because the existing facilities to be repaired and/or removed are within the boundaries of floodplains associated with Bugg Spring. To access these facilities and structures, the maintenance and demolition activity must be located within the floodplains. To conduct the maintenance in another location out of the floodplain would defeat the purpose of providing an improved and safe facility and would jeopardize NSA Orlando's ability to support of the Navy's mission objectives. Implementation of the Proposed Action would include use of all applicable best management practices, such as installation and proper maintenance of erosion control measures and barrier protections, and any impacts to water resources are not expected.

Due to the Proposed Action being implemented in floodplain areas, Executive Order 11988 requires the Navy to provide a public notice of the Proposed Action. A public notice was issued from 02NOV23 to 05DEC23. The public notice was shown on the NAVFAC SE webpage (Enclosure 6). No comments were received from the public during this period.

Implementation of the Proposed Action is expected to cause minor ground disturbances during maintenance and demolition. The contractor will be required to submit a Stormwater Management Plan and Debris barrier plan for approval before commencing any on site work. The Plan shall prevent debris and any contact stormwater from entering the waterways and/or stormwater system.

De minimums air emissions may result from additional vehicles on-site and construction & demolition debris would be generated during renovation. All solid waste generated during this project would be properly handled and disposed in accordance with all local, State, and Federal regulations.

All solid and hazardous waste generated during this project will be properly handled and disposed in accordance with all local, State, and Federal regulations.

Implementation of the Proposed Action has the potential to affect coastal uses or resources within the coastal zone. The Navy determined that the proposed action would be undertaken in a manner consistent to the maximum extent practicable with the enforceable polices of the federally approved Florida Coastal Management Program (Enclosure 3). Via email correspondence dated October 19, 2023 (Enclosure 4 and 5), the Florida Clearinghouse indicated they do not select this project for review and the Navy can proceed with the project.

Therefore, based on this environmental analysis of the proposed action, the Navy has determined this action would not:

- Adversely affect public health or safety;
- Involve effects on the human environment that are highly uncertain, involve unique or unknown risks, or which are scientifically controversial;
- Establish precedents or make decisions in principle for future actions that have the potential for significant impacts;
- Threaten a violation of Federal, State, or local environmental laws applicable to the Department of the Navy; or

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- Involve an action that may:
 - Have more than an insignificant or discountable effect on federally protected species under the Endangered Species Act or have impacts that would rise to the level of requiring an Incidental Take Authorization under the Marine Mammal Protection Act irrespective of whether one is procured;
 - Have an adverse effect on coral reefs or on federally designated wilderness areas, wildlife refuges, marine sanctuaries and monuments, or parklands;
 - Adversely affect the size, function, or biological value of wetlands and is not covered by a general (nationwide, regional, or state) permit;
 - Have an adverse effect on archaeological resources or resources listed or determined to be eligible for listing on the National Register of Historic Places (including, but not limited to, ships, aircraft, vessels, and equipment) where compliance with Section 106 of the National Historic Preservation Act has not been resolved through an agreement executed between the Department of the Navy and the appropriate historic preservation office and other appropriate consulting parties; or
 - Result in an uncontrolled or unpermitted release of hazardous substances or require a conformity determination under standards in 40 CFR part 93, subpart B (the Clean Air Act General Conformity Rule).

5. Record Keeping: This Record of CATEX should be retained in command files for seven years and made available for review during environmental quality assessments. RCEs relying on categorical exclusions #43 and #44 must be uploaded to the OPNAV (N45) Environmental Planning Library Web site per section 10-3.7c(1)(b)4 of reference (d).

6. Conclusion: The undersigned finds that the proposed action is within the scope of CATEX(s) #8 and #34, and none of the exclusions from reliance on a CATEX apply in this case. Regarding the use of multiple CATEXs for this proposed action, the undersigned also finds that the proposed action has not been improperly segmented to meet the definition a CATEX; that the proposed action is not connected to other actions with potentially significant impacts; is not related to other actions with individually insignificant but cumulatively significant impacts; and, would not irreversibly commit the Navy to one large action. Therefore, the proposed action is excluded from the requirement for further NEPA analysis.

In accordance with the Executive Order 11988, *Floodplain Management*, the Navy finds there is no other practicable alternative to implementing the Proposed Action within the floodplain and that the Proposed Action includes all practicable measures to minimize harm to the floodplain environment.

T. A. OMMANNEY
PWO LT
By direction