

# Categorical Exclusion Determination

Bonneville Power Administration  
Department of Energy



**Proposed Action:** Behbehani Fence Installation Project

**Project No.:** LURR 20200188

**Project Manager:** Jim Clark

**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:** The Bonneville Power Administration (BPA) proposes to allow an applicant with private property directly adjacent to the BPA fee-owned right-of-way (ROW) to construct a fence to expand their backyard. The extension would enter the ROW from the east, and occupy approximately 0.1 acres of BPA fee-owned property along the BPA's Keeler-Oregon City transmission line between structures 6/9 and 6/10. The fence would consist of wood fence posts dug into the ground at even intervals with wooden slat sides, measuring six-feet in height. The expanded yard would be maintained grass and flowers, with no plants extending above the six-foot fence height.

**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/ Laura Roberts

Laura Roberts, ECT-4  
Environmental Protection Specialist

*/s/ Sarah T. Biegel*                      06/24/2020

Sarah T. Biegel  
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:** Behbehani Fence Installation Project

## **Project Site Description**

The installation of a new wooden fence would be on maintained BPA right-of-way located in Washington County, Oregon. The project is located in Township 01N, Range 01W, and Section 29. The surrounding land use consists of suburban residential. Wetlands occur within the general vicinity of the proposed project associated with Bronson Creek, which traverses east to west across the ROW.

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

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

Potential for Significance: No

Explanation: A BPA archaeologist reviewed the proposed activities. On May 20, 2020, a determination of effects letter of no historic properties affected was sent to the following consulting parties: the Oregon State Historic Preservation Office (SHPO), the Confederated Tribes of the Warm Springs Reservation of Oregon, The Confederated Tribes of the Grand Ronde, and Confederated Tribes of Siletz Indians. The Oregon SHPO concurred with BPA's determination of effects on June 12, 2020. No further comments were received.

### **2. Geology and Soils**

Potential for Significance: No

Explanation: There would be a small amount soil disturbance for the installation of the new fence. Some digging at a depth of about 2 feet is expected. Work would be occurring in the established BPA right-of-way.

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

Potential for Significance: No

Explanation: Minimal ground disturbance is anticipated. The project would be occurring in the BPA right-of-way that is currently managed for low-growing vegetation. There are no listed or special-status species present.

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

Potential for Significance: No

Explanation: The work would be in established BPA right-of-way. Construction of the fence is expected to occur during daytime hours with limited to no effect to any listed, non-listed, or special-status species.

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

Potential for Significance: No

Explanation: The nearest water body is Bronson Creek and its associated wetlands located approximately 100 feet (ft) to the east of the project. There would be no in-water work occurring and project activities would not impact the creek.

## **6. Wetlands**

Potential for Significance: No

Explanation: Wetlands associated with Bronson Creek occur approximately 100 ft to the east of the project. There would be no in-water work occurring and project activities would not impact the wetlands.

## **7. Groundwater and Aquifers**

Potential for Significance: No

Explanation: The shallow digging involved would not impact groundwater or aquifers.

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

Potential for Significance: No

Explanation: There would be no change in land use or specially-designated areas as a result of the project.

## **9. Visual Quality**

Potential for Significance: No

Explanation: There would be limited visual changes to the project area and surrounding environment due to the installation of the fence.

## **10. Air Quality**

Potential for Significance: No

Explanation: No impacts to air quality are anticipated to result from the project.

## **11. Noise**

Potential for Significance: No

Explanation: Temporary construction noise would occur during daylight hours. No ongoing noise increase is expected for this area as a result of this project.

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

Potential for Significance: No

Explanation: No impacts to human health and safety are anticipated to result from this project.

### **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 Realty is in coordination with the adjacent landowner and easement holders.

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

Signed: /s/ Laura Roberts, ECT-4                      06/24/2020  
Laura Roberts  
Environmental Protection Specialist