

Categorical Exclusion Determination

Bonneville Power Administration
Department of Energy



Proposed Action: Marshland Road Property Acquisition

Project No.: 2010-073-00; 012049

Project Manager: Anne Creason – EWL - 4

Location: Columbia County, OR

Categorical Exclusion Applied (from Subpart D, 10 C.F.R. Part 1021): B1.25 Real property transfers for cultural resources protection, habitat preservation, and wildlife management

Description of the Proposed Action: Bonneville Power Administration (BPA) is proposing to fund the Columbia Land Trust (CLT) to purchase the Marshland Road property, which is a 532-acre parcel of land located approximately 4 miles northwest from Clatskanie in Columbia County, OR. BPA would hold a conservation easement to permanently protect, mitigate, and enhance fish and wildlife and their habitat. This conservation easement would also assist in implementation of a proposed restoration project that would restore the property to a riparian/forested freshwater wetland habitat that supports Endangered Species Act (ESA)-listed Columbian white-tailed deer.

Funding the proposed acquisition supports ongoing efforts to mitigate for effects of the FCRPS on fish and wildlife in the mainstem Columbia River and its tributaries pursuant to the Pacific Northwest Electric Power Planning and Conservation Act of 1980 (Northwest Power Act) (16 U.S.C. 839 et seq.). This acquisition would also support conservation of ESA-listed species considered in the 2020 ESA consultations with both the National Marine Fisheries Service and the United States Fish and Wildlife Service on the operations and maintenance of the Columbia River System.

The property consists of upland, riparian, freshwater non-tidal wetland, and intertidal-freshwater wetland habitats. CLT would develop a land management plan to guide the protection and enhancement of habitat and other resources on the property. The land management plan would be drafted within 18 months of closing. The management plan would be reviewed by BPA for consistency with the conservation easement and the purpose of the acquisition. If BPA proposes to fund any additional activities on the property, further environmental review would be required.

Findings: In accordance with Section 1021.410(b) of the Department of Energy's (DOE) National Environmental Policy Act (NEPA) Regulations (57 FR 15144, Apr. 24, 1992, as amended at 61 FR 36221-36243, Jul. 9, 1996; 61 FR 64608, Dec. 6, 1996, 76 FR 63764, Nov. 14, 2011), BPA has determined that the proposed action:

- 1) fits within a class of actions listed in Appendix B of 10 CFR 1021, Subpart D (see attached Environmental Checklist);

- 2) does not present any extraordinary circumstances that may affect the significance of the environmental effects of the proposal; and
- 3) has not been segmented to meet the definition of a categorical exclusion.

Based on these determinations, BPA finds that the proposed action is categorically excluded from further NEPA review.

/s/ Shawn Skinner

Shawn Skinner
Environmental Protection Specialist

Concur:

/s/ Sarah T. Biegel April 29, 2021

Sarah T. Biegel Date
NEPA Compliance Officer

Attachment(s): Environmental Checklist

Categorical Exclusion Environmental Checklist

This checklist documents environmental considerations for the proposed project and explains why the project would not have the potential to cause significant impacts on environmentally sensitive resources and would meet other integral elements of the applied categorical exclusion.

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Project Site Description

The property is located along river mile 46 of the Columbia River and Westport Slough, which is approximately 7.4 miles upstream from its connection to the river. Westport Slough is a 10-mile-long distributary channel and borders a majority of the property's northern and eastern boundary. A majority of the property lies behind a large network of levees and pump stations that span onto adjoining parcels to the west. It contains a series of drainage ditches as well as historical tidal channels that drain the property to the west. These levees and historical agricultural activities contributed to the extensive loss of freshwater tidal floodplain and off-channel habitat on the property.

A majority of the property contains hybrid poplar stands. Understory vegetation is limited and suppressed in older stands, while recently harvested stands primarily consist of non-native grasses and shrubs. Some wetland areas associated with drainage ditches and historical tidal channels maintain some native emergent and shrub/tree species. Approximately 50 acres of the proposed property lie outside the levee system and contain an intact freshwater tidal scrub-shrub wetland. This portion of the property was restored in 2013 by the Lower Columbia River Estuary Partnership.

Evaluation of Potential Impacts to Environmental Resources

1. Historic and Cultural Resources

Potential for Significance: No

Explanation: There would be no effect due to the land acquisition, which includes transfer of title and the creation of a conservation easement. To the extent that future activities on the property may have an effect, it is expected that CLT would comply with all applicable laws and regulations.

2. Geology and Soils

Potential for Significance: No

Explanation: See explanation for #1 above.

3. Plants (including Federal/state special-status species and habitats)

Potential for Significance: No

Explanation: See explanation for #1 above.

4. Wildlife (including Federal/state special-status species and habitats)

Potential for Significance: No

Explanation: See explanation for #1 above.

5. Water Bodies, Floodplains, and Fish (including Federal/state special-status species, ESUs, and habitats)

Potential for Significance: No

Explanation: See explanation for #1 above.

6. Wetlands

Potential for Significance: No

Explanation: See explanation for #1 above.

7. Groundwater and Aquifers

Potential for Significance: No

Explanation: See explanation for #1 above.

8. Land Use and Specially-Designated Areas

Potential for Significance: No

Explanation: See explanation for #1 above.

9. Visual Quality

Potential for Significance: No

Explanation: See explanation for #1 above.

10. Air Quality

Potential for Significance: No

Explanation: See explanation for #1 above.

11. Noise

Potential for Significance: No

Explanation: See explanation for #1 above.

12. Human Health and Safety

Potential for Significance: No

Explanation: See explanation for #1 above.

Evaluation of Other Integral Elements

The proposed project would also meet conditions that are integral elements of the categorical exclusion. The project would not:

Threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health, or similar requirements of DOE or Executive Orders.

Explanation: N/A

Require siting and construction or major expansion of waste storage, disposal, recovery, or treatment facilities (including incinerators) that are not otherwise categorically excluded.

Explanation: N/A

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.

Explanation: N/A

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 of the Department of Agriculture, the Environmental Protection Agency, and the National Institutes of Health.

Explanation: N/A

Landowner Notification, Involvement, or Coordination

Description: Notification letters would be sent to adjacent landowners and other interested parties at a minimum of 15 days before the closing date of the acquisition. Advertisements would also be posted in local newspapers and information would be posted on BPA's public website prior to closing.

Based on the foregoing, this proposed project does not have the potential to cause significant impacts to any environmentally sensitive resource.

Signed: /s/ Shawn Skinner April 29, 2021
Shawn Skinner, ECF-4 Date
Environmental Protection Specialist