

Categorical Exclusion Determination

Bonneville Power Administration

Department of Energy



Proposed Action: Keeler-Oregon City No. 2 and Oregon City-Stub-C Transmission Line Property Sale and Construction Easement

Project Manager: Jim Clark, TERR-CHEMAWA

Location: Washington County, Oregon

Categorical Exclusion Applied (from Subpart D, 10 C.F.R. Part 1021): B1.24 Property Transfers

Description of the Proposed Action: BPA proposes to sell about 500 square feet of its Keeler-Oregon City No. 2 and Oregon City-Stub-C transmission line right-of-way property to Washington County for expansion of SW Jenkins Road in Washington County, Oregon. BPA also would grant the County a temporary construction easement to allow for the road expansion and construction of a retaining wall prior to the property disposal. All property disposal and easement granting would occur in mile 10 of the Keeler-Oregon City No. 2 and mile 9 of the Oregon City-Stub-C rights-of-way.

Expansion of SW Jenkins Road would take place in an area previously disturbed by construction of the road and management of the transmission line (vegetation removal). Within the 500 square foot property disposal area, about 50 square feet (0.001 acre) of permanent wetland impact (fill) and 455 square feet (0.01 acre) of temporary wetland impact would occur on the property from construction of the retaining wall. Washington County will be obtaining Clean Water Act permits before any fill is placed in wetlands.

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, July 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/ Tish Eaton

Tish Eaton
Environmental Protection Specialist

Concur:

/s/ Stacy L. Mason

Stacy L. Mason

NEPA Compliance Office

Date: June 1, 2018

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 BPA property proposed for disposal is adjacent to the south side of SW Jenkins Road within a wetland and the floodplain for Cedar Mill Creek (located to the east and south of the proposed disposal property). A drainage swale, located along the south side of the road, drains stormwater into the adjacent wetland and floodplain of Cedar Mill Creek. Aside from the swale, topography is relatively flat with wetland emergent vegetation consisting of reed canarygrass. Forested wetland with Oregon ash, willows, black cottonwood, and slough sedge border BPA's 100-foot right-of-way to the east and west with shrub-scrub wetland (red osier dogwood and rose) to the south of the disposal property. Where the right-of-way crosses SW Jenkins Road, a Resers store is located to the west and the Nike Campus is to the east.

Evaluation of Potential Impacts to Environmental Resources

Environmental Resource Impacts	No Potential for Significance	No Potential for Significance, with Conditions
1. Historic and Cultural Resources	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><u>Explanation:</u> Because the project area is highly disturbed and the archaeological survey and shovel probes have shown no historic properties to be present, BPA has made a determination of no potential for effect to historic properties (determination made by BPA Archaeologist Brian O'Donnchadha on September 28, 2017)..</p>		
2. Geology and Soils	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><u>Explanation:</u> Soil disturbance would occur during installation of the new retaining wall footing and temporary disturbance adjacent to the new wall. Best management practices (BMP), guided by Washington County's Clean Water Services' Design and Construction Standards and the U.S. Army Corps of Engineers (Corps) Standard Local Operating Procedures for Endangered Species (SLOPES V: Stormwater, Transportation or Utilities), would be implemented by Washington County to stop sediment movement into Cedar Mill Creek. Erosion prevention and sediment control measures would be installed prior to construction.</p>		
3. Plants (including federal/state special-status species)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><u>Explanation:</u> Existing vegetation (reed canarygrass) would be removed for the retaining wall footing. No special-status species are present or known to occur at the project site. Wetland vegetation south of the retaining wall site would be flagged for avoidance by Washington County.</p>		
4. Wildlife (including federal/state special-status species and habitats)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><u>Explanation:</u> Work would occur in previously disturbed areas. No special-status species are present or known to occur at the project site.</p>		

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



Explanation: Upper Willamette River steelhead are listed as threatened in Beaverton Creek about 1 mile downstream from the project site (where Cedar Mill Creek flows in Beaverton Creek). Critical habitat for steelhead has also been designated in Beaverton Creek. While steelhead are not listed in Cedar Mill Creek, they may use it for winter rearing and migration. Cedar Mill Creek has also been designated an Essential Salmonid stream per Oregon Department of State Lands (ODSL).

While no in-water work would occur within Cedar Mill Creek, Washington County is consulting with Oregon Department of Fish and Wildlife and National Marine Fisheries Service to ensure water quality is not affected during construction. Additionally, the County is working with Clean Water Services to design specific water quality protection BMPs under SLOPES to be included in Washington County's stormwater management plan.

In lieu of providing a detention system to manage long-term runoff from the road expansion and retaining wall area, Washington County will partner with Clean Water Services to enhance the stream corridor between SW Jenkins Road (upstream end) and the TriMet light rail bridge (downstream end). The stream corridor enhancements will mix instream structure and floodplain vegetation management to improve the overall health and stability of the stream corridor.

BPA has made a no effect determination for Upper Willamette River steelhead based on the proposed implementation of BMPs and because no in-water work would occur.

The retaining wall would cover about 500 square feet of the Cedar Mill Creek floodplain adjacent to SW Jenkins Road; however this area has previously been disturbed by construction of SW Jenkins Road and the drainage swale.

6. **Wetlands**



Explanation: The approximately 50 square feet of wetland fill would occur in the drainage swale along SW Jenkins Road. Wetland impacts would be mitigated by Washington County's purchase of wetland bank credits (at Butler Wetland Mitigation Bank in Tualatin, Oregon) as part of their overall compensatory mitigation plan (a total of 0.146 acres of which 0.001 acres would be on BPA property prior to disposal).

The location of the Butler mitigation bank within the same watershed as the proposed impacts provides replacement for the lost functions and values of the impacted wetlands. The approximate 455 square feet (0.01 acre) of temporary wetland impact proposed on BPA property also would be mitigated by the wetland bank credit purchase. Details of the bank purchase are described in the Clean Water Act Section 404 Joint Permit Application submitted by the County to ODSL and the Corps.

7. **Groundwater and Aquifers**



Explanation: No potential to effect.

8. **Land Use and Specially Designated Areas**



Explanation: There would be no change in land use and no specially designated areas are present.

9. **Visual Quality**



Explanation: The widened SW Jenkins Road would look similar to the existing road with the addition of the retaining wall. The new retaining wall would be about three feet high along the road edge so views from the road would not be blocked. Additionally, because the transmission line right-of-way (cleared area is about 150 feet) is almost perpendicular to the road, views by passing motorists would of a short duration.

10. **Air Quality**



Explanation: Short term dust and vehicle emissions would occur during construction.

11. **Noise**



Explanation: Temporary construction noise would occur during daylight hours. No long-term impacts are anticipated.

12. **Human Health and Safety**



Explanation: No impact.

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, if necessary:

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

Explanation, if necessary:

- 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, if necessary:

- 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, if necessary:

Landowner Notification, Involvement, or Coordination

Description: BPA is the landowner for this small portion of a larger Washington County project. However, the County has displayed the proposed road work plan at several County sponsored open houses.

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

Signed: /s/ Tish Eaton
Tish Eaton, ECT-4

Date: June 1, 2018