

Categorical Exclusion Determination

Bonneville Power Administration
Department of Energy



Proposed Action: Clark PUD Underground Utility Easement

Project No.: LURR20180362

Project Manager: Lesa Gilmore – TERR-3

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 issue a revocable land use agreement to Clark Public Utilities District (PUD) to remove and place about 450 feet of overhead distribution line (72-kV) underground across BPA's existing fee-owned right-of-way (ROW) in Clark County, Washington. The existing BPA ROW that runs east-west contains three BPA high-voltage transmission lines (North Bonneville – Ross Nos. 1 and 2 230-kV lines, and Ross – Vancouver Shipyard No. 1 115-kV line). One Clark PUD wood pole (about 35 feet tall) in the BPA ROW between structures 2/6 and 2/7 of the Ross – Vancouver Shipyard No. 1 line carries both the distribution line and a Comcast fiber line (located below the distribution line) across the BPA ROW. If Comcast doesn't agree to move their fiber into the trench with the distribution line, the wood pole would remain in the BPA ROW and be cut to a position right above the fiber. Otherwise, the entire pole would be removed and the hole backfilled with gravel.

A backhoe fitted with a 2-foot bucket would be used to dig the trench (about 3 feet deep by 2 feet wide). The total temporary disturbance area at the work surface would be about 15 feet wide. After utilities are placed in the trench and tested, all material would be backfilled and the surface re-contoured, stabilized, and reseeded.

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/ Nancy A. Wittpenn

Nancy A. Wittpenn

Environmental Protection Specialist

Concur:

/s/ Katey Grange

Katey Grange
NEPA Compliance Officer

Date: July 23, 2019

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: Clark PUD Underground Utility Easement

Project Site Description

The project is located in Vancouver, Washington, at NE 49th Street between NE 15th and 18th avenues. The project site is just south of BPA's Ross Complex and within existing BPA ROW that contains the North Bonneville-Ross No. 1 and No. 2 lines (between towers 37/1 and 36/6) and the Ross-Vancouver Shipyard No. 1 line (near tower 2/7) in Section 14, Township 2 North, Range 1 East. The site gently slopes to the south and west; and is adjacent to NE 49th Street to the south and an existing gravel county road to the west which is used to access rural residential properties to the north and east. Industrial and utility uses occur at the Ross Complex to the north and west. The site is mostly mowed and contains non-native grasses and weeds. The nearest waterbody (Burnt Bridge Creek) is about 1,000 feet south with a residential neighborhood and roads in between the creek and the site. No wetlands were observed at the project site.

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"/>
<p><u>Explanation:</u> Consultation with the Cowlitz Indian Tribe, the Confederated Tribes of Grand Ronde (CTGR), and Washington Department of Archaeology and Historical Preservation (DAHP) was initiated on April 19, 2019. On April 22, 2019, DAHP concurred with the proposed area of potential effect (APE). BPA cultural staff determined that no historic properties are affected at the project site and notified the consulting parties of this determination on June 18, 2019. DAHP concurred with the determination on June 19, 2019. The Cowlitz Indian Tribe responded on June 27, 2019 with a request to include an Inadvertent Discovery Plan (IDP) (both BPA and Cowlitz Indian Tribe IDP's are attached to this CX). Both plans would be included with the Land Use Agreement. The CTGR did not respond.</p>		
2. Geology and Soils	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><u>Explanation:</u> The trench would disturb soils to a depth of about three feet. Excavated areas would be backfilled with the existing excavated soil after installation and testing, and reseeded. As the site slope is gentle and would be reseeded after backfill, no soil erosion would occur.</p>		
3. Plants (including Federal/state special-status species and habitats)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><u>Explanation:</u> The project site contains mostly non-native grasses and weeds. No special-status species or habitats are present and would, therefore, not be impacted.</p>		
4. Wildlife (including Federal/state special-status species and habitats)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><u>Explanation:</u> The project site does not contain any special-status wildlife species. While noise would occur from construction activities, it would be temporary and not necessarily foreign to urban wildlife that would be in the area. No impacts to wildlife would occur.</p>		

5. **Water Bodies, Floodplains, and Fish**

(including Federal/state special-status species, ESUs, and habitats)



Explanation: The project site does not contain any water bodies, floodplains, or fish. The nearest waterbody (Burnt Bridge Creek) is about 1000 feet south with a residential neighborhood and roads in between the creek and the site.

6. **Wetlands**



Explanation: No wetlands occur at the project site and no impacts to wetlands would occur.

7. **Groundwater and Aquifers**



Explanation: At a maximum trench depth of 3 feet, no groundwater or aquifers would be impacted.

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



Explanation: The proposed actions are consistent with the existing land use. There are no specially-designated areas on site. No impacts would occur.

9. **Visual Quality**



Explanation: The removal of the overhead distribution line may slightly improve the visual quality at this location.

10. **Air Quality**



Explanation: A small amount of dust and vehicle emissions would be generated during construction, but these would be temporary and no long-term impacts to air quality would occur.

11. **Noise**



Explanation: Construction noise would be temporary and would occur during daylight hours. Surrounding landowners would be notified a few weeks in advance and have plenty of time to discuss any concerns with Clark PUD.

12. **Human Health and Safety**



Explanation: Clark PUD would be responsible for any required traffic safety plans, including required flagging. No impacts to human health and safety are anticipated.

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:

- 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: Adjacent landowners and ROW easement leasees would be notified of the project several weeks before work would begin. A Clark PUD contact name would be provided in the notification in case of questions or concerns.

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

Signed: /s/ Nancy A. Wittpenn
Nancy A. Wittpenn, ECT-4

Date: July 23, 2019

COWLITZ INDIAN TRIBE
INADVERTENT DISCOVERY LANGUAGE

In the event any archaeological or historic materials are encountered during project activity, work in the immediate area (initially allowing for a 100' buffer; this number may vary by circumstance) must stop and the following actions taken:

1. Implement reasonable measures to protect the discovery site, including any appropriate stabilization or covering; and
2. Take reasonable steps to ensure the confidentiality of the discovery site; and,
3. Take reasonable steps to restrict access to the site of discovery.

The project proponent will notify the concerned Tribes and all appropriate county, state, and federal agencies, including the Department of Archaeology and Historic Preservation. The agencies and Tribe(s) will discuss possible measures to remove or avoid cultural material, and will reach an agreement with the project proponent regarding actions to be taken and disposition of material.

If human remains are uncovered, appropriate law enforcement agencies shall be notified first, and the above steps followed. If the remains are determined to be Native, consultation with the affected Tribes will take place in order to mitigate the final disposition of said remains.

See the Revised Code of Washington, Chapter 27.53, "Archaeological Sites and Resources," for applicable state laws and statutes. See also Washington State Executive Order 05-05, "Archaeological and Cultural Resources." Additional state and federal law(s) may also apply.

It is strongly encouraged copies of inadvertent discovery language/plan are retained on-site while project activity is underway.

Contact information:

Nathan Reynolds
Interim Cultural Resources Manager
Cowlitz Indian Tribe
PO Box 2547
Longview, WA 98632
360-575-6226 Office
360-577-6207 Fax
nreynolds@cowlitz.org

Revised 19 September 2017

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 Erin Marshall (503 230 5159) or Meghan Rundle (503 230 5169). 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.

**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