

# Categorical Exclusion Determination

Bonneville Power Administration

Department of Energy



**Proposed Action:** Tualatin Hills Park and Recreation District Westside Trail Segment 18 Project

**LURR Case No.:** 20080513

**Project Manager:** Jill Nystrom

**Location:** Washington County, Oregon

**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:** BPA is proposing to allow Tualatin Hills Park and Recreation District (THPRD) to construct a portion of their proposed Westside Trail on existing BPA fee-owned right-of-way (ROW) within BPA's Keeler-Oregon City No. 2 transmission line ROW in Washington County, OR. Completion of Westside Trail Segment 18 would close an existing gap in the northern half of the trail, increase access to alternate modes of travel for recreational and commuting purposes, and reduce vehicle miles traveled per capita.

THPRD's trail construction project would disturb up to 17 acres of BPA fee-owned ROW within the Keeler-Oregon City No.2 transmission line ROW between Kaiser Woods Park and NW Kaiser Road. Construction activities within this area would include the construction of a new 1.1 mile multi-use path with 10-foot-wide and 2-foot gravel shoulders on each side, a boardwalk, and a single span prefabricated timber bridge. THPRD's trail construction would consist of vegetation removal and grading operations, placement of aggregate base, application of asphalt and concrete, and excavation and installation of boardwalk and bridge footings and abutments. Following completion of construction activities, THPRD would restore all disturbed areas to pre-construction conditions, to the extent possible.

The proposed project would require that THPRD permanently disturb approximately 1.9 acres to accommodate the trail construction project, and temporarily disturb up to 15.0 acres from organics/soil/debris removal, grading, the addition and compaction of fill materials, and the movement of construction vehicles and heavy equipment. Workers would access the project site from up to five Washington County roads which cross the project site.

**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, July 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/ Zachary Gustafson

Zachary Gustafson  
Contract Environmental Protection Specialist  
David Evans and Associates, Inc.

Reviewed by:

/s/ Gene Lynard

Gene Lynard  
Supervisory Environmental Protection Specialist

Concur:

/s/ Stacy L. Mason

Stacy L. Mason  
NEPA Compliance Officer

Date: April 7, 2015

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:** Tualatin Hills Park and Recreation District Westside Trail Segment 18 Project

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### Project Site Description

The project site is located on BPA fee-owned ROW east of the City of Bethany between Kaiser Woods Park and NW Kaiser Road. The site consists of transmission lines and towers, graveled areas for vehicle circulation, and five Washington County roads. Vegetated areas of the proposed project site are previously disturbed with evidence of fill and grading. Existing vegetation is primarily non-native forbs and grasses, and invasive weeds. Much of the site has been cleared and is regularly mowed to accommodate the transmission lines and towers present on the site. Bronson Creek, a 100-year flood plain, and a series of emergent wetlands cross the project site. The surrounding landscape includes active farming and suburban development, agricultural uses, and open space.

### Evaluation of Potential Impacts to Environmental Resources

Environmental Resource Impacts	No Potential for Significance	No Potential for Significance, with Conditions
<p><b>1. Historic and Cultural Resources</b></p> <p><u>Explanation:</u> Oregon State Historic Preservation Office (SHPO) concurrence with no effect determination January 2, 2013. Tribes consulted: the Confederated Tribes of Siletz, and the Confederated Tribes of Grand Ronde.</p> <p><u>Mitigation:</u></p> <p>✓ In the event any archaeological material is encountered during project activities, the following actions should be taken:</p> <ul style="list-style-type: none"> <li>• Stop work in the vicinity and immediately notify the BPA environmental lead, a BPA archaeologist, appropriate BPA project staff, interested Tribes, Oregon SHPO, and the appropriate county, state, and federal agencies.</li> <li>• Implement reasonable measures to protect the discovery site, including any appropriate stabilization or covering.</li> <li>• Take reasonable steps to ensure the confidentiality of the discovery site, including restricting access.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>2. Geology and Soils</b></p> <p><u>Explanation:</u> 1.9 acres of permanent disturbance for new multi-use path, boardwalk, and bridge.</p> <p><u>Mitigation:</u></p> <p>✓ Implement erosion and sediment control best management practices (BMPs) immediately after clearing and prior to initiating ground-disturbing activities to prevent erosion and runoff.</p> <p>✓ Limit the amount of time soils are left exposed. Use BMPs on exposed piles of soil to reduce erosion potential from rain or wind.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>3. Plants (including federal/state special-status species)</b></p> <p><u>Explanation:</u> Vegetation and rare plant survey conducted March 28, 2012, and March 28, 2013 by David Evans and Associates, Inc. No federally-listed or state special-status plant species are present. One Class T and five Class</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

B weeds identified in the project area. 1.9 acres of non-native forbs and grasses, and invasive weeds to be removed.

Mitigation:

- ✓ Reseed disturbed areas with a regionally appropriate seed mix and apply mulch.
- ✓ Clean and inspect all construction vehicles and equipment for weeds prior to accessing the project site.

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



Explanation: Species and habitat survey conducted March 28, 2012 by David Evans and Associates, Inc. No special-status species or designated habitat present. Project area has been previously disturbed for construction of county roads, transmission lines and towers, and associated access roads.

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



Explanation: Project site is crossed by Bronson Creek and its 100-year floodplain. Species and habitat survey for fish conducted March 28, 2012 by David Evans and Associates. Historic rearing and migration habitat for winter steelhead trout located approximately 8,000 feet downstream from project site; no other listed fish species are present. No work is proposed in Bronson Creek below the top of channel. A timber bridge would span Bronson Creek, and a boardwalk would span the 100-year floodplain. Installation of boardwalk footings and bridge abutments would permanently remove 6.7 cubic yards (0.004 acres) of soil from the floodplain. The modeled Ordinary High Water (OHW) elevation extends out onto the floodplain and very minor permanent encroachment into OHW would occur from several boardwalk footings and one bridge abutment. A no rise study determined that the crossing would have no appreciable effect on flood elevations relative to existing conditions.

Mitigation:

- ✓ Conduct work below the OHW elevation only during in-water work period when site is dry.
- ✓ Include 0.004 acres of floodplain impacts in the calculation of mitigation credits to be purchased by THPRD for the project. (See 6. Wetlands)
- ✓ Minimize footprint of boardwalk footings and bridge abutments, to the extent feasible.
- ✓ Align trail to minimize floodplain crossing length.
- ✓ Implement erosion and sediment control best management practices (BMPs) immediately after clearing and prior to initiating ground disturbing activities to prevent erosion and runoff.
- ✓ Do not allow petroleum products, sediment, and other deleterious materials (i.e. concrete wash out) to enter any stream.

6. **Wetlands**



Explanation: 3.39 acres of palustrine emergent wetlands were identified and delineated by David Evans and Associates, Inc. on March 28, 2012, and documented in a wetland delineation report dated October 2012. Oregon Department of State Lands (DSL) concurred with the delineation report on February 6, 2013 (WD#2012-0373). THPRD's proposed project would temporarily impact 0.51 acres of wetlands, and permanently disturb 0.65 acres of wetlands. Shading impacts to wetlands from the boardwalk would cause an additional 0.02 acres of functional loss. THPRD received a Section 404 permit (NWP-2013-399) on January 15, 2014 from the US Army Corps of Engineers, and a removal/fill permit (54927-RF) on March 23, 2015 from DSL.

Mitigation:

- ✓ Purchase 0.67 credits from the Tualatin Valley Environmental Bank to mitigate for permanent impacts to wetlands and floodplain.
- ✓ Minimize footprint of boardwalk footings and bridge abutments, to the extent feasible.

- ✓ Align trail to minimize wetland crossing length.
- ✓ Implement erosion and sediment control best management practices (BMPs) immediately after clearing and prior to initiating ground disturbing activities to prevent erosion and runoff.
- ✓ Do not allow petroleum products, sediment, and other deleterious materials (i.e. concrete wash out) to enter any stream.

7. **Groundwater and Aquifers**

Explanation: No new wells or use of ground water proposed.

Mitigation:

- ✓ Ensure spill containment and cleanup materials are readily available at the project site, staging areas, and in construction vehicles and equipment. Replace any used spill response material within 24 hours.

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

Explanation: All work on existing BPA fee-owned ROW. Project area has been previously disturbed for construction of county roads, transmission lines and towers, and associated access roads.

9. **Visual Quality**

Explanation: The new Westside Trail segment would be visually consistent with existing development.

10. **Air Quality**

Explanation: Small amount of dust and vehicle emissions during construction activities.

11. **Noise**

Explanation: Temporary, intermittent noise from construction activities during daylight hours. Operation noise would not change.

12. **Human Health and Safety**

Explanation: Completion of the project is expected to increase usage of the trail by pedestrians and bicyclists. The project would likely not effect human health and safety.

Mitigation:

- ✓ Ensure spill containment and cleanup materials are readily available at the project site, staging areas, and in construction vehicles and equipment. Replace any used spill response material within 24 hours

### 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:

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#### **Landowner Notification, Involvement, or Coordination**

Description: No notification – all work on BPA fee-owned property and no visual or other effects to adjacent landowners.

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

Signed: /s/ Zachary Gustafson      Date: April 7, 2015  
Zachary Gustafson  
Environmental Protection Specialist