



US Army Corps
of Engineers
Portland District

PUBLIC NOTICE

Application for Permit

Issue Date: August 16, 2016

Expiration Date: September 15, 2016

US Army Corps of Engineers No: NWP-2016-57

Oregon Department of State Lands No:

30-Day Notice

Interested parties are hereby notified the U.S. Army Corps of Engineers, Portland District (Corps) has received an application for a Department of the Army permit for certain work in waters of the United States, as described below and shown on the attached plans. The Corps is soliciting comments on the proposed work.

Applicant: Bonneville Power Administration
Attention: Doug Corkran
PO Box 3621
Portland, Oregon 97208
Email:dfcorkran@bpa.gov
Telephone: (503) 230-7646

Applicant's Agent: Turnstone Environmental
Attention: Thomas Dee
PO Box 83362
Portland, Oregon 97283
Email: tomd@turnstoneenvironmental.com
Telephone: (503) 283-5338

Location: The project site is with the BPA right-of-way of the Salem-Albany number 1 line, Polk, Marion, Linn and Benton Oregon.

Waterway: There are 123 wetlands and 344 segments of non-wetland waters identified within the project area. Wetlands totaled 94.62 acres and non-wetland waters totaled 20.19 acres. The project crosses the Willamette River at mile 152 and mile 120. Wetlands and waterways within the project area were delineated in fall of 2013 and spring of 2014.

There are no vernal pools, bogs, fens, mature forested wetland, seasonal mudflats, or native wet prairies in the project area. There may be mature forested wetlands or native wet prairies near the project area but neither of these habitats will be impacted by the proposed project.

Project Purpose: The applicant's stated purpose is to ensure the integrity and reliability of the Salem-Albany transmission lines.

Project Description: The project involves the placement of 57,718 cubic yards of fill in 5.92 acres of wetland. The project also places 383 cubic yards of fill material into 0.05 acres of

waters below the ordinary high water mark. The project maintains and improves the Bonneville Power Administration's (BPA) 24 miles of electric transmission line, Line Number 1, from Salem to Albany. BPA will remove and replace the existing wooden poles supporting the line. The conductors, guy wires, overhead ground wires, and counterpoise will also be replaced. The project will improve and reconstruct existing access roads, and construct new access roads. BPA would also install and replace forded crossings, culverts, and access road gates along the length of the project. The Salem to Albany transmission line crosses the Willamette River. The project will not place any further fill material into the Willamette River, however the conductors crossing the Willamette River will be replaced.

The wooden poles would be replaced in the same holes of the existing poles where possible and in new holes where the structures need to be moved ahead or behind as needed. All the poles would be 24-inch diameter and would be placed in augured holes about 10 feet deep; existing holes would be cleaned out and re-augured. Where an existing structure would be replaced by a new structure in a different location, new holes would be augured and the old holes would be backfilled with gravel and soil. Excess soils excavated from new holes would be spread evenly around the base and reseeded with a predominantly native seed mix or a seed mix agreed upon with landowners. Excess soils excavated from existing holes that contain wood preservative would be properly removed and transported to a facility that accepts these materials.

Access roads in wetlands and waterways would be constructed with 12-foot-wide road bed and up to 3-foot sides for slopes or drainage ditches. The total disturbance width for a typical access road is 18 feet. Some road and disturbance areas would be wider to allow vehicles to negotiate curves or bends in the road and to accommodate cut and fill slopes associated with the improvements. A total of eight miles of new permanent access roads would be constructed. New construction would involve clearing vegetation, grading and developing the road prism, installation of drainage structures (culverts, drain dips), and gravelling.

12 new culverts are proposed within the project area. Adverse effects to wetlands and non-wetland waters are expected to be minimal and temporary as work is proposed to occur on the existing transmission corridor and access roads. Best Management Practices (BMPs) will be implemented as appropriate to protect water quality and minimize work disturbances.

Typical BMPs that will be included during construction is the installation of a sediment fence around the perimeter of the site to prevent sediment leaving the project area. Straw wattles and/or rock check dams will be placed in the ditches along access roads where maintenance activities are performed. Utilizing low impact construction methods that are protective of wetland surfaces when temporary access is needed to new structure and/or work sites. Excess and unusable materials shall be disposed of off-site and/or in upland areas. A Spill Prevention and Response Plan will be followed to address petroleum and hazardous materials handling and management procedures for this project. The use non-invasive temporary/permanent seed mixtures to stabilize work areas.

The applicant proposes to avoid and minimize impacts from the project by implementing Best Management Practices (BMPs) as appropriate to protect water quality and minimize work disturbances. BPA holds and maintains an agency National Pollution Discharge Elimination System (NPDES) General Storm Water 1200-CA Permit from Oregon Department of Environmental Quality (DEQ) (File No. 111769; EPA No. ORR10-4145). BPA has been

instructed by DEQ to comply with the Federal General Construction permit (January 8, 2009 or most current) until the state revises the 1200-CA permit. BPAs line Contractor will prepare and implement a Storm Water Pollution Prevention Plan (SWPPP) involving the installation of appropriate BMPs, monitoring of any discharges, hazardous

Mitigation: The applicant has provided a proposed compensatory wetland mitigation plan to offset the loss of waters of the U.S. that may result from the proposed project. The goal of the plan is to compensate for the permanent loss of 5.92 acres of waters by purchasing credits from applicable mitigation banks. The Corps will determine the appropriate and practicable compensatory mitigation commensurate with the project impacts.

Drawings: Figures (1-14) are attached (Enclosure 1) and labeled Corps No. NWP-2016-57. Copies of this public notice, which have been mailed or otherwise physically distributed, feature project drawings in black and white. The electronic version features those drawings in color, which we think more accurately illustrates the proposed project. To access the electronic version of this public notice, go to the Portland District website at <http://www.nwp.usace.army.mil/> and select Regulatory Branch Permit Information. At the Regulatory page select Regulatory Public Notices. A table of impacts for permanent fill being placed is included in the figures.

Authority: The proposed project will be evaluated under the following:

Section 10, Rivers and Harbors Act 1899 (33 U.S.C. 403), for work in or affecting navigable waters of the United States.

Section 404, Clean Water Act (33 U.S.C. 1344), for discharge of dredged or fill material into waters of the United States.

Clean Water Act Section 404(b)(1) Guidelines: The described discharge will be evaluated for compliance with guidelines promulgated by the U.S. Environmental Protection Agency under authority of Section 404(b)(1) of the Clean Water Act. The 404(b)(1) Guidelines are the substantive criteria used in evaluating discharges of dredged or fill material into waters of the United States. Should a permit be issued, the Corps will evaluate the fill material source (i.e., borrow site) prior to the start of construction.

Water Quality Certification: Section 401 of the Clean Water Act (33 U.S.C. 1341) requires applicants to obtain a water quality certification for proposed discharges into waters of the United States. A permit for the described work will not be issued until certification has been issued or is waived from the certifying state. Attached is the state's notice for a water quality certification.

Endangered Species: Section 7 of the Endangered Species Act (ESA) (16 U.S.C. 1536) requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and/or U.S. Fish and Wildlife Service (USFWS) on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered or that may adversely modify designated critical habitat. The Corps' preliminary review indicates the described activity may affect any endangered species or designated critical habitat. For this project, the Bonneville Power Administration, as the lead Federal agency for ESA consultation, will

consult with the NMFS and/or the USFWS as required under Section 7 of the ESA. The USFWS issued a biological opinion for this project on April 9, 2015.

Essential Fish Habitat: Section 305(b)(2) of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) as amended (16 U.S.C 1855), requires Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The Corps' preliminary review indicates the described activity would not adversely affect EFH at the project location or in its vicinity. For this project, the Bonneville Power Administration, as the lead Federal agency for MSA consultation, will consult with the NMFS as necessary.

Historic Properties/Cultural Resources: Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended (16 U.S.C. 470), requires Federal agencies to consult with the appropriate State and/or Tribal Historic Preservation Officer to take into account the effects of actions they undertake or permit on historic properties listed in or eligible for listing in the National Register of Historic Places. For this project, Bonneville Power Administration, as the lead Federal agency for determining compliance with Section 106 of the NHPA, consulted with the appropriate State and/or Tribal Historic Preservation Officer as applicable. A Memorandum of Agreement was signed between Bonneville Power Administration and the State SHPO dated December 3, 2015.

Public Hearing: Any person may request in writing within the comment period specified in this notice that a public hearing be held to consider this application. Requests for public hearings shall state with particularity the reasons for holding a public hearing.

Evaluation: The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts, of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the described activity, must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the described activity will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people.

The Corps is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of the proposed project. Comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for this proposal. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing.

Submitting Comments: Interested parties are invited to provide comments on the proposed project. Comments may be submitted by conventional mail or email. All comments received will be considered in determining whether authorizing the work would be contrary to the public interest.

Either conventional mail or e-mail comments must include the Corps reference number as shown on page 1 and include the commenter's name and address. In order to be accepted, e-mail comments must originate from the author's e-mail account and must include on the subject line of the e-mail message the Corps reference number. All comments received will become part of the administrative record and are subject to public release under the Freedom of Information Act including any personally identifiable information such as names, phone numbers, and addresses.

Additional information about the proposed project may be obtained from the Corps Project Manager listed below. All comments, whether by conventional mail or email, must be received no later than the expiration date of this public notice to ensure consideration. Comments should be submitted to the following mailing address or email address:

U.S. Army Corps of Engineers
Regulatory Branch
Brad Johnson
P.O. 2946
Portland, Oregon 97208-2946
Email: Brad.A.Johnson2@usace.army.mil
Telephone: (503) 808-4383

PUBLIC NOTICE
Oregon Department of Environmental Quality (DEQ)
Water Quality 401 Certification

Notice Issued: August 16, 2016
Written Comments Due: September 15, 2016

Corps of Engineers No: NWP-2016-57
Oregon Department of State Lands No: «ODSL»

WHO IS THE APPLICANT: Bonneville Power Administration

LOCATION OF CERTIFICATION ACTIVITY: See attached U.S. Army Corps of Engineers public notice.

WHAT IS PROPOSED: See attached U.S. Army Corps of Engineers public notice on the proposed project.

NEED FOR CERTIFICATION: Section 401 of the Federal Clean Water Act requires applicants for Federal permits or licenses to provide the Federal agency a water quality certification from the State of Oregon if the proposed activity may result in a discharge to waters of the state.

DESCRIPTION OF DISCHARGES: See attached U.S. Army Corps of Engineers public notice on the proposed project.

WHERE TO FIND DOCUMENTS: Documents and materials related to water quality issues as a result of the proposal are available for examination and copying at Oregon Department of Environmental Quality, 401 Water Quality Certification Coordinator, Northwest Region, 700 NE Multnomah Street, Suite 600, Portland, Oregon 97232. Other project materials are available by contacting the Corps per the attached public notice.

Scheduling an appointment will ensure that water quality documents are readily accessible during your visit. To schedule an appointment please call DEQ Water Quality at Northwest Region at (503) 229-5263.

Any questions on the water quality certification process may be addressed to the 401 Program Coordinator at (503) 229-6030 or toll free within Oregon at (800) 452-4011. People with hearing impairments may call the Oregon Telecommunications Relay Service at 1-800-735-2900.

PUBLIC PARTICIPATION:

Public Hearing: Oregon Administrative Rule (OAR) 340-48-0032 (2) states that “The Corps provides public notice of and opportunity to comment on the applications, including the application for certification, provided that the department (DEQ), in its discretion, may provide additional opportunity for public comment, including public hearing.”

Written comments:

Written comments on project elements related to water quality must be received at the Oregon Department of Environmental Quality by 5 p.m. on the date specified in the upper right section on page one of this notice. Written comments may be emailed, mailed or faxed as described below:

Email - 401publiccomments@deq.state.or.us

Mail - Oregon Department of Environmental Quality, Northwest Region
700 NE Multnomah Street, Suite 600
Portland, Oregon 97232
Attn: 401 Water Quality Certification Coordinator

Fax - (503) 229-6957

WHAT HAPPENS NEXT: DEQ will review and consider all comments received during the public comment period. Following this review, certification of the proposal may be issued as proposed, issued with conditions, or denied. You will be notified of DEQ's final decision if you submit comments during the comment period. Otherwise, if you wish to receive notification, please call or write DEQ at the above address.

ACCESSIBILITY INFORMATION: This publication is available in alternate format (e.g. large print, Braille) upon request. Please contact DEQ Office of Communications and Outreach at (503) 229-5317 or toll free within Oregon at 1-800-452-4011 to request an alternate format. People with a hearing impairment can receive help by calling the Oregon Telecommunications Relay Service at 1-800-735-2900.