

# Categorical Exclusion Determination

Bonneville Power Administration  
Department of Energy



**Proposed Action:** Toledo-Wendson No. 1 Line Miles 1-19 Access Road Improvement Project

**PP&A No.:** 4,617

**Project Manager:** Donna Martin, TELF-TPP-3

**Location:** Lincoln 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 improve existing access roads along the Toledo-Wendson No. 1 transmission line in southwestern Oregon. BPA owns and operates the Toledo-Wendson No. 1 transmission line, which runs from Toledo Substation in Lincoln County, OR, to Wendson Substation in Lane County, OR, in the southwest part of the state, within the Coast Mountain Range. BPA maintains a network of roads that service the line, providing access for BPA's transmission line maintenance and vegetation management crews for inspection, routine maintenance, and emergency response. BPA has identified sections of the access roads in Lincoln County within line miles 1 – 19 of the line as it trends south from Toledo Substation that are in need of improvement.

Specifically, BPA proposes to perform routine access road improvements and reconstruction. BPA access roads are typically 14 ft. wide, two-track, compacted dirt roads, or compacted gravel roads. Proposed maintenance ranges from light blading, adding rock and compaction (improvements), to heavier blading and re-contouring, adding rock and compaction (reconstruction). Approximately 3 miles of improvements and 4 miles of reconstruction are planned, over the 19 line miles. Drainage features such as drain dips, waterbars, and ditching would be added where necessary to manage stormwater runoff, directing it off the road and into adjacent vegetation where it can infiltrate. Cattle guards and gates would be installed at select locations to limit access to the transmission line. A new bridge would be installed over South Beaver Creek in line mile 15 of the project, replacing an existing bridge which is undersized and unsafe for standard transmission line maintenance vehicles. Access road work would all occur on existing access road footprint; no new road is proposed.

Typical equipment used for this type of project includes graders, rollers, bull dozers, excavators, backhoes, dump trucks, and light duty trucks, and crews of three to eight individuals. The project is currently planned for late summer and fall of 2023.

**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/ Aaron Siemers*

Aaron Siemers

Physical Scientist (Environmental)

Concur:

*/s/ Sarah T. Biegel*

Sarah T. Biegel      Date: February 17, 2023

NEPA Compliance Officer

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:** Toledo-Wendson No. 1 Line Miles 1-19 Access Road Improvement Project

## **Project Site Description**

The Toledo-Wendson No. 1 Line Miles 1-19 Access Road Improvement Project is located in the Oregon Coast Range, in the Coastal Uplands ecoregion. The ecoregion is comprised of the headlands, high marine terraces, hills, and low mountains that border the coastal lowlands, with the Pacific Ocean relatively close to the west. The climate is heavily marine-influenced, with rainy winters and abundant fog during the dry summer season, which reduces vegetation stress. The ecoregion roughly follows the historical distribution of Sitka spruce in the Coast Range, but after extensive logging, tree cover today is mainly comprised of western hemlock and Douglas-fir, and red alder in riparian areas. The understory is comprised of salal, sword fern, vine maple, and other common Northwest shrubs. Topography can vary significantly from peak to valley.

The Toledo-Wendson No. 1 high voltage transmission corridor is the central component of the project area. The cleared corridor is approximately 125 ft. in width. Vegetation in the corridor is routinely managed to promote low-growing vegetation and cut any tall-growing trees that could encroach on the energized conductor. Access roads, usually compacted rock and/or dirt, intersect the corridor and provide access to the transmission line's steel lattice structures.

Several mid to large waterways intersect the project area and are crossed by the transmission line, including the Yaquina River, Wright Creek, Peterson Creek, North Fork Beaver Creek, South Beaver Creek, and Drift Creek. These waterways provide habitat to endangered coho salmon, and other salmonids such as Chinook salmon and steelhead. The surrounding forest also provides habitat to numerous animals, including mammals like deer and elk, birds, and species listed under the Endangered Species Act such as Pacific marten, marbled murrelet, and northern spotted owl.

The majority of the project area occurs on private lands; primarily private timber lands, as well as forested rural residential properties. The southern portion of the project area, approximately two line miles, runs through the Siuslaw National Forest.

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

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

Potential for Significance: No

Explanation: Pursuant to its responsibilities under Section 106 of the National Historic Preservation Act, on January 10, 2022, BPA initiated consultation with The Confederated Tribes of Siletz Indians, the Confederated Tribes of Grand Ronde, the United States Forest Service – Siuslaw National Forest (USFS), and the Oregon State Historic Preservation Office (SHPO). An area of potential effects (APE) was developed for the project and shared with consulting parties. BPA conducted background research utilizing the Oregon Archaeological Records Remote Access (OARRA) database followed by an intensive field

survey of the APE. Background research conducted by BPA indicated that 38 previous archaeological surveys have been conducted within one mile of the project, but that no previously recorded archaeological resources were located in the project area. As a result of the archaeological field survey, no historic properties were identified in the APE. On September 20, 2022, BPA determined that the project would have no effect to historic properties, and received SHPO concurrence on October 17, 2022.

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 BPA and in consultation with the appropriate consulting parties.

## **2. Geology and Soils**

Potential for Significance: No

Explanation: Access road improvements and reconstruction would involve blading of existing road footprint, followed by placement of base rock, compaction, and placement of surface rock and compaction. Road cuts and ground disturbance would be relatively minimal, as no new road footprint is planned. Disturbed, un-rocked soils would be stabilized with hydromulch and native seed, or weed free straw and native seed. As necessary, and particularly near sensitive areas, erosion and sediment control best management practices (BMPs) would be implemented, such as straw mulch, wattles, and silt fence. Restoration efforts would be inspected prior to contractor de-mobilization, and monitored to ensure final stabilization goals are met.

Notes:

- BPA's access road contractor would develop and implement an erosion control plan to minimize erosion and sedimentation on the project.

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

Potential for Significance: No

Explanation: Access road improvements would disturb the vegetation that is immediately adjacent to or growing within the existing road footprint. No new road footprint is planned; therefore, impacts to vegetation would be limited. Those un-rocked, disturbed areas would be seeded and monitored to ensure revegetation.

In accordance with the Endangered Species Act (ESA), BPA obtained an official species list on October 13, 2022, from the U.S. Fish and Wildlife Service (USFWS) to analyze the proposed project's impacts to plant species protected under the ESA. No ESA-listed plant species are present in the project area; therefore, the project would have "No Effect" on ESA-listed species.

BPA corresponded with U.S. Forest Service (USFS) Siuslaw National Forest biological resources staff. No special-status plant species or habitat was identified during consultation with USFS staff. BPA has determined that project activities would not lead to a negative trend in viability for special-status plants.

Notes:

- Disturbed, unrocked areas would be seeded with a native seed mix and temporarily stabilized with straw or hydromulch prior to demobilization, and monitored to ensure final stabilization goals are achieved.

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

Potential for Significance: No with Conditions

Explanation: Access road construction activity would temporarily disturb local wildlife, including mammals and birds, due to human presence and noise from heavy equipment. However, disturbance would be temporary, during daylight hours, and limited to the immediate access road area. The surrounding forest provides ample habitat and cover for any wildlife disturbed by the project's activities.

In accordance with the Endangered Species Act (ESA), BPA obtained an official species list on October 13, 2022, from the U.S. Fish and Wildlife Service (USFWS) to analyze the proposed project's impacts to species protected under the ESA. Pacific marten, marbled murrelet, northern spotted owl, and western snowy plover were listed in the project area. Northern spotted owl and marbled murrelet designated critical habitat is also present in the project area. Monarch butterfly and red tree vole were listed as candidate species in the project area. BPA determined that the project would have "No effect" on monarch butterfly and red tree vole, and "may effect, not likely to adversely affect" for Pacific marten, northern spotted owl, and marbled murrelet. BPA determined that the project would have "No effect" on designated critical habitat for northern spotted owl and marbled murrelet. On October 14, 2022, BPA submitted a Biological Assessment with request for informal consultation and concurrence to the USFWS Oregon Coast Field Office. BPA received a Letter of Concurrence from USFWS on November 22, 2022 (consultation code 2022-0035121). During construction, BPA's access road contractors would implement daily and seasonal timing restrictions in those locations with suitable northern spotted owl, marbled murrelet, and Pacific marten habitat (see Notes section below).

BPA corresponded with U.S. Forest Service (USFS) Siuslaw National Forest biological resources staff in regards to special-status species in the project area. USFS identified the red tree vole, fringed myotis, bald eagle, purple martin, and western pond turtle as potentially having habitat in the project area. Due to the limited scope of the project and seasonal and daily timing restrictions to be implemented for ESA-listed species, BPA has determined that project activities would not lead to a negative trend in viability for special-status wildlife.

Notes:

- Conduct all road construction activities within 65 yards of contiguous suitable and highly suitable NW Forest Plan modeled northern spotted owl habitat during the late nesting season, post July 16th  
\*Note – northern spotted owl timing restriction locations are essentially the same as those areas with marbled murrelet, moderately high and highest modeled habitat. Therefore, the marbled murrelet timing restriction, which extends later into the nesting season, would supersede the spotted owl conservation measure, and would be implemented.
- Conduct all road construction activities within 0.25 miles of suitable Pacific marten habitat at the end of the critical denning season, post June 30th.  
\*Note – Pacific marten timing restriction locations are essentially the same as those areas with marbled murrelet, moderately high and highest modeled habitat. Therefore, the marbled murrelet timing restriction, which extends later into the season, would supersede the Pacific marten mitigation measure, and would be implemented.
- Conduct all road construction activities within 110 yards of moderately high and highest quality marbled murrelet habitat (NW Forest Plan's Habitat Model), located in contiguous habitat stands larger than 5 acres, at the end of the critical marbled murrelet nesting season, post August 5th.

- Implement daily dawn/dusk timing restrictions in those sections of the Action Area that provide suitable marbled murrelet nesting habitat (NW Forest Plan). The daily timing restriction would limit project activities to two hours after official sunrise, and two hours before official sunset, when project activity would occur from August 5th to September 15th.

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

Potential for Significance: No with Conditions

Explanation: Several waterways are present within and near the project area, including Yaquina River, Wright Creek, Peterson Creek, North Fork Beaver Creek, South Beaver Creek, and Drift Creek. No work is planned in or near these waterways, with the exception of South Beaver Creek. South Beaver Creek is approximately 15 ft. wide at the project location, with approximately three-foot high banks and an alluvial terrace lined with shrubs and red alder. The channel is composed of cobbles and fine sediments embedded with gravels, and provides spawning habitat and designated critical habitat to native coho salmon (Oregon Coast recovery domain) and other native fish such as coastal cutthroat trout. BPA is proposing to replace an existing treated wood bridge on the access road that crosses South Beaver Creek with a new, larger steel modular bridge. The existing bridge is undersized and a new bridge would allow safe and reliable passage for standard transmission line maintenance vehicles.

To comply with the Clean Water Act and the Oregon Removal Fill Law, BPA conducted a wetland and waterway survey of the proposed bridge replacement area, performed by a professional wetland scientist. A wetland and waterway delineation report was developed and submitted to the Oregon Dept. of State Lands (ODSL). BPA received concurrence with the delineation on December 20, 2022. Under Section 401 and 404 of the Clean Water Act, and the Oregon Removal Fill Law, BPA developed a Joint Permit Application for submittal to U.S. Army Corps of Engineers (USACE), OR Dept. of Environmental Quality (ODEQ), and ODSL. In follow-up correspondence with USACE and ODEQ, BPA and these agencies agreed that, due to the limited scope of the proposed impacts to South Beaver Creek, BPA's request for Section 404 permit verification and 401 Water Quality Certification would be withdrawn, and the project would be covered under a non-notifying Nationwide 57 Permit. On January 30, 2023, BPA obtained a Removal-Fill permit from ODSL under the Oregon Removal-Fill Law.

Due to the presence of ESA-listed coho salmon and designated critical habitat in South Beaver Creek, BPA consulted with the National Marine Fisheries Service (NMFS) on the proposed action. BPA and NMFS have a standing biological opinion for impacts to ESA-listed species under NMFS' jurisdiction for routine access road maintenance activities (WCR-2014-1600). On November 9, 2022, BPA submitted a notification of planned action to NMFS for review and approval. On December 6, 2022, BPA received authorization from NMFS to proceed with the planned action, with the implementation of mitigation measures including in-water work timing, work area isolation, and fish salvage.

In accordance with the State of Oregon's fish passage rules and regulations, BPA consulted with the Oregon Dept. of Fish and Wildlife (ODFW) to review the proposed South Beaver Creek bridge design to ensure the design meets Oregon fish passage standards. On October 19, 2022, BPA submitted a fish passage plan for ODFW review and approval, and on November 7, 2022, received an approved fish passage plan.

### Notes:

- BPA and BPA's contractor would comply with all permit conditions of the OR Removal-Fill Law General Permit, NMFS authorization, and ODFW fish passage plan.

- All in-water work would occur during the established in-water work window for coast tributaries in Lincoln County, post July 1<sup>st</sup>.
- During bridge construction, the work area would be isolated prior to ground disturbance with a coffer dam and dewatered. A fish biologist would be present to salvage any fish and aquatic life in the work area. Downstream flows would be maintained at all times with an in-channel diversion pipe or other method.
- In accordance with the NMFS-approved mitigation plan, BPA would install large timber downstream of the new bridge location in South Beaver Creek, to provide fish habitat enhancement within the waterway.

## 6. Wetlands

Potential for Significance: No with Conditions

Explanation: In general, the proposed project runs through upland areas; foothills to the Coast Range. However, wetlands are present within the project area, usually associated with riparian areas as fringe wetlands. In most cases, wetlands would be spanned and no project activity is planned nearby. However, in some locations, construction would occur near wetlands. Specifically, road improvements are planned east of Toledo Substation in line mile 1 of the project, in an area identified by the National Wetland Inventory as a wetland. Planned work in this location includes road maintenance and improvement of existing access road footprint, and a culvert replacement in an intermittent to ephemeral stream. Potential impacts to wetlands and waterways in this area would be exempt from the Clean Water Act and Oregon Removal-Fill Law under their respective maintenance exemptions.

Wetlands are also located adjacent to the South Beaver Creek bridge location, where bridge replacement construction is planned. These wetlands were identified and delineated during the wetland and waterway survey in that area. These wetlands would be identified in the field, and temporary and permanent impacts to these wetlands would be avoided during construction.

### Notes:

- Wetland areas, such as those present in line mile 1 and line mile 15, would be identified in the field during construction and flagged for avoidance. Construction crews would be directed to complete all work on existing access road footprint, minimizing impacts to adjacent wetlands.
- Disturbance near the culvert replacement location in line mile 1 would be minimized as much as possible during construction. Work would be completed in the low-flow late summer period. If flow is present, the work area would be isolated with a coffer dam prior to ground disturbance to minimize water quality impacts. Downstream flows would be maintained at all times. Disturbed, un-rocked areas would be temporarily stabilized with erosion control blankets, in accordance with the project's erosion control plan.

## 7. Groundwater and Aquifers

Potential for Significance: No

Explanation: Road construction activity, including grading and blading, would not occur at a depth that would intersect or impact groundwater and aquifers.

## 8. Land Use and Specially-Designated Areas

Potential for Significance: No

Explanation: Current land use consists of private timber lands, public forested lands, private rural residential areas, and high voltage transmission corridor. The proposed project would not alter current land use. In some locations, public access to private lands and federally-managed lands may be restricted due to the installation of new gates and cattle guards. Access to these areas would be managed by the underlying landowner.

As a component of the Oregon Removal-Fill Law permitting process, the proposed bridge construction underwent a land-use compatibility review by Lincoln County, Oregon Land Use Officials. The project was deemed as “not regulated by the comprehensive plan and land use regulations.”

In accordance with the Coastal Zone Management Act (CZMA), BPA submitted a consistency determination to the Oregon Dept. of Land Conservation and Development on January 4, 2023, showing that the proposed bridge construction project was consistent with the CZMA.

## **9. Visual Quality**

Potential for Significance: No

Explanation: The current visual profile of the project area consists of high-voltage transmission line corridor and access roads, and would not be significantly altered by the proposed project.

## **10. Air Quality**

Potential for Significance: No

Explanation: The proposed project would have limited, temporary impacts to air quality due to heavy equipment operation and traffic related to the construction project. However, impacts would be insignificant, and the project is located in remote areas that generally do not have background air quality problems.

## **11. Noise**

Potential for Significance: No

Explanation: The proposed project would have limited, temporary impacts to noise related to heavy equipment operations. However, construction activity would occur during daylight hours, when potential impacts to people and wildlife would be minimized, and the project is located in remote areas, without many human receptors.

## **12. Human Health and Safety**

Potential for Significance: No

Explanation: The project would benefit human health and safety, both to BPA’s transmission linemen and vegetation management crews, providing safer transportation to the high voltage corridor, as well as to the general public, as safe reliable power is a public human health and safety concern.

Prior to construction, BPA’s access road contractor would submit a Safety Plan to BPA’s safety office for review, comment and approval, and the plan would be implemented in the field. All job hazards would be identified in the Safety Plan and mitigated to the extent possible during construction.

## **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 has reached out to stakeholders, including private landowners and public landowners such as the Siuslaw National Forest, to discuss the project and potential impacts, and would continue to coordinate as construction start date approaches.

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

Signed: /s/ Aaron Siemers

Aaron Siemers  
Physical Scientist (Environmental)

Date: February 17, 2023