

Categorical Exclusion Determination

Bonneville Power Administration
Department of Energy



Proposed Action: Vancouver Sewer Line Replacement by Bagley Park Investments; Land Use Review Request #20100275

Project No.: LURR #20190275

Project Manager: Charlene Belt

Location: Clark County, Washington

Categorical Exclusion Applied (from Subpart D, 10 C.F.R. Part 1021): B4.9 Multiple use of powerline rights-of-way

Description of the Proposed Action: Bonneville Power Administration (BPA) proposes to allow Bagley Park Investments, LLC to install a new sewer line within a BPA fee-owned transmission line corridor in Vancouver, Clark County, Washington. The City of Vancouver is requiring replacement of the sewer line as part of Bagley Investments development of property to the east of Falk Road.

The portion of the transmission line corridor where the sewer line would be installed is immediately to the north of Fourth Plain Boulevard and immediately to the west of Falk Road. This portion of the corridor includes two BPA 230-kV transmission lines (North Bonneville – Ross No. 1 and No. 2) and a paved residential driveway. It also functions as open space and is part of the Burnt Bridge Creek Greenway. A public walking trail traverses the transmission line corridor.

An 8-inch diameter sewer line would be installed immediately adjacent to the existing sewer line that was installed in 1975. The sewer line would be installed about 430 feet from transmission line Structure 35/3 and would not affect BPA transmission facilities. The new sewer line would be placed about 13 feet in depth in a trench that would be excavated using excavation equipment, such as back hoes. Surface level manholes and permanent markers would be installed along the sewer line. The existing sewer line would be abandoned and left in place.

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/ Kimberly St. Hilaire
Kimberly St.Hilaire
Environmental Protection Specialist

Concur:

/s/ Sarah T. Biegel
Sarah T. Biegel
NEPA Compliance Officer

Date: January 6, 2020

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.

Proposed Action: Vancouver Sewer Line Replacement by Bagley Park Investments; LURR #20100275

Project Site Description

The BPA transmission line corridor in the project area consists of fairly level open space adjacent to a residential area along Burnt Bridge Creek to the west and adjacent to a commercial area to the east. The transmission line corridor where the sewer line would be replaced is vegetated with non-native grasses. The area is mowed as part of the Burnt Bridge Creek Greenway. A paved driveway and paved walking trail traverse the corridor next to the sewer line replacement area.

The project area is designated as a Voluntary Cleanup Site under the Washington State Department of Ecology's Toxics Cleanup Program. The Voluntary Clean-up Program (VCP) number is Southwest (SW) 1387. Under the VCP, the site number is 34692169 and the site name is 4th Plain Chevron. The 4th Plain Chevron VCP site resulted from a historical gasoline spill from the nearby Chevron gas station, located at 4100 E Fourth Plain Boulevard, immediately to the east of Falk Road. There are monitoring wells on the BPA transmission line corridor that monitor the VCP site in the vicinity of the replacement sewer line. Additional information on the 4th Plain Chevron VCP site can be found at the following website:

<https://apps.ecology.wa.gov/gsp/CleanupSiteDocuments.aspx?csid=5916>.

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"/>

Explanation: BPA conducted consultation under Section 106 of the National Historic Preservation Act (NHPA) with the Washington Department of Archaeology and Historic Preservation (DAHP) and the Cowlitz Indian Tribe (consulting parties). The consulting parties were informed of the project and provided an opportunity to provide information on the Project Area of Potential Effects (APE). BPA conducted a cultural resources field survey and did not find cultural resources within the APE. The field survey report was provided to consulting parties for a 30-day review period. DAHP concurred with BPA's determination of No Adverse Effect for the project (December 5, 2019, letter to BPA). The following mitigation would be implemented to avoid impacts to any undiscovered cultural resources and to ensure that proper procedures are followed if any cultural resources are discovered during project construction:

- ✓ All construction workers, including contractors of Bagley Park Investments LLC, would implement the attached Inadvertent Discovery Plan

2. Geology and Soils



Explanation: Soils would be compacted by heavy equipment and some soils would be excavated. To minimize disturbance to soils, the following best management practices would be implemented:

- ✓ Follow the Stormwater Pollution Prevention Plan (SWPPP) required by and approved by the City of Vancouver and all other applicable permits
- ✓ Stage materials and equipment on trucks and trailers within the work area as much as possible
- ✓ Limit compaction in travel ways and pipe staging locations
- ✓ Clearly demarcate and minimize the size of construction and staging areas within the right-of-way by confining work to the smallest possible area
- ✓ Manage all soil stockpiles from wind and rain erosion through the use of erosion and sediment control Best Management Practices (BMPs)
- ✓ Stockpile excavated topsoil separately from subsoil; subsoil would be used to refill the excavated areas and the stockpiled topsoil would be spread in the top portion of the soil
- ✓ Segregate and protect topsoil for reuse from subsoils
- ✓ Salvage and manage the top 12" of topsoil for reuse during restoration of trench excavation area
- ✓ After construction, relieve compaction as necessary and re-contour any vehicle rutting
- ✓ Temporarily stored soils must be at least 50 feet from any water of the state, including Burnt Bridge Creek
- ✓ Any excess soils and gravels that would not be utilized in the ROW shall be removed from the site and disposed of according to Washington Administration Code, Vancouver Municipal Code, and Federal regulations
- ✓ For restoration purposes, comply with the Stormwater Management Manual for Western Washington Volume II (July 2019) for topsoil reuse, mulching, and reseeding BMPs
- ✓ All permanent erosion and sediment control Best Management Practice (BMP) materials are to be biodegradable
- ✓ All temporary erosion control BMP materials are to be removed by the Contractor when no longer needed in the area

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



Explanation: A small amount of vegetation would be removed for the excavation of the sewer line. Other impacts to vegetation, such as crushing by machinery and soil compaction, are expected to be temporary.

Three ESA-listed plant species are on the US Fish and Wildlife Service list for Clark County:

- Golden Indian paintbrush (*Castilleja levisecta*) is an endangered species that grows in upland native prairie that is undisturbed.
- Water howellia (*Howellia aquatilis*) is a threatened aquatic annual that grows in wetlands.
- Bradshaw's lomatium (*Lomatium bradshawii*) is an endangered species that grows in native wet prairie.

This area does not provide suitable habitat for these ESA-listed plant species because there are no wetlands and the area lacks the characteristics of relatively undisturbed native prairie.

Best management practices would be followed to minimize impacts to vegetation, as described under #2, Soils and Geology above and by implementing the following measures:

- ✓ Confine soil disturbance to the smallest possible area within the Project work area
- ✓ Where possible cut or crush vegetation, rather than removing vegetation
- ✓ Reseed any areas where vegetation is removed with native grasses that are known to occur in southwest Washington

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



Explanation: Common wildlife species typically found in suburban areas are expected to occur within the project area because the Burnt Bridge Creek Greenway is located to the west of the right-of-way. Common wildlife species could be temporarily displaced from the vicinity of the work area due to construction noise and human presence but are expected to return once the work is completed.

Two ESA-listed wildlife species are on the US Fish and Wildlife Service list for Clark County: northern spotted owl (*Strix occidentalis caurina* - threatened) and gray wolf (*Canis lupus* - endangered). The project area is within the Vancouver metropolitan area, near a 4-lane road with continuous traffic. Because large tracts of forest are not available in the project area for nesting and feeding, the project would have no effect upon northern spotted owl. Because the suburban environment in the project area does not support adequate undisturbed habitat for gray wolf, the proposed project would have no effect upon the gray wolf.

Best management practices would be followed to minimize impacts to wildlife habitat, as described under #2, Soils and Geology and #3, Plants, above.

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



Explanation: Burnt Bridge Creek is a perennial, fish-bearing stream located about 80 feet from the western edge of the BPA right-of-way. The creek serves as a migration corridor to coho salmon (*Oncorhynchus kutch*) and winter steelhead (*Oncorhynchus mykiss*), both listed as federally-threatened under the ESA. Because the work areas would not extend beyond the western edge of the transmission line corridor, the waters of Burnt Bridge Creek are adequately buffered by vegetation which would prevent sedimentation. In addition, the best management practices described in #2 Soils, above would prevent any eroded sediments from reaching Burnt Bridge Creek. Therefore, there would be no effect to water bodies and fish species with the implementation of the SWPP and other best management practices. The project area is not within or near a floodplain.

6. **Wetlands**



Explanation: There are no wetlands mapped in the project work area according to National Wetland Inventory (NWI) data. The nearest NWI wetland is a narrow riverine wetland along Burnt Bridge Creek about 80 feet west of the edge of the BPA right-of-way. A BPA Environmental Protection Specialist conducted a site visit of the project area on December 3, 2019, and verified the work area within the BPA transmission line corridor is upland because wetland hydrology, soils, and vegetation are not present.

7. **Groundwater and Aquifers**



Explanation: The small area of excavation would not affect groundwater quality or quantity or groundwater recharge.

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



Explanation: The BPA-owned right-of-way is adjacent to a residential area to the west and a commercial area to the east. Residents and visitors to the greenway would experience temporary construction noise and they may be precluded from accessing their usual routes during the sewer line replacement but the project would not permanently affect the use of the residential driveways or walking trails within the Burnt Bridge Creek Greenway. Bagley Park Investments LLC and their contractors would be responsible to provide safe, alternative access to residents and visitors to the greenway during construction.

9. **Visual Quality**



Explanation: After the new sewer line is installed, there would be no obvious changes in the way the transmission line corridor appears to an observer.

10. **Air Quality**



Explanation: The project would result in a small amount of particulate matter and exhaust generated by equipment during the short period of construction. These emissions would be temporary and would not violate air quality standards.

11. **Noise**



Explanation: Work would occur during the day along Fourth Plain Boulevard, a 4-lane road with continuous traffic. The noise generated by boring, trenching, and excavating equipment would be temporary.

12. **Human Health and Safety**



Explanation: Work would be conducted on BPA-owned right-of-way. A portion of Burnt Bridge Creek Greenway is located within the right-of-way and some construction noise could be temporarily audible to greenway visitors. Bagley Park Investments LLC and their contractors would be responsible to provide safe, alternative access to residents and visitors to the greenway during construction and to prevent unauthorized access during construction.

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: A 2013 Washington Department of Ecology assessment stated that monitoring wells for the VCP 4th Plain Chevron site that are installed on the BPA side of Falk Street were below Model Toxics Control Act (MTCA) levels, and therefore are not of actionable concern. Because the source-side toxic levels are declining, it is reasonable to conclude that the 2019 levels would have declined further since 2013. Therefore the historic Chevron spill is unlikely to impact the proposed sewer line excavation area. The following best management practices shall be followed to prevent an unpermitted release of a pollutant and so that public health and safety is protected during and after excavations for the replacement sewer line:

- ✓ During excavation operations, all activities should avoid adversely impacting any portion of existing monitoring wells, which would reasonably be anticipated as vertical in orientation.
- ✓ If the equipment operators or ground personnel uncover indication (visual, smell) of a previously undocumented dump site, immediately contact the BPA Environmental Lead for this project and the Washington Department of Ecology and stockpile material in accordance with City of Vancouver regulations.
- ✓ Disposal of materials: all construction-related waste must be removed from the site and disposed or recycled according to Washington Administrative Code; excess spoils shall be removed from the site and disposed according to Federal regulations, Washington Administrative Code, and Vancouver Municipal Code.

- 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: Landowner coordination was not conducted because all work would be conducted in an existing transmission line corridor owned by BPA and construction work would be limited in duration.

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

Signed: /s/ Kimberly St. Hilaire
Kimberly St.Hilaire, ECT-4

Date: January 6, 2020

BPA INADVERTENT DISCOVERY OF CULTURAL RESOURCES PROCEDURE

Under federal law, BPA has the responsibility to protect cultural resources that are inadvertently discovered on federally-managed land or during federally-funded projects. This document describes the procedure to be followed in the event of an inadvertent discovery.

What is an Inadvertent Discovery?

If your work brings you in contact with any of the following cultural resources, or you identify any of the following cultural resources during the course of your work, you have made an inadvertent discovery:

- Native American cultural artifacts, including **flakes, arrowheads, stone tools, bone tools, wooden tools, baskets**, etc.
- Historic era artifacts, including **building foundations, homesteads, farm implements, glass, metal, ceramics, building materials (brick, nails)**, etc.
- **Human skeletal remains and bone fragments**
- **Layers of discolored earth resulting from fire hearths** that may be black, red, mottled brown and contain discolored cracked rocks or broken shells.
- Structural remains such as **wooden beams, post holes, or fish weirs**

What to do in the case of an Inadvertent Discovery

1. **IMMEDIATELY DISCONTINUE ALL GROUND DISTURBING ACTIVITY. DO NOT TOUCH OR MOVE THE OBJECTS, AND MAINTAIN THE CONFIDENTIALITY OF THE SITE.** Removing bone fragments, artifacts, and other items from any archaeological site, without proper authorization, is against the law. Violators could be charged in state or federal court resulting in a fine or imprisonment.
2. Contact BPA cultural resources staff immediately. Beginning with office phone numbers, continue calling down the list until you speak with someone. If no one on the list is available to take your call during regular business hours, contact Michelle Zinda (503-230-3900). If it is after regular business hours, or you can't contact anyone on their office phones, please contact cultural resources staff on their cell phones.

Name	Title	Office #	Cell #	Email	Mailing Address
Jenna Peterson	Senior Archaeologist	503 230 3018		jepeterson@bpa.gov	Bonneville Power Administration 905 NE 11 th Ave Portland, OR 97232-4169
Kurt Perkins	Archaeologist	503 230 4271	503 278 0436	knperkins@bpa.gov	
Sunshine Schmidt	Supervisor/Program Manager	503 230 5015	503 250 1818	srclark@bpa.gov	

3. Contact your direct supervisor and project manager.
4. Immediately complete the Cultural Resource Discovery Report form (attached) and send/e-mail to ALL of the BPA CR staff listed above.
5. Do not draw any attention to the area with obvious flagging or markers. Maintain confidentiality concerning the discovery of the cultural resource, and do not discuss with anyone other than the contact people listed above.
6. *Only* after following the checklist, completing the Cultural Resource Discovery Report form and obtaining approval from your supervisor, should work continue on your work task or project
7. If you are a supervisor, you should obtain guidance from BPA's Cultural Resources staff (listed above). This protects the artifacts and sites, and limits BPA's liability and your personal liability.

BPA's cultural resources staff will work with agencies and tribes to address the inadvertent discovery as quickly as possible. Following the guidelines above will assist BPA in that process, and minimize any downtime that may result.

Updated September 2019

**BONNEVILLE POWER ADMINISTRATION
CULTURAL RESOURCES DISCOVERY REPORT**

CONFIDENTIAL

Name of BPA Archaeologist contacted: _____ **Date:** _____

Name of person filling out this form:

Date: _____ **Phone Number:** _____ **Email Address:** _____

Project Name: _____ **Project Description:** _____

Who discovered the materials?

Name: _____ **Phone # (req.):** _____

Direct Supervisor: _____ **Phone # (req.):** _____

Project Manager: _____ **Phone # (req.):** _____

Property Owner of Discovery Site:

Federal Agency: _____

State of: _____ **State Agency:** _____

City: _____

County: _____

Private Landowner: _____ **Phone #:** _____

Address: _____

Street

City

State

Zip

BPA Region: _____ **District:** _____

If on a BPA ROW, Name Transmission Line: _____ **Closest Tower #:** _____

Nearest Major Cross Roads/Intersection: _____

State of: _____ **County of:** _____ **Nearest Town:** _____

Location:

Township: _____ **Range:** _____ **Section:** _____ **¼ Section:** NW NE SW SE

Describe access to site: _____

Describe the event(s) that resulted in the discovery: _____

Describe what, to the best of your knowledge, was discovered: _____

Have you removed potential cultural resources during or after discovery? Yes No

If so, describe the item(s) and indicate how they were removed or disturbed, and where they are now:

Please send completed form to one of BPA's Archaeologists at:
Bonneville Power Administration, ECC-4 Cultural Resources, 905 NE 11th Ave. Portland, OR 97232 FAX (503) 230-3212