

Categorical Exclusion Determination

Bonneville Power Administration
Department of Energy



Proposed Action: Chemawa-Salem No. 1 and No. 2 Encroachment Removal

Project Manager: James L. Clark, TERR-CHEMAWA

Location: Polk County, Oregon

Categorical Exclusion Applied (from Subpart D, 10 C.F.R. Part 1021): B1.3 Routine maintenance

Description of the Proposed Action: Bonneville Power Administration (BPA) proposes to remove fill material from BPA fee-owned right-of-way (ROW) between transmission line Structure 9/6 and Chatnicka Creek on the Chemawa- Salem No. 1 transmission line in Salem, Polk County, Oregon. The fill material was illegally deposited on the ROW by another party (a.k.a. the encroacher) without BPA's knowledge or authorization. Upon discovery of the encroachment, BPA conducted a survey of the site and determined the unpermitted fill is up to 7.6 feet above the original grade in some areas. Because the unpermitted fill is unstable and at high risk of eroding into nearby Chatnicka Creek, BPA installed temporary erosion and sediment control measures.

The encroachment decreased the distance from the conductor to the ground surface. The current distance between conductor and the fill material is an impairment under the National Electrical Safety Code (NESC) standards, posing a risk to line reliability and to public health and safety. To ensure the line meets current NESC and Federal Energy Regulatory Commission (FERC) standards, BPA would require that the encroacher remove the unpermitted fill material and reduce the grade to no more than 2.5 feet above original grade. Removal of fill material would likely be completed using a backhoe and dump truck. Following removal of the fill, the site would be reseeded with a native seed mix and the temporary erosion and sediment control measures would be removed once the seeded vegetation becomes established and the site stabilizes.

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.

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: Chemawa-Salem No. 1 and No. 1 Encroachment Removal

Project Site Description

The project site is located on BPA fee-owned right-of-way (ROW) between Structure 9/6 and Chatnicka Creek on the Chemawa- Salem No. 1 transmission line in Salem, Polk County, Oregon (Township 7 S, Range 3 W, Section 17 and Section 20). BPA conducted a survey of site following discovery of the encroachment and determined that the fill is up to 7.6 feet above the original grade in some areas. The fill is covered in straw and some vegetation has become established on the fill, but there remain some areas of exposed and erodible soil. Some ornamental vegetation, including shrubs and a tree, appears to have been planted within the fill material.

Dense suburban residential development abuts the ROW with some interspersed undeveloped open fields and fragmented stands of trees. Chatnicka Creek is perpendicular to the ROW approximately 50 feet south of the fill material. The Nekia soil series is mapped within the project site, which is not hydric. However, a wetland delineation was not completed as part of this effort, and wetlands could be present within the densely-vegetated riparian area along Chatnicka Creek.

Evaluation of Potential Impacts to Environmental Resources

1. Historic and Cultural Resources

Potential for Significance: No

Explanation: On November 12, 2020, BPA initiated National Historic Preservation Act, Section 106 consultation with the following parties:

- Confederated Tribes of Siletz Indians
- Confederated Tribes of the Warm Springs Reservation of Oregon
- The Confederated Tribes of Grand Ronde
- Oregon State Historic Preservation Office (SHPO)

BPA conducted background research of the area of potential effects (APE), the area where cultural resources could be disturbed by the project. No previously-recorded archaeological resources or historic properties were identified within the APE. BPA archeologists conducted an intensive field survey of the APE which included a pedestrian survey and two shovel test probes. No archaeological deposits were found during the field survey. Therefore, BPA determined that the proposed undertaking would result in no historic properties affected (BPA CR Project No.: OR 2020 136). No comments from the consulting properties were received.

Notes:

- In the unlikely event that cultural material is inadvertently encountered during the implementation of this project, BPA would require that work be halted in the vicinity of the finds until they can be inspected and assessed by a professional archaeologist, and notice

to proceed is given by a BPA archaeologist. All consulting parties would be notified of any future findings.

2. Geology and Soils

Potential for Significance: No

Explanation: Native geology and soils were previously disturbed and covered when the unpermitted fill material was deposited onsite. The fill was not compacted or graded and is at high risk of erosion. Erosion and sediment control measures are currently in place to prevent the unstable fill material from migrating offsite. Although removal of the fill could result in additional soil disturbance from vehicle and equipment use, excavation, and grading, the project would reduce the overall risk of long-term erosion.

Notes:

- Temporary erosion and sediment control measures would remain in place during project activities and after completion of the project, until the seeded vegetation becomes established and the site stabilizes.
- Removal of fill would be completed during the dry season in Summer 2021 to minimize the potential for erosion.
- Seeding of the area where fill would be removed would stabilize soils.

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

Potential for Significance: No

Explanation: The project would require removing vegetation in areas where it has become established within the fill material. This includes a young ornamental tree and shrubs that appear to have been planted. No other tree or vegetation removal would be required. There are no documented occurrences of any Federal or state special-status plant species near the project site. During an October 2020 field visit, no suitable habitat for special-status species was observed. Therefore, the proposed project would have no effect on special-status plant species and their habitats.

Notes:

- Following removal of the fill material, the site would be revegetated with a native, pollinator-friendly prairie seed mix approved for use by BPA.
- Seed application would occur after the start of fall rains, in the Fall of 2021.

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

Potential for Significance: No

Explanation: Minor and temporary disturbance of wildlife could occur from elevated noise and human presence during removal of the fill material. However, no suitable habitat for Federal or state special-status wildlife species was observed during a site visit in October 2020, and no special-status species are expected to occur in the project vicinity. Therefore, the proposed project would have no effect on special-status wildlife species or habitats.

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

Potential for Significance: No

Explanation: Chatnicka Creek is located approximately 50 feet south of the project site. Erosion and sediment control measures are currently in place to prevent the unstable fill material from migrating into Chatnicka Creek. Removing the fill in the summer would reduce the potential for transport of sediments or chemicals into Chatnicka Creek. Despite the proximity of the

fill that would be removed to the creek, the fill material is not located within a FEMA-designated floodplain. No special-status fish species are known to occur within Chatnicka Creek. Therefore the proposed project is expected to have no or minimal impact on waterbodies from sedimentation and would have no effect on special-status fish species or habitats.

Notes:

- While work is occurring, a well-stocked oil/fuel spill kit would be maintained on-site to address containment and cleanup in the event of a spill.
- Any spilled material would be properly disposed of in accordance with Federal, state, and local requirements.

6. Wetlands

Potential for Significance: No

Explanation: No wetlands are known to be present within the project site. Erosion and sediment control measures are currently in place to prevent the unstable fill material from migrating into nearby Chatnicka Creek and any associated wetlands, if present. Therefore, the proposed project would not impact wetlands.

7. Groundwater and Aquifers

Potential for Significance: No

Explanation: The project would remove fill material only and would return the site to the original grade, or similar, that existed prior to the encroachment. The project would not generate or use hazardous materials that could lead to contamination of groundwater or aquifers. Therefore, the proposed project would not impact groundwater and aquifers.

8. Land Use and Specially-Designated Areas

Potential for Significance: No

Explanation: The project would not require a change in land use and would not impact adjacent land uses or any specially-designated areas.

9. Visual Quality

Potential for Significance: No

Explanation: Viewers would include nearby residents whose property abuts the ROW. The project would result in a perceptible change in the appearance of the transmission line right-of-way from its current condition, back to its original appearance. The use of heavy equipment onsite and vegetation removal would cause temporary visual impacts to nearby residential viewers. However, the project would return the site to a similar grade and similar appearance that existed prior to the encroachment. Following completion of the project, the site would be revegetated.

10. Air Quality

Potential for Significance: No

Explanation: Temporary and minor dust and vehicle emissions would increase in the local area during removal of the fill material. Following completion of the project, there would be no long-term change in air quality from current conditions. The project is not expected to result in any violations of air quality standards.

11. Noise

Potential for Significance: No

Explanation: Vehicle and equipment use would temporarily create noise during removal of the fill material, which would be audible to nearby residents. All work would occur during daylight hours, and the project would be completed within one to two weeks. Following completion of the project, there would be no long-term increase in noise above current ambient conditions.

12. Human Health and Safety

Potential for Significance: No

Explanation: Individuals carrying out project activities would be trained in proper techniques and equipment use. The project would not generate or use hazardous materials. Therefore, the proposed project would not be expected to impact 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: The project site is located on BPA fee-owned property. No landowner notification, involvement, or coordination was conducted.

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

Signed: /s/ W. Walker Stinnette May 14, 2021
W. Walker Stinnette, EC-4 Date
Contract Environmental Protection Specialist
Salient CRGT