

Categorical Exclusion Determination

Bonneville Power Administration
Department of Energy



Proposed Action: Short-Term Amendment to the Non-Treaty Storage Agreement with British Columbia Hydro and Power Authority

Project Manager: Maler Annamalai – PGPO-5

Location: British Columbia, Canada; Oregon, Washington, Idaho, Montana

Categorical Exclusion Applied (from Subpart D, 10 C.F.R. Part 1021): A2 Clarifying or Administrative Contract Actions; B4.4 Power Marketing Activities and Power Management Activities; B4.5 Temporary Adjustments to River Operations

Description of the Proposed Action: Bonneville Power Administration (Bonneville) proposes to amend the existing Columbia River Non-Treaty Storage Agreement (NTSA) with British Columbia Hydro and Power Authority (BC Hydro), a Crown corporation of the Province of British Columbia, for non-Treaty storage space owned by BC Hydro in Canada. Non-Treaty storage is water storage on the Columbia River in Canada in addition to water storage that is part of the Columbia River Treaty (Treaty), an international treaty between the United States and Canada. Because this additional water storage is not operated under the terms of the Treaty, it is referred to as non-Treaty storage. The NTSA that was signed in April 2012 allows use of non-Treaty storage space in Canada to shape flows within existing downstream requirements and to create additional mutual power and non-power benefits for both Bonneville and BC Hydro. The 2012 NTSA allows for coordinated use of non-Treaty storage in Canada to shape flows but does not obligate or allocate the available water for any particular use. Absent an agreement with BC Hydro, Bonneville does not have access to BC Hydro's non-Treaty storage. The current NTSA expires on September 15, 2024. The proposed amendment has the limited purpose of extending the deadline by which Bonneville and BC Hydro must refill water into their Active and Recallable Accounts, as explained below.

The NTSA established an accounting mechanism in which both Bonneville and BC Hydro may store and release water from accounts called Active and Recallable Accounts. Under the existing NTSA, both Bonneville and BC Hydro must refill their accounts by the expiration date of the NTSA, September 15, 2024. The proposed amendment would extend the deadline for Bonneville and BC Hydro to refill their accounts from September 15, 2024 to September 15, 2026.

Refilling the Accounts would involve refilling the available non-Treaty storage at Canadian reservoirs during fall and winter months and result in an estimated 1.5 million acre feet (MAF) in less water flowing downriver cumulatively over 3 years during those months. Non-Treaty storage refill during the term of the amendment would not occur during spring and summer fish passage seasons to avoid impacts to migrating juvenile fish. The amendment also provides greater flexibility by allowing the accounts to be refilled over a longer period of time when system conditions allow, and thus provides additional benefits to Bonneville and its customers. Like the existing NTSA, the amendment would not obligate or allocate available water for any particular

use. The amendment would not affect the scheduled expiration of any other provisions under the 2012 NTSA that are not related to refill of the accounts, such as provisions allowing for release of water from the accounts, spring-for-summer flexibility arrangements, and the release of 0.5 MAF to benefit fish in the lowest water conditions, which would not continue to be in effect after September 15, 2024 under the amendment.

Any changes to river operations undertaken to facilitate refilling the accounts during the term of the amendment would be consistent with the Selected Alternative in the 2020 Columbia River System Operations Environmental Impact Statement and Record of Decision and associated documents as well as the proposed action consulted upon in the National Marine Fisheries Service (NMFS) and U.S. Fish and Wildlife Service (USFWS) biological opinions for the Operations and Maintenance of the Federal Columbia River System.

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 Appendices A and 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.

Jeff Maslow
Senior Environmental Protection Specialist

Concur:

Sarah Biegel
NEPA Compliance Officer

Attachment(s): Environmental Checklist

Categorical Exclusion Environmental Checklist

This checklist documents environmental considerations for the proposed action and explains why it would not have the potential to cause significant impacts on environmentally sensitive resources and would meet other integral elements of the applied categorical exclusion.

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Site Description

Non-treaty water storage would occur behind Columbia River dams (Mica and Arrow) in British Columbia, Canada. Downstream flows from these dams extend through Oregon, Washington, Idaho, and Montana.

Evaluation of Potential Impacts to Environmental Resources

1. Historic and Cultural Resources

Potential for Significance: No

Explanation: The proposed action involves operations related to water storage on the Columbia River and would not involve ground-disturbing activities. Generating projects would continue to operate within normal operating limits. For these reasons, operational effects to historic and cultural resources under the amended NTSA would be consistent with those described for the Selected Alternative identified in the Columbia River System Operations Environmental Impact Statement Record of Decision and associated documents.

2. Geology and Soils

Potential for Significance: No

Explanation: The proposed action involves operations related to water storage on the Columbia River and would not involve ground-disturbing activities. Generating projects would continue to operate within normal operating limits. For these reasons, operational effects to geology and soils under the amended NTSA would be consistent with those described for the Selected Alternative identified in the Columbia River System Operations Environmental Impact Statement Record of Decision and associated documents.

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

Potential for Significance: No

Explanation: The proposed action involves operations related to water storage on the Columbia River and would not involve ground-disturbing activities. Generating projects would continue to operate within normal operating limits. For these reasons, operational effects to plants, including federal and state special-status species and habitats, under the amended NTSA would be consistent with those described for the Selected Alternative identified in the Columbia River System Operations Environmental Impact Statement Record of Decision and associated documents and Endangered Species Act (ESA) consultations.

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

Potential for Significance: No

Explanation: The proposed action involves operations related to water storage on the Columbia River and would not involve ground-disturbing activities. Generating projects would continue to operate within normal operating limits. For these reasons, the effects to wildlife, including federal and state special-status species and habitats, under the amended NTSA would be consistent with those described for the Selected Alternative identified in the Columbia River System Operations Environmental Impact Statement Record of Decision and associated documents and ESA consultations.

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

Potential for Significance: No

Explanation: Generating projects would continue to operate within normal operating limits consistent with the Columbia River System Operations Environmental Impact Statement and Record of Decision and associated documents for the term of the amended NTSA. Accordingly, effects to ESA-listed salmon and steelhead species, and bull trout, and Kootenai River white sturgeon resulting from the operations under the short-term NTSA amendment are addressed in NMFS and USFWS 2020 Biological Opinions for the Operation and Maintenance of the Columbia River System. For this reason, any potential change under the amended NTSA to the operational effects currently occurring to water bodies, floodplains, and fish species, including ESA-listed salmon and steelhead, bull trout, and Kootenai River white sturgeon, and their designated critical habitats, would be consistent with those described for the Selected Alternative identified in the Columbia River System Operations Environmental Impact Statement Record of Decision and associated documents and ESA consultations.

6. Wetlands

Potential for Significance: No

Explanation: The proposed action involves operations related to water storage on the Columbia River and would not involve ground-disturbing activities. Generating projects would continue to operate within normal operating limits. For these reasons, the effects to wetlands from the amended NTSA would be consistent with those described for the Selected Alternative identified in the Columbia River System Operations Environmental Impact Statement Record of Decision and associated documents and ESA consultations.

7. Groundwater and Aquifers

Potential for Significance: No

Explanation: The proposed action involves operations related to water storage on the Columbia River and would not involve ground-disturbing activities. Generating projects would continue to operate within normal operating limits. For these reasons, the effects to groundwater and aquifers under the amended NTSA would be consistent with those described for the Selected Alternative identified in the Columbia River System Operations Environmental Impact Statement Record of Decision and associated documents.

8. Land Use and Specially Designated Areas

Potential for Significance: No

Explanation: The proposed action involves operations related to water storage on the Columbia River and would not involve ground-disturbing activities. Generating projects would continue to operate within normal operating limits. For these reasons, the amended NTSA would not affect land use and specially designated areas and be consistent with the effects identified in the Selected Alternative identified in the Columbia River System Operations Environmental Impact Statement Record of Decision and associated documents.

9. Visual Quality

Potential for Significance: No

Explanation: The proposed action involves operations related to water storage on the Columbia River and would not involve ground-disturbing activities. Generating projects would continue to operate within normal operating limits. For these reasons, the effects to visual quality from the amended NTSA would be consistent with the effects described for the Selected Alternative identified in the Columbia River System Operations Environmental Impact Statement Record of Decision and associated documents.

10. Air Quality

Potential for Significance: No

Explanation: The proposed action involves operations related to water storage on the Columbia River and would not involve ground-disturbing activities. Generating projects would continue to operate within normal operating limits. For these reasons, effects to air quality from the amended NTSA would be consistent with the effects described for the Selected Alternative identified in the Columbia River System Operations Environmental Impact Statement Record of Decision and associated documents.

11. Noise

Potential for Significance: No

Explanation: The proposed action involves operations related to water storage on the Columbia River. Generating projects would continue to operate within normal operating limits. For these reasons, the noise levels under the amended NTSA would be consistent with the effects described for the Selected Alternative identified in the Columbia River System Operations Environmental Impact Statement Record of Decision and associated documents.

12. Human Health and Safety

Potential for Significance: No

Explanation: The proposed action involves operations related to water storage on the Columbia River. Generating projects would continue to operate within the normal operating limits. Because generating projects would remain within these normal operating limits including those related to flood protection, effects to human health and safety under the amended NTSA would be consistent with the effects described for the Selected Alternative identified in the Columbia River System Operations Environmental Impact Statement Record of Decision and associated documents.

Evaluation of Other Integral Elements

The proposed action would also meet conditions that are integral elements of the categorical exclusion. The proposed action 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: Bonneville coordinated with BC Hydro and the U.S. Army Corps of Engineers in negotiating the amended NTSA. No further coordination is necessary.

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

Signed:

Jeff Maslow
Senior Environmental Protection Specialist