



U.S. Department of Energy Categorical Exclusion Determination Form

Submit by E-mail

Proposed Action Title: Ceres - High Biomass, Low Input Dedicated Energy Crops to Enable a Full-Scale Bioenergy Industry

Program or Field Office: Advanced Research Project Agency - Energy

Location(s) (City/County/State): California, Texas

Proposed Action Description:

This NEPA Determination is for the fourth of four phases for award. ARPA-E categorical exclusion determinations were previously issued for the first (1/15/2010), second (7/30/2010), and third (7/21/2011) phases of this project.

Phase four of this project consists of implanting two genetic modifications (N1/J1) into one test plant (*Sorghum bicolor*) at Ceres' laboratory facilities in California; (2) interstate transport of modified seeds to one test location in Texas; and (3) conducting small-scale confined field trials at the test location.

The US Department of Agriculture Biotechnology Regulatory Services (USDA BRS), exercising its permitting authority for genetically modified organism field trials, issued a categorical exclusion determination (4/26/2013) for the transport and field testing to be conducted in this phase, and issued a permit to Ceres for the project activities described above. USDA BRS concluded that this work does not involve a new species or organism or novel modification that raises new issues, and that all environmental impacts resulting from issuance of the permit will be insignificant. In addition, Ceres is obligated to manage field trials under rigorous containment protocols.

Categorical Exclusion(s) Applied:

B3.6 - Small-scale research and development, laboratory operations, and pilot projects

B3.8 - Outdoor terrestrial ecological and environmental research

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.

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

NEPA Compliance Officer:

Date Determined: 05/16/2013