

memorandum

DATE: May 22, 2014

REPLY TO
ATTN OF: KEC-4

SUBJECT: Environmental Clearance Memorandum

TO: David Tripp
Project Manager – TEP-CSB-1

Proposed Action: Swan Lake Point Radio Station Project

Categorical Exclusion Applied (from Subpart D, 10 C.F.R. Part 1021): B1.19. Microwave, meteorological, and radio towers

Location: Klamath Falls, Klamath County, Oregon

Proposed by: Bonneville Power Administration (BPA)

Description of the Proposed Action: BPA is proposing to replace its old analog radio station with a new digital radio station at Swan Lake Point, which is located about 7,200 feet above sea level in the Fremont-Winema National Forest in Klamath County, Oregon.

The proposed action would involve constructing a new radio station about 160 feet north and downslope of the old radio station, which would be completely removed. Similar to the old radio station, the new radio station would consist of a radio tower, small building, and propane tanks. In addition, an access road would be built to the new radio station from the existing U.S. Forest Service (USFS) road.

The new building and radio tower would be larger than the old structures. The new building would be 630 square feet, compared to the old building at 300 square feet. The new radio tower would be 80 feet tall with a 169-square-foot base, while the two old radio towers are about 20 feet and 30 feet tall with a 3-square-foot and 36-square-foot base. Two new propane tanks, at 1,000 gallons each, would be smaller than the old propane tank at 3,600 gallons. The new road would extend for approximately 210 feet from the existing USFS road to the new radio station site, and be 12 feet wide with 2-foot shoulders and a 20-foot-wide cut-and-fill slope. The total permanently impacted area would be 0.2 acre, while the temporarily impacted area would be about 2.5 acres.

Construction activities would include tree removal and soil excavation. No blasting should be needed. Between 35 and 50 trees would be removed for the new radio station and access road. Temporary disturbances would occur from construction activities (vehicle movement and staging/storage areas). Construction vehicles needed on site would include a concrete truck, a flatbed truck to deliver building materials, a propane truck to deliver propane, and passenger vehicles. Helicopters would not be used. Construction would include the use of standard

mechanized equipment including chain-saws and power tools. In addition, the existing USFS road leading up to the site would need grading and gravel to support construction vehicles, and BPA would be requesting access rights to improve and use the road. The old BPA Swan Lake Point radio station—including the old building, two towers, and propane tank—would be removed following construction of the new radio station. The site would then be restored using native soil and vegetation. Building and tower foundations would be removed to below ground level and covered with soil to reduce the amount of disturbance during removal.

The estimated time for completion of the entire project, including removal of the old station, is between 2 years to 4 years, beginning in 2014. Construction would take place seasonally between June and September when roads are clear of snow. There would typically be two to three workers at the project site, with eight workers possible at times. Personnel would commute to the site on a daily basis.

Findings: BPA has determined that the proposed action complies with Section 1021.410 and Appendix B of Subpart D 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, July 9, 1996; 61 FR 64608, Dec. 6, 1996, 76 FR 63764, Nov. 14, 2011). The proposed action does not present any extraordinary circumstances that may affect the significance of the environmental effects of the proposal. The proposal is not connected [40 C.F.R. 1508.25(a)(1)] to other actions with potentially significant impacts, has not been segmented to meet the definition of a categorical exclusion, is not related to other proposed actions with cumulatively significant impacts [40 C.F.R. 1508.25(a)(2)], and is not precluded by 40 C.F.R. 1506.1 or 10 C.F.R. 1021.211. Moreover, the proposed action would not (i) threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health, (ii) require siting and construction or major expansion of waste storage, disposal, recovery, or treatment facilities, (iii) disturb hazardous substances, pollutants, contaminants, or Comprehensive Environmental Response, Compensation and Liability Act-excluded petroleum and natural gas products that pre-exist in the environment such that there would be uncontrolled or unpermitted releases, (iv) have the potential to cause significant impacts on environmentally sensitive resources, or (v) 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.

Based on the provisions identified on the attachment, this proposed action meets the requirements for the Categorical Exclusion referenced above. We therefore determine that the proposed action may be categorically excluded from further NEPA review and documentation.

/s/ Kara Hempy-Mayer
Kara Hempy-Mayer
Environmental Project Manager

Concur:

/s/ Stacy Mason
Stacy Mason
NEPA Compliance Officer

Date: May 22, 2014

Attachment(s):
Provisions
Environmental Checklist for Categorical Exclusions

ATTACHMENT

PROVISIONS

This categorical exclusion will meet the following provisions:

Cultural Resources

- In the event any archaeological or historic materials are encountered during project activities, take the following actions:
 - Stop work in the immediate vicinity and immediately notify the BPA environmental lead and cultural resource specialist, the Fremont-Winema National Forest Chiloquin Ranger District, and The Klamath Tribes. Other appropriate county, state, and federal agencies should also be notified.
 - Implement reasonable measures to protect the discovery site, including any appropriate stabilization or covering.
 - Take reasonable steps to ensure the confidentiality of the discovery site and restrict access to the site of discovery
- During construction of the new radio station and removal of the old radio station, ensure flagging is used to establish boundaries in order to restrict work crews to the construction area and protect the documented cultural resource. Coordinate with BPA's environmental protection specialist and cultural resource specialist.
- Coordinate with the Fremont-Winema National Forest Chiloquin Ranger District and The Klamath Falls Tribes in providing an archaeological monitor to be present for all ground-disturbing activities.

Vegetation

- Provide funding to the Fremont-Winema National Forest Chiloquin Ranger District to collect seeds of *Penstemon glaucinus* from the local population to be sown into disturbed areas following construction, and to monitor the revegetated area annually for 5 years post-construction.
- Develop a revegetation plan using native plants in coordination with the Fremont-Winema National Forest Chiloquin Ranger District.
- Use excavated topsoil for restoring and reseeding disturbed ground.
- Coordinate with the Fremont-Winema National Forest Chiloquin Ranger District botanist to flag populations or individuals of the rare plants *Castilleja chlorotica* and *Penstemon glaucinus* in the construction area to avoid disturbance to the extent feasible.
- Minimize tree removal while ensuring the safety and security of the new radio station structures from physical damage or fire.

- Avoid widening existing USFS access roads. If access roads need to be widened to accommodate construction vehicles, contact the Fremont-Winema National Forest Chiloquin Ranger District botanist to mitigate potential impacts to *Castilleja chlorotica*.
- Wash construction equipment to remove weed seeds prior to entry onto the Forest.
- If state-designated noxious weeds are introduced to the site as a result of construction, apply weed control methods to eradicate.
- Use only weed-free fill material, soil, and rock, as certified by the Fremont-Winema National Forest, Chiloquin Ranger District.

Wildlife

- Have a qualified biologist survey shrubs and sapling conifers (less than 8 feet tall) for Calliope hummingbird (*Stellula calliope*) nests prior to tree removal. If active nests are found in trees marked for removal, postpone cutting the tree until the nest is no longer active if possible, or contact the BPA environmental lead to discuss potential protective measures.
- For protection of other migratory birds, postpone removing danger trees (those not affecting construction) until September after the end of the bird nesting season unless a qualified biologist can confirm that no active nests are present.

Land Use and Visual Resources

- Follow the Swan Lake Best Management Practices for Construction.
- Provide funding for a study documenting uses of the site.
- Remove the old tower and building within 2 to 4 years upon completion of the new radio station.
- Paint the new control house according to colors selected by the Forest Archaeologist and the Klamath Tribes to be less obtrusive.
- Minimize ground disturbance at the old radio site by removing the old structures to below ground level and covering with native soil.
- Restore the site to pre-disturbance contours as closely as possible.
- Store soils excavated during construction of the new radio station on site (within the disturbance area) to be used in restoration of the old site (also for revegetation purposes). Excess soils will be disposed of off-site or in coordination with the Fremont-Winema National Forest Chiloquin Ranger District.
- Keep equipment and vehicles on designated access routes and established staging areas.
- Minimize the number of vehicles on site by having personnel carpool to the extent feasible.

- Adhere to all identified permit clauses provided by the Fremont-Winema National Forest, Chiloquin Ranger District.
- Provide portable sanitation facilities (i.e., portable toilets and hand washing stations) on site during construction.
- Remove all trash and waste, including food wastes and activities wastes, from the project area. Dispose of trash and waste in a DEQ approved solid waste disposal site.

Environmental Checklist for Categorical Exclusions

Name of Proposed Project: Swan Lake Point Radio Station Project

Work Order #: 243396

This project does not have the potential to cause significant impacts on the following environmentally sensitive resources. See 10 CFR 1021, Subpart D, Appendix B for complete descriptions of the resources. This checklist is to be used as a summary – further discussion may be included in the Categorical Exclusion Memorandum.

<u>Environmental Resources</u>	<u>No Potential for Significance</u>	<u>No Potential, with Conditions (describe)</u>
<p>1. Historic Properties and Cultural Resources</p> <p>A cultural resource listed as a historic property under the National Historic Preservation Act is located within 50 feet of project activities (USFS 2013a). With mitigation, the project would have no adverse effect to this or other historic properties, as determined by the Fremont-Winema National Forest, Chiloquin Ranger District assessment and consultation with the Klamath Tribes and State of Oregon State Historic Preservation Office (SHPO) (see list of provisions in the categorical exclusion memo for the project) (USFS 2013a,b). The State of Oregon SHPO concurred with this finding in a letter sent to the Fremont-Winema National Forest on October 21, 2013. BPA adopted the consultation of the USFS and agreed with the USFS’s determination of no adverse effect.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>2. T & E Species, or their habitat(s)</p> <p>There would be no effect on federally listed species under the Endangered Species Act based on an analysis by the Fremont-Winema National Forest, Chiloquin Ranger District (USFS 2013c, d).</p> <p>A USFS Region 6 Sensitive Wildlife Species, western bumblebee, (<i>Bombus occidentalis</i>), and a USFWS Bird of Conservation Concern, Calliope hummingbird (<i>Stellula calliope</i>), have potential habitat in the affected area. Impacts would be small since construction activities are temporary, abundant habitat exists in the surrounding area, and the affected area is relatively small. Also, Calliope hummingbird nesting habitat is unlikely to occur since the affected area has a high proportion of dead and stunted trees infested with mistletoe and is not near a stream (USFS 2013c).</p> <p>Two rare plant species on the USFS Region 6 Sensitive Species list—blue-leaved penstemon (<i>Penstemon glaucinus</i>) and green-tinged paintbrush (<i>Castilleja chlorotica</i>)—occur in the project area, and could be impacted by the project (USFS 2013d). The provisions developed in cooperation with the Fremont-Winema National Forest, Chiloquin Ranger District botanist would mitigate for any lost habitat or plants (see list of provisions in the Categorical Exclusion Memo).</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>3. Floodplains or wetlands</p> <p>The affected area does not occur in a floodplain or wetland.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>4. Areas of special designation</p> <p>There are no areas of special designation in the affected area.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>5. Health & safety</p> <p>Workers would follow BPA standards for health and safety during construction, and the USFS would post signage along the USFS roads leading to the site alerting visitors of construction activities.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>6. Prime or unique farmlands</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The affected area does not occur in prime or unique farmlands.

7. Special sources of water

There are no special sources of water in the affected area: the nearest stream is an intermittent stream originating about 0.5 mile from the project site, and the nearest pond or lake is over 5 miles away.

8. Other (describe)

Temporary construction impacts and long-term impacts to land use and visual resources could occur for visitors to this site. Best Management Practices developed in cooperation with the USFS and The Klamath Tribes would mitigate impacts (see list of provisions in the Categorical Exclusion Memo).

Supporting documentation in the official project file:

BPA (Bonneville Power Administration). 2014. Swan Lake Point—Best Management Practices for Construction. Prepared for BPA by The Klamath Tribes and Dr. Douglas Deur, Portland State University. Portland, OR: 15 pp.

USFS (United States Forest Service). 2013a. Swan Lake Point Bonneville Power Administration Communications Project: Cultural Resource Inventory Forest Service Report #D12-729. Lakeview, OR: Fremont-Winema National Forest Chiloquin Ranger District. 15 pp.

USFS. 2013b. Project Review for Heritage Resources under the Terms of the 2004 Programmatic Agreement among the USFS R6, ACHP, and SHPO: June 2004

USFS. 2013c. Categorical Exclusion: Specialist Form—Wildlife. Lakeview, OR: Fremont-Winema National Forest Chiloquin Ranger District. 8 pp.

USFS. 2013d. Botany Biological Evaluation and Specialist Report Swan Lake Point Communication Site - BPA. Lakeview, OR: Fremont-Winema National Forest Chiloquin Ranger District. 17 pp.

Signed: /s/ Kara Hempy-Mayer
Kara Hempy-Mayer/KEC-4

Date: May 22, 2014