

# Categorical Exclusion Determination

Bonneville Power Administration  
Department of Energy



**Proposed Action:** Panattoni Easement Modification

**Project No.:** LURR 20090167

**Project Manager:** Patrick Munyua, TERR-Snohomish

**Location:** King County, WA

**Categorical Exclusion Applied (10 C.F.R. Part 1021):** B.4.9 Multiple use of powerlines rights-of-way

**Description of the Proposed Action:** BPA proposes to allow Panattoni to amend an existing easement on BPA fee-owned property in Township 22 North Range 05 East Section 36 north of the Covington Substation and Covington Maintenance Headquarters. Panattoni seeks to amend its easement to include a new triangular area of approximately 366 square feet to accommodate the setback buffer requirement for two, 3-foot by 5-foot hydrant areas. Panattoni also seeks to relinquish about 12,000 square feet of their existing easement to BPA as it no longer requires as part of this modification (along Covington Way SE). The utilities involved are already in place, and there would be no ground disturbance for this easement modification.

BPA authorizes the use of and manages its fee-owned lands pursuant to its authority under sections 2(e) and 2(f) of the Bonneville Project Act. 16 U.S.C. § 832a(e)-(f).

**Findings:** In accordance with Section 1021.102 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; 89 FR 34074, April 30, 2024; 90 FR 29676, July 3, 2025 [Interim Final Rule]) and *DOE National Environmental Policy Act (NEPA), Implementing Procedures* (dated June 30, 2025), BPA has determined the following:

- 1) The proposed action fits within a class of actions listed in Appendix B of 10 CFR 1021;
- 2) The proposal has not been segmented to meet the definition of a categorical exclusion; and
- 3) There are no extraordinary circumstances related to the proposed action that may affect the significance of the environmental effects of the proposal (see attached Environmental Evaluation).

Based on these determinations, BPA finds that the proposed action is categorically excluded from further NEPA review.<sup>1</sup>

Christopher H. Furey  
Environmental Protection Specialist

Concur:

Katey C. Grange  
NEPA Compliance Officer

Attachment(s): Environmental Checklist

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<sup>1</sup> BPA is aware that the Council on Environmental Quality (CEQ), on February 25, 2025, issued an interim final rule to remove its NEPA implementing regulations at 40 C.F.R. Parts 1500–1508. Based on CEQ guidance, and to promote completion of its NEPA review in a timely manner and without delay, in this CX BPA is voluntarily relying on the CEQ regulations, in addition to the interim final rule to revise DOE NEPA regulations implementing NEPA at 10 C.F.R. Part 1021 and NEPA Implementing Procedures (dated June 30, 2025), to meet its obligations under NEPA, 42 U.S.C. §§ 4321 et seq.

# **Categorical Exclusion Environmental Evaluation**

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:** Panattoni Easement Modification

## **Project Site Description**

The area involved for the easement is an area of low growing vegetation on the north side of Covington Maintenance Headquarters. The area for the easement to be relinquished is an area of disturbed land and some low growing vegetation along Covington Way SE. The surrounding area is comprised of the Covington Maintenance Headquarters complex, roadway, and some nearby commercial and residential development.

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

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

Potential for Significance: No

Explanation: BPA Historian has determined, per 36 CFR 800.3(a)(1), that this undertaking is a type of activity that does not have the potential to cause effects on historic properties, assuming such historic properties were present.

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

Potential for Significance: No

Explanation: No further ground disturbance is proposed as part of the easement modification; therefore, there would be no impacts to geology or soils.

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

Potential for Significance: No

Explanation: No further ground disturbance is proposed; therefore, there would be no impacts to geology or soils by this easement modification.

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

Potential for Significance: No

Explanation: No further ground disturbance is proposed; therefore, there would be no impacts to wildlife by this easement modification.

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

Potential for Significance: No

Explanation: No further ground disturbance is proposed; therefore, there would be no impacts to water bodies, floodplains, or fish by this easement modification.

## 6. Wetlands

Potential for Significance: No

Explanation: No further ground disturbance is proposed; therefore, there would be no impacts to wetlands by this easement modification.

## 7. Groundwater and Aquifers

Potential for Significance: No

Explanation: No further ground disturbance is proposed; therefore, there would be no impacts to groundwater or aquifers by this easement modification.

## 8. Land Use and Specially-Designated Areas

Potential for Significance: No

Explanation: No further ground disturbance is proposed; therefore, there would be no impacts to land use expected by this easement modification.

## 9. Visual Quality

Potential for Significance: No

Explanation: No further ground disturbance is proposed; therefore, there would be no impacts to visual quality by this easement modification.

## 10. Air Quality

Potential for Significance: No

Explanation: No further ground disturbance is proposed; therefore, there would be no impacts to air quality by this easement modification.

## 11. Noise

Potential for Significance: No

Explanation: No further ground disturbance is proposed; therefore, there would be no impacts to land use expected by this easement modification.

## 12. Human Health and Safety

Potential for Significance: No

Explanation: There would be no impacts to human health and safety.

### **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 Realty is coordinating with Panattoni for this easement modification.

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

Signed:

Christopher Furey  
Environmental Protection Specialist