

# Categorical Exclusion Determination

Bonneville Power Administration  
Department of Energy



**Proposed Action:** Devine Road Bike and Pedestrian Pathway Project

**Project No.:** LURR #20210092

**Project Manager:** Charlene Belt, TERR-ROSS MHQA

**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 The City of Vancouver (City) to construct a paved concrete trail within a BPA fee-owned transmission line corridor in Vancouver, Clark County, Washington. The trail would be constructed immediately adjacent to the west side of North Devine Road, between SE Idaho Avenue and East 18<sup>th</sup> Street. This safety improvement project is identified on the City of Vancouver 6-year Transportation Improvement Program which has a long-term goal to improve walking and bicycling conditions.

The area where work could occur on BPA fee-owned land includes about 0.40 acres within the BPA transmission line corridor that includes two BPA 230-kV transmission lines: the BPA North Bonneville-Ross No. 1 and No. 2 transmission lines. The location of the trail would be between transmission line Structures 34/3 and 34/4 on both lines. These lattice-steel transmission structures are not located near the area where the trail would be constructed. The transmission corridor runs east-west and is 350 feet wide north/south.

The area that could be affected by construction, including the movement of construction equipment and vehicles includes a strip of land 50 feet wide east-west, along the western edge of North Devine Road and extending the full width of the 350-foot-long transmission line corridor north-south. The paved trail would not affect BPA transmission facilities, including access to the BPA right-of-way.

Construction would be limited to the area immediately adjacent to North Devine Road. Typical construction equipment used for this work would include loaders, excavators, backhoes, dump trucks, concrete trucks, cherry pickers, and cranes.

The paved trail would be 10 feet wide, with a narrow concrete barrier between the trail and the road, approximately 2 feet in width and filled with small rock. To construct the trail, the vegetation would be removed and the soil would be excavated to a depth of about 2.5 feet in depth. The width of the area excavated on BPA land would be about 15 feet or less in width by 350 feet in length, for a total of about 0.12 acres excavated. Gravel fill would be used to level the area that would be paved.

A new access road approach off of North Devine Road would be constructed in the area of the trail, using asphalt. It would be about 20 feet long, in order to provide enough room to park a vehicle.

**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/ Katey C. Grange                      June 10, 2021

Katey C. Grange                      Date  
NEPA Compliance Officer

Attachment(s):

Environmental Checklist  
BPA Inadvertent Discovery Plan for Cultural Resources

## 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:** Devine Road Bike and Pedestrian Pathway Project

### **Project Site Description**

The proposed project is in Vancouver, Clark County, Washington in Section 30, Township 2 North, Range 2 East, of the Orchards 7.5 minute topographic quadrangle map. In the area where the trail would be constructed, BPA's fee-owned right-of-way runs east-west. A public road (North Devine Road) crosses the right-of-way. North Devine Road is a busy urban road, serving areas of residential and commercial development to the north and south. There are no houses adjacent to the proposed trail, although the trail would cross an unpaved driveway leading to a residence along the southern boundary of the transmission line corridor.

The area to the north and south of the transmission line corridor functions as open space and is designated as Sam Jackson Park, a city park owned by the City of Vancouver. Burnt Bridge Creek is located about 700 feet north of the northern boundary of the BPA transmission line corridor, in an area designated by the City as the Burnt Bridge Greenway.

A tributary of Burnt Bridge Creek is mapped within the transmission line corridor immediately to the west of Devine Road, about 50 to 75 feet west of the road depending on the location. The tributary is mapped as flowing to the northwest, entering Burnt Bridge Creek about 700 feet northwest of the northern boundary of the transmission line corridor. A site visit was conducted on June 3, 2021 by a BPA environmental protection specialist and no trace of the stream is visible within the BPA transmission corridor. There is no riparian vegetation, no stream channel, and no signs of water movement in the area.

A graveled parking area is located adjacent to a portion of North Devine Road. Other than the parking area, the corridor is vegetated. The vegetation within the transmission corridor consists predominantly of open grassland that is mowed. It is dominated by non-native grasses, including tall fescue (*Festuca arundinacea*) and orchard grass (*Dactylis glomerata*). Non-native forbs within the grassland include Queen Anne's lace (*Daucus carota*), hairy cat's ear (*Hypochaeris radicata*), English plantain (*Plantago lanceolata*), oxeye daisy (*Leucanthemum vulgare*), St. John's wort (*Hypericum perforatum*), tansy ragwort (*Tanacetum vulgare*), and chicory (*Chicorium intybus*). Some shrubs persist despite the mowing including native snowberry (*Symphoricarpos albus*) and rose (*Rosa sp.*) and non-native Himalayan blackberry (*Rubus armeniacus*).

A remnant of a flower garden exists in the center of the transmission corridor. Although some flowers such as lupine, coreopsis, and bee balm are present, the garden has been invaded by non-native grasses. In addition to the flower garden, a very straight row of native red osier dogwood (*Cornus sericea*) was planted down the centerline of the transmission corridor.

Shrubby vegetation occurs at the north and south edge of the transmission corridor adjacent to North Devine Road. At the northern edge, a clump of dying hawthorn trees (*Crataegus sp.*) grows adjacent to a large clump of poison oak (*Toxicodendron diversilobum*). At the southern edge, a

dense clump of shrubs, including hazelnut (*Corylus cornuta*), thimbleberry (*Rubus parviflorum*), and Himalayan blackberry.

## **Evaluation of Potential Impacts to Environmental Resources**

### **1. Historic and Cultural Resources**

Potential for Significance: No with Conditions

**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). On March 18, 2021, BPA initiated NHPA consultation with consulting parties. They were informed of the project and provided an opportunity to provide information on the Project Area of Potential Effects (APE). The APE included the entire fee-owned BPA corridor extending 50 feet west of Lower Devine Road. DAHP concurred with the APE by letter on March 18, 2021. A cultural resources field survey was conducted within the APE and cultural resources were not found within the APE. On April 27, 2021, the field survey report was provided to consulting parties for a 30-day review period. On April 27, 2021, DAHP concurred with BPA's determination of No Historic Properties Affected by letter, stating that an Unanticipated Discovery Plan for cultural resources should be followed during construction. The consulting Tribe did not comment.

The following measure 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.

**Notes:**

- All project staff and construction workers, including the City of Vancouver and their contractors, would implement the attached BPA Inadvertent Discovery Plan

### **2. Geology and Soils**

Potential for Significance: No with Conditions

**Explanation:** Soils would be excavated for the trail construction. About 0.12 acre of soil would be excavated by heavy equipment. Up to 0.4 acres of soils could be compacted by heavy equipment used for construction.

To minimize disturbance to soils, the following best management practices (BMPs) would be implemented on BPA fee-owned lands:

**Notes:**

- Conduct work during the summer when soils are most likely to be dry to minimize soil compaction.
- Stage rock and materials outside of BPA fee-owned lands.
- Clearly demarcate and minimize the size of construction and staging areas within the right-of-way by confining work to the smallest possible area within the construction easement.
- Follow the DOE Construction General Storm water Permit and any other required permits related to erosion control and pollution prevention.
- Install erosion control barriers at the western most edge of the excavated area.
- Any erosion control materials used in the project area must be certified weed free.

- All permanent erosion and sediment control materials, must be biodegradable.
- Use rubber tracked vehicles to excavate soils.
- Manage any soil stockpiles from wind and rain erosion through the use of erosion and sediment control BMPs.
- After construction, decompact soils as necessary and re-contour any vehicle rutting.
- Any excess soils and gravels not utilized in the transmission corridor 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 Storm water Management Manual for Western Washington Volume II (July 2019) for topsoil reuse, mulching, and reseeding BMPs, except that native upland seed must be used rather than non-native species.
- All temporary erosion control materials are must be removed by the Contractor when no longer needed in the area.

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

Potential for Significance: No with Conditions

**Explanation:** About 0.12 acres of vegetation would be permanently removed for the excavation required to construct the paved trail. The vegetation that would be removed is mainly low-quality because non-native grasses dominate the areas where excavation would occur. Other impacts to vegetation would result from crushing by machinery and soil compaction. In construction areas outside the trail, impacts to vegetation are expected to be temporary because areas where vegetation is removed are expected to recover after reseeding.

Three ESA-listed plant species are on the US Fish and Wildlife Service list for Clark County (obtained on May 4, 2021): golden Indian paintbrush (*Castilleja levisecta*), water howellia (*Howellia aquatilis*), and Bradshaw's lomatium (*Lomatium bradshawii*). Because the BPA transmission line corridor is a mowed upland in the area where the trail would be constructed, it is not suitable habitat for these species. Therefore, the project would have no effect on ESA-listed plant species. There is no ESA-designated critical habitat for plants in the Project area.

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.

**Notes:**

- Wash equipment and vehicles at weed wash stations prior to entering the project site.
- Confine soil disturbance to the smallest possible area within the Project work area.
- Use weed-free fill material, including any gravel or rock used.
- Where possible cut or crush vegetation, rather than removing vegetation.
- Reseed any areas where vegetation is removed with native plant species that are known to occur in southwest Washington and are approved by BPA.
- Plant upland native species and include forb species in the planting mix that benefit pollinators, including at least 9 native forb species that bloom across the growing season.
- Lay down construction materials on BPA land for less than 30 days in order to prevent damage to vegetation.

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

Potential for Significance: No with Conditions

**Explanation:** About 0.12 acre of wildlife habitat would be permanently removed for the excavation required to construct the paved trail. The wildlife habitat that would be removed is mainly

low-quality because non-native grasses dominate the areas where excavation would occur. Other impacts to wildlife habitat could result from crushing by machinery and soil compaction. While a small area of wildlife habitat would be removed by the trail, other impacts to wildlife habitat are expected to be temporary because areas where vegetation is removed are expected to recover after reseeding.

Any wildlife present in the vicinity of construction work areas would be temporarily disturbed and displaced by construction noise and the presence of people and equipment. It is expected that most wildlife would be mobile enough to move out of the area during construction and return after construction is completed. Since any removal of woody vegetation on BPA fee-owned lands would take place before April or after August, it is not expected to harm any breeding animals, including nesting birds.

Four ESA-listed threatened wildlife species are on the US Fish and Wildlife Service list for Clark County (obtained on May 4, 2021) Oregon spotted frog (*Rana pretiosa*), northern spotted owl (*Strix occidentalis caurina*), streaked horned lark (*Erenophila strigata*), yellow-billed cuckoo (*Coccyzus americanus*), and gray wolf (*Canis lupus*). There would be no effect to these species from the project due to a lack of suitable habitat within the project area. There is no ESA-designated critical habitat for wildlife in the Project area.

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

**Notes:**

- Conduct work during the daylight hours and do not use any night time illumination.
- Conduct work during the dry summer months when wildlife are not generally nesting or breeding.
- Remove wood vegetation prior to the nesting season, before April and after August.

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

Potential for Significance: No

**Explanation:** Water quality and fish habitat along and in Burnt Bridge Creek would not be affected by the Project because a forested wetland and riparian vegetation are located between construction areas and the creek. The intervening vegetation would prevent the flow of sediments into Burnt Bridge Creek.

Burnt Bridge Creek provides habitat for fish species, including lower Columbia River coho salmon (*Oncorhynchus kisutch*), which is federally threatened under the Endangered Species Act (ESA). Burnt Bridge Creek is also designated critical habitat under the ESA for coho salmon. Implementation of best management practices, as described under #2, Soils and Geology above, and permit conditions would ensure that sediments from project construction do not enter Burnt Bridge Creek, degrading water quality and fish habitat. Therefore there would be no impacts to lower Columbia River coho salmon or designated critical habitat for this species from construction of the paved trail on the BPA transmission line corridor.

Because the BPA transmission line corridor is not within the Burnt Bridge floodplain, floodplains would not be affected by the Project.

## 6. Wetlands

Potential for Significance: No

**Explanation:** The National Wetland Inventory (NWI) depicts a large freshwater forested/shrub wetland immediately to the north of the BPA transmission corridor. This wetland does not extend into the transmission corridor, evidenced by the presence of upland plant species. The transmission corridor also has no evidence of wetland hydrology. Because wetlands are not present, there would be no impacts from this project to wetland on the BPA transmission corridor.

## 7. Groundwater and Aquifers

Potential for Significance: No

**Explanation:** About 0.4 acre of land would be temporarily disturbed by the project during the dry time of year, but soil and vegetation would be permanently removed in only 0.12 acre. This amount of disturbance would not be expected to affect ground water recharge or aquifers.

## 8. Land Use and Specially-Designated Areas

Potential for Significance: No

**Explanation:** The existing land uses in the project area would not be affected by this project. Both the north and south bound lanes of the public road that crosses the transmission line right-of-way are expected to remain in use while construction is in progress. After the trail is constructed, the BPA transmission line corridor would continue to function as open space.

## 9. Visual Quality

Potential for Significance: No with Conditions

**Explanation:** Viewers of the project area mainly include motorists traveling on lower Devine Road, who have brief views of the project area. Views of construction equipment, materials, and excavated areas would temporarily degrade the views of the natural appearing open space in the BPA transmission line corridor. Once construction is complete, the trail would be attractive and people would be visible walking and cycling along the road. Any areas west of the trail disturbed by construction would be revegetated and evidence of excavation could be evident for a year or more, but eventually the area would return to its former appearance.

**Notes:**

- Do not deposit equipment and materials, such as rock or other materials, on BPA lands for more than 30-days prior to use.

## 10. Air Quality

Potential for Significance: No with Conditions

**Explanation:** During construction, equipment and vehicle use would result in a temporary increase in air pollutants. The amount of pollutants emitted would not result in an exceedance of air quality standards. Impacts to air quality would be minimized by implementing the following measure.

**Notes:**

- Do not leave equipment or vehicles idling, when not in use.

## 11. Noise

Potential for Significance: No with Conditions

**Explanation:** During construction, equipment and vehicle use would result in a temporary increase in noise during daylight hours. Noise would be intermittent and occur over a period of several months, then cease once construction is completed. There are few nearby sensitive noise receptors, such as homes. Motorists are expected to only be affected by any increased noise for a very brief period. Impacts from noise would be minimized by implementing the following measure.

**Notes:**

- Do not leave equipment or vehicles idling, when not in use.
- All construction must occur during daylight hours.

## 12. Human Health and Safety

Potential for Significance: No with Conditions

**Explanation:** Construction is not expected to impact human health and safety. Impacts to human health and safety would be minimized by implementing the following measures.

**Notes:**

- The City of Vancouver and their contractors must follow BPA's safety protocols and requirements for working safely around energized transmission facilities and ensure all relevant safety language is in construction specs.

### **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:** BPA did not conduct any landowner notification for this Project due to the undeveloped nature of the Project area. The City conducted public notification via neighborhood meetings, including the Northcrest Neighborhood Association and on the City website, which lists project milestones, such as successful grant applications.

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 June 10, 2021  
Kimberly St.Hilaire, ECT-4 Date  
Environmental Protection Specialist