

Categorical Exclusion Determination

Bonneville Power Administration
Department of Energy



Proposed Action: LaPine-Fort Rock Access Road Upgrades

Project No.: P05780

Project Manager: Donna Martin, TELF-TPP-3

Location: Klamath and Lake Counties, Oregon

Categorical Exclusion Applied (from 10 C.F.R. Part 1021): B1.13 Pathways, short access roads, and rail lines

Description of the Proposed Action: Bonneville Power Administration (BPA) plans to upgrade miles 4 through 33 of the LaPine-Fort Rock 115kV Transmission Line's access road system in Klamath and Lake Counties of Oregon. Recent analysis has shown the need for upgrading the road system to ensure continued safe maintenance and efficient operations between transmission line structure 4/1 and structure 33/1. The LaPine-Fort Rock Access Road Upgrades Project (the "Project") would address the aging and deteriorating access road system by improving or reconstructing sections of roads and installing cross drain culverts, waterbars, gates, and drain dips.

The Project includes about 20 miles of access road reconstruction and about 5 miles of access road improvements. Access road reconstruction requires prism excavation, road shaping, and the addition and compaction of fill material. Improvement would include scraping the existing road surface, rolling to compact the base, and the application and compaction of surface gravel. Major equipment utilized for the project's implementation would include bulldozers, graders, excavators, roller-compactors, dump trucks, and crew trucks. BPA would also use a material staging area along an access road spur in the 19-mile section of the Project to store and stockpile materials, trucks, and other equipment during construction. The staging area has been cleared and used for this purpose in the past; new vegetation removal would be limited, and most materials would be laid on top of existing regrowing vegetation.

The implementation plan would include containing ground disturbance within the existing road prism (typically a 20-foot-wide easement, with previously constructed road bed) to the maximum extent possible throughout the project. Where vegetation has grown into the prism and is found to obstruct drainage or the establishment of the standard 14-foot-wide navigable road surface, it would be scraped, or an excavator may be used to grub out any deep-rooted woody species growing at the prism edge.

The Federal Columbia River Transmission System Act directs BPA to construct, acquire, operate, maintain, repair, relocate, and replace the transmission system, including facilities and structures appurtenant thereto. (16 United States Code [U.S.C.] § 838i(b)). The Administrator is further charged with maintaining electrical stability and reliability, selling transmission and interconnection services, and providing service to BPA's customers. (16 U.S.C § 838b(b-d)). The Administrator is

also authorized to conduct electrical research, development, experimentation, tests, and investigation related to construction, operation, and maintenance of transmission systems and facilities. (16 U.S.C § 838i(b)(3)).

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.¹

Michael J. O'Connell
Environmental Protection Specialist

Concur:

Katey C. Grange
NEPA Compliance Officer

Attachment(s): Environmental Evaluation

¹ 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 evaluation 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 Project traverses a relatively level, high desert volcanic plateau, occasionally intersected with rock outcrops and small ridges. The majority of the underlying land is owned by two land managing agencies: the Bureau of Land Management (BLM), and the US Forest Service (USFS). Local soils and resulting vegetation are influenced by the area's volcanic history. Soils tend to be coarse and include significant proportions of pumice and volcanic ash. In the western portion (between line miles 4 to 27) of the project area, ponderosa pine (*Pinus ponderosa*) is a dominant tree species that thrives in dry, open forests, and provides habitat for numerous wildlife species. There is a small segment of mixed conifer forest (ponderosa pine and lodgepole pine) where the vegetation begins to transition to low shrubs that dominate in the 27 to 33 miles of the line. There are no perennial surface water features in the Project's area of potential disturbance.

Evaluation of Potential Impacts to Environmental Resources

1. Historic and Cultural Resources

Potential for Significance: No with Conditions

Explanation: After initiating consultation under the National Historic Preservation Act (NHPA) Section 106 process and surveying the project area, BPA determined there would be no adverse effect to historic resources. The Oregon State Historic Preservation Office (OR SHPO) did not concur with BPA's determination, disagreeing with interpretations of relevant historical context for the resources that BPA recorded. BPA archaeologists attempted to reconcile their and OR SHPO interpretations but were unable to resolve the issue. On November 6, 2025, BPA sent a letter to the Advisory Council on Historic Preservation (ACHP), requesting that the ACHP review the recent finding of no historic properties affected for the Project. The 30-day comment period for the NHPA consultation expired on December 7, 2025, whereupon the ACHP emailed BPA that they let the deadline for review lapse, thus concluding the Section 106 consultation and making BPA's determination of **no historic properties affected** the final determination.

Notes:

- In the unlikely event that cultural material is inadvertently encountered during the implementation of this project, work must be halted in the vicinity of the finds until they can be inspected and assessed by BPA in consultation with the appropriate consulting parties. Provide a copy of BPA's Inadvertent Discovery Protocol to the construction contractor.

2. Geology and Soils

Potential for Significance: No

Explanation: All work is anticipated to be limited to the existing established road prism and a previously established storage yard, and fill and gravel would be imported. Due to its contained nature and the avoidance of excavation in new areas, there would be no effect on geologic and soil resources.

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

Potential for Significance: No with Conditions

Explanation: Common, non-sensitive plant populations would not be adversely affected due to the work adhering to the existing road prism to the extent practicable. Inadvertent crushing or grubbing along the road edge would remove only low numbers of plants there and thus have no effect on general populations. BPA performed pedestrian vegetation surveys of work footprints and other anticipated areas of potential disturbance by the Project to document the presence of sensitive native and noxious non-native species. A USFS special status species, pumice moonwort (*botrychium pumicola*) is known to commonly occupy areas of the Project vicinity. BPA-contracted botanists confirmed extent and proximity of populations of pumice moonwort, and in consultation with USFS, BPA has affirmed the Project would not adversely affect the species with adherence to the restrictions below. No other sensitive or special status species (BLM, Federal ESA-listed, or State-listed) or their evidence were found and thus no other special precautions are recommended beyond limiting work to the road prism.

Notes:

- In the Spring prior to construction, conspicuously flag and enclose populations of pumice moonwort directly adjacent to the Project road prism with temporary barriers during construction. Construction would be expected to avoid marked areas to the maximum extent practicable.
- Perform work in pumice moonwort habitat between line miles 14 to 22 on USFS land after the plants have dried up (typically July or early August) to the maximum extent practicable.
- If brush cuttings are produced in miles 14 to 22, remove them from the vicinity to avoid loading of organic materials that may alter the mineral soil conditions preferred by the species.

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

Potential for Significance: No with Conditions

Explanation: The project would not adversely affect general wildlife resources because work would proceed at a pace fast enough to lessen possible impacts of noise on wildlife behaviors. None of the work would directly impact general wildlife because it would be limited to the road prism that lacks habitat. Golden eagles, protected under the Bald and Golden Eagle Protection Act, are assumed to utilize habitat in the vicinity of the project. The BLM has recorded an active nest as of 2011 within 9 miles east of the Project's eastern limit and several other golden eagle observations have been recorded within about 20 miles. It is reasonable to suspect that golden eagles utilize several areas with rock faces and cliffs (their typical hunting and nesting habitat) that are within 2 miles of the project work. USFWS recommends a 2-mile buffer to characterize potential disturbance to breeding golden eagles from project construction. In general, work on the access road would move at a rate rapid enough to not unduly stress other potential nearby breeding birds such as those covered under the Migratory Bird Treaty Act. The work would adhere to the existing road prism to the extent possible so breeding habitat would also not be adversely affected. No other special status wildlife species or their evidence were observed during the pedestrian wildlife survey of the Project area.

Notes:

- Perform work in the breeding buffer (2 miles) from suspected golden eagle breeding areas when the majority of golden eagles would be expected to complete breeding. This translates to performing work from structures 22/2 through 33/5 between September 1 and December 31.

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

Potential for Significance: No

Explanation: There are no perennial surface water features, and a review of National Hydrography Dataset determinations shows only five potential intermittent stream crossings; also, no fish records are documented over the 31-mile project length. Field review by the BPA road engineer confirms that the crossings are not streams, but ephemeral drainage routes. In

addition to general reconstruction scope at the occasionally watered crossings, two would require installation of drain dips. Work would occur during the dry construction season for the majority of the Project, and if there is a need to work after rain typically would arrive, best management practices, such as the use of appropriate erosion control devices, for working around surface water would be implemented to avoid adverse effects on local hydrology.

6. Wetlands

Potential for Significance: No

Explanation: Two of the five intermittent stream crossings are characterized as riverine wetlands in the National Wetland Inventory mapping layer. The NWI ratings are discounted, however, because field verification by BPA road engineers, as well as desktop inspection of imagery, show the crossings lack the features of established intermittent streams like defined bed and banks. All drainages crossing the Project would be anticipated to be dry when work would take place and the work is limited to the road prism. No wetlands would be affected by the project.

7. Groundwater and Aquifers

Potential for Significance: No

Explanation: The scope and overall low impact of the project on the ground due to its limitation to the road prism would present minimal opportunity for incursions of materials to any existing aquifers or groundwater. All applicable best management practices would be applied to all operations involving fuel and lubricant-containing equipment to prevent adverse effects from inadvertent spills.

8. Land Use and Specially-Designated Areas

Potential for Significance: No

Explanation: The LaPine-Fort Rock access road system – contained within the BPA transmission line corridor for most of the Project – is existing infrastructure in easements acquired from the USFS, BLM and private landowners. The work of the Project is a permitted maintenance activity of the easements and would not preclude other uses by underlying landowners already cooperating with BPA on shared use of easement corridors. If sections of road are open to general population for recreation or other use, the Project could potentially cause temporary disruption to users, but the rate of Project construction would be rapid enough to keep activity delays to a minimum in any one spot.

9. Visual Quality

Potential for Significance: No

Explanation: Project work would not create or alter permanent above-ground facilities that could be viewed by the general public. The gates that are part of the upgrade plan are typical ground-level gates operated manually.

10. Air Quality

Potential for Significance: No

Explanation: An increase in vehicle and equipment exhaust during active work would lead to a temporary and localized decrease in air quality that would dissipate quickly. There would be no long term or acute effects on other resources because of the discrete and temporary nature of the air quality decrease.

11. Noise

Potential for Significance: No

Explanation: Noise consistent with gravel road repairs would be generated. Large machinery could create localized elevated noise levels during the work, but because the project is in an unpopulated area and the work would progress at a relatively swift pace, low level effects would arise from the noise produced.

12. Human Health and Safety

Potential for Significance: No

Explanation: All work is expected to proceed only after all individuals on the construction force are provided with information about necessary safety precautions during the planned work. BPA would contract work to firms that acknowledge their responsibilities to protect workers and the public. There would be no danger to the general public because the Project is in a remote location and work is on limited access roads.

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: All notification and other landowner coordination was completed by BPA Real Property staff; in terms of Federal agency coordination on NEPA, analyses were conducted with full participation by USFS and BLM staff that provided critical information on natural resources. Both agencies have preliminarily approved of the Project, noting its adherence to existing easement language.

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

Signed:

Michael J. O'Connell
Environmental Protection Specialist