

# BPA Policy 710-1

## Basic Environmental Policies and Responsibilities

### Table of Contents

1. Purpose & Background .....	2
2. Policy Owner .....	2
3. Applicability .....	2
4. Terms & Definitions .....	2
5. Policy .....	2
6. Policy Exceptions .....	3
7. Responsibilities .....	3
8. Standards & Procedures .....	5
9. Performance & Monitoring .....	5
10. Authorities & References .....	6
11. Review .....	7
12. Revision History .....	7



## 1. Purpose & Background

To establish policies and responsibilities for determining and fulfilling BPA’s commitments for protection and enhancement of the environment, including fish and wildlife, clean water, and cultural resources, consistent with BPA’s mission and objectives. Combined with the relevant laws and regulations, this policy governs BPA’s environmental program.

## 2. Policy Owner

The Vice President of Environment, Fish and Wildlife owns this policy, and has overall responsibility for oversight of environmental programs and ensuring they operate in legal compliance.

## 3. Applicability

All BPA employees

## 4. Terms & Definitions

None

## 5. Policy

BPA strives to be a responsible steward of the Northwest environment by: conserving the region’s natural resources for future generations; conducting its activities to minimize impacts; promoting sustainability, pollution prevention, and waste minimization in compliance with applicable environmental laws and regulations; and continuously improving its practices through environmental monitoring and adaptive management.

- A. BPA complies with environmental laws, rules, and legal mandates (e.g., National Environmental Policy Act (NEPA); Endangered Species Act (ESA); Clean Water Act; National Historic Preservation Act; Resource Conservation and Recovery Act; Comprehensive Environmental Response, Compensation, and Liability Act; Safe Drinking Water Act; Northwest Power Act, etc.), appropriate state and local regulations and requirements, and sound business practices.
- B. Environment, Fish and Wildlife develops and maintains continuing relationships with other federal agencies, Native American Tribes, state and local governments, privately- and publicly-owned utilities, major manufacturers, professional groups, research and development organizations, congressional delegations and committees, natural resource groups, and the public to achieve regional environmental coordination of agency activities.
- C. In consultation with appropriate federal, state, and local agencies and the Tribes, all new and continuing BPA policies, plans, programs, and projects are developed and

<b>Organization</b> Environment, Fish and Wildlife	<b>Title</b> Basic Environmental Policies and Responsibilities	<b>Unique ID</b> 710-1		
<b>Author</b> Jeff Maslow	<b>Approved by</b> VP, EF&W	<b>Date</b> June 13, 2017	<b>Version</b> 2.1	Page 2

otherwise carried out with consideration of potential environmental impacts directly or indirectly caused by BPA action, prudent measures to mitigate those impacts and responsible environmental stewardship.

- D. Environmental impact analysis of each proposed or recommended BPA policy, plan, program, or project commences early during its planning. If there is a potentially significant environmental impact from the policy, plan, program, or project, sufficient time is allowed for effective participation by state, local, and federal agencies, the Tribes, and the public in the agency decision process. Impact analyses are presented in a manner that facilitates objective and informed decision making.
- E. BPA recognizes that its activities may affect communities and the economy, as well as the environment of the region, and therefore includes economic considerations in environmental impact statements. BPA operates its own facilities in compliance with applicable federal, state, and local pollution-control standards, and encourages each of its customers to comply as well.

## 6. Policy Exceptions

None

## 7. Responsibilities

- A. **The Administrator and Chief Executive Officer:** Ensures compliance with all federal statutes and regulations regarding protection and enhancement of the environment, cultural resources, and fish and wildlife.
- B. **The Vice President of Environment, Fish and Wildlife:** Manages the environmental component of BPA’s transmission, power, and fish and wildlife business. This includes the planning, development, and implementation of policies and strategies for environmental, cultural resources, and fish and wildlife issues as they affect BPA’s responsibilities and BPA’s commitment to the integrity of the region’s environmental, natural, and cultural resources. The Vice President of Environment, Fish and Wildlife has authority to implement BPA’s environmental program. The Chief Administrative Officer (CAO) has authority to implement BPA’s sustainability program, respectively, as documented to meet the standards set by relevant Department of Energy (DOE) Orders.
- C. **Managers:** Ensure internal directives and technical standards are consistent with this policy and are updated as needed, and ensure employee cooperation in carrying out a coordinated, comprehensive approach to meeting environmental commitments.
- D. **The Office of General Counsel:** Advises all BPA personnel on applicable directives and legal aspects of implementation.

<b>Organization</b> Environment, Fish and Wildlife	<b>Title</b> Basic Environmental Policies and Responsibilities	<b>Unique ID</b> 710-1
<b>Author</b> Jeff Maslow	<b>Approved by</b> VP, EF&W	<b>Date</b> June 13, 2017
		<b>Version</b> 2.1
		Page 3

**E. The Environmental Planning and Analysis (EC) group:**

1. Provides guidance and direction on the integration of environmental and cultural resource issues into BPA’s business decision making process.
2. Provides analysis and documentation of environmental compliance; strategic planning on environmental issues; integration of environmental compliance, including NEPA into BPA decision making; cultural resource management; collaboration and coordination on environmental issues with federal, state, tribal, and other partners, and regulatory agencies; and other environmental client services for all parts of the agency in a cost-effective manner.
3. Within EC, NEPA Compliance Officers manage BPA efforts to achieve and maintain compliance with NEPA, DOE and Council on Environmental Quality (CEQ) implementing regulations for NEPA, and provide expert advice and direction for the implementation of BPA’s NEPA compliance program.

**F. The Fish and Wildlife (EW) group:**

1. Implements and participates in actions to meet BPA’s fish and wildlife commitments to the region under the Northwest Power Act and the ESA. This function includes developing and reviewing fish and wildlife mitigation activities affecting the Columbia River Basin, proposed for BPA funding by either the Northwest Power and Conservation Council’s Fish and Wildlife Program, or a Biological Opinion from the National Oceanic and Atmospheric Administration (NOAA) Fisheries or the U.S. Fish and Wildlife Service (USFWS). It includes project implementation, contracting, and project-management activities for fish and wildlife actions to address the impacts of the dams.
2. Coordinates fish and wildlife resource issues with both BPA Power and Transmission real-time and long-term operations planning.
3. Develops policies and procedures for implementation of its fish and wildlife actions and works closely with project sponsors, the Council, Corps, NOAA Fisheries, BOR, USFWS, individual tribes, state agencies, utilities and others.

**G. The Pollution Prevention and Abatement (EP) group:**

1. Monitors and analyzes environmental laws, regulations, and practices related to electric-transmission systems. EP is responsible for developing, coordinating, and managing the implementation of environmental actions and compliance requirements associated with the operation, maintenance, and construction of BPA’s transmission system. It is responsible for environmental permits and plans for BPA’s facilities.
2. Serves as the principal liaison and overall coordination point for Environment, Fish and Wildlife with Transmission Services and is responsible for the coordination of related budgets and expenditures.

<b>Organization</b> Environment, Fish and Wildlife	<b>Title</b> Basic Environmental Policies and Responsibilities	<b>Unique ID</b> 710-1		
<b>Author</b> Jeff Maslow	<b>Approved by</b> VP, EF&W	<b>Date</b> June 13, 2017	<b>Version</b> 2.1	Page 4

3. Provides technical and scientific support to Transmission Services and other client organizations within BPA.
4. Manages the environmental-training and herbicide-licensing programs, and establishes environmental standards and procedures for BPA's transmission system.
5. Manages BPA's environmental investigations, remediation and restoration, facilities source (pollutant) control, water resource protection, spill prevention and containment programs, and polychlorinated biphenyl (PCB) equipment replacements.
6. Manages overall Comprehensive Environmental Response, Compensation, and Liability Act (Superfund) liabilities and coordinates project scheduling to integrate work with other BPA organizations, including surface water and groundwater monitoring and protection.
7. Administers BPA's environmental land-audit programs and is responsible for external relations and negotiations with environmental regulatory agencies.
8. Coordinates BPA's Environmental Management System requirements.

## 8. Standards & Procedures

- A. BPA conducts environmental review under NEPA consistent with DOE and CEQ implementing regulations for NEPA and associated guidance. BPA's environmental review process integrates compliance with all federal laws and regulations relevant to environmental and cultural resource protection.
- B. BPA uses its Balanced Scorecard System for Environment and Sustainability to implement an Environmental Management System (EMS), equivalent to the principles of International Standards Organization 14001 for EMS, which guides BPA's activities to ensure implementation of environmental sustainability requirements and to encourage a process of continuous improvement.
- C. Consistent with BPA's Enterprise Risk Management Policy (BPA Policy 231-1), risk-informed decision making processes and documentation such as the Agency Decision Framework include environmental considerations developed with input and participation from Environment, Fish and Wildlife.

## 9. Performance & Monitoring

NEPA Compliance Officers report monthly to the DOE Office of NEPA Policy and Compliance. Using the results of its Balanced Scorecard System, BPA implements an Environmental Management System, and tracks quarterly and end-of-year results.

<b>Organization</b> Environment, Fish and Wildlife	<b>Title</b> Basic Environmental Policies and Responsibilities		<b>Unique ID</b> 710-1	
<b>Author</b> Jeff Maslow	<b>Approved by</b> VP, EF&W	<b>Date</b> June 13, 2017	<b>Version</b> 2.1	Page 5

## 10. Authorities & References

- A. **Archaeological Resources Protection Act, 16 U.S.C. §§ 470aa–470mm.** Protection of archaeological resources: uniform regulations, 43 CFR Part 7.
- B. **BPA Policies:**
  - 1. BPA Policy 720-1: Sustainability Practices and Responsibilities.
  - 2. Memorandum documenting BPA’s equivalencies for some sections of DOE Order 436.1, Departmental Sustainability (June 2, 2015).
  - 3. BPA Policy 710-2: Environmental Management System.
  - 4. BPA Policy 710-3: Hazardous Waste Management and Hazardous Waste Materials Coordination Program.
  - 5. BPA Policy 231-1: Enterprise Risk Management.
- C. **Clean Air Act, 42 U.S.C. §§ 7401–7671q.**
- D. **Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. §§ 9601–9675.**
- E. **Endangered Species Act, 16 U.S.C. §§ 1531–1599.** Interagency cooperation – section 7 regulations, 50 CFR Part 402.
- F. **Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. §§ 136–136y.**
- G. **Federal Trust Responsibilities to Indian Tribes**
  - 1. BPA Tribal Policy, April 30, 1996.
  - 2. DOE American Indian Tribal Government Interactions and Policy, DOE Order No. 144.1, January 16, 2009.
- H. **Federal Water Pollution Control Act (Clean Water Act), 33 U.S.C. §§ 1251–1387.**
  - 1. National pollutant discharge elimination system (NPDES), 40 CFR Parts 123-125, 129-133, 135–136, 257, 300–399.
  - 2. Wetland Protections, 40 CFR Parts 22, 230–233.
  - 3. Nationwide Permit Program, 33 CFR Part 330.
  - 4. Permits for discharges of dredged or fill material into waters of the US, 33 CFR Part 323.
- I. **National Environmental Policy Act, 42 U.S.C. §§ 4321–4370f.**
  - 1. Council on Environmental Quality Regulations For Implementing The Procedural Provisions Of The National Environmental Policy Act, 40 CFR Parts 1500–1508.

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<b>Author</b> Jeff Maslow	<b>Approved by</b> VP, EF&W	<b>Date</b> June 13, 2017	<b>Version</b> 2.1	Page 6

2. Department of Energy National Environmental Policy Act Implementing Procedures, 10 CFR Part 1021.
  3. Memorandum documenting BPA's equivalency of Department of Energy Policy 451.1, National Environmental Policy Act Compliance Program (Oct. 9, 2015).
- J. **National Historic Preservation Act**, 54 U.S.C. § 300101 *et seq.*
1. National Register of Historic Places, 36 CFR Part 60–68.
  2. Protection of Historic Properties, 36 CFR Part 800.
  3. Curation of federally-owned and administered archaeological collection, 36 CFR Part 79.
- K. **Northwest Power Act**, 16 U.S.C. §§ 839–839h.
- L. **Resource Conservation and Recovery Act of 1976**, 42 U.S.C. §§ 6901–6992k (amending Solid Waste Disposal Act, Pub. L. No. 89-272, 79 Stat. 992). Hazardous Waste Regulations, 40 CFR Part 260–282.
- M. **Safe Drinking Water Act**, 42 U.S.C. §§ 300f–300j-27.
- N. **Toxic Substances Control Act**, 15 U.S.C. §§ 2601–2695d. TSCA Regulations, Polychlorinated Biphenyls, 40 CFR Part 761.

## 11. Review

This policy is scheduled for review in 2022.

## 12. Revision History

Version Number	Issue Date	Description of Change
1.0	<effective date>	Migration of content to new policy format with substantive changes.
2.0	13 June 2017	Major re-write of BPAM 900
2.1	19 January 2018	DOE O 451.1B was replaced by DOE P 451.1. Reference in this BPA Policy to DOE O 451.1B changed to reference DOE P 451.1. This and grammatical corrections are administrative edits not subject to executive review. Effective Date from version 2.0 retained.

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<b>Author</b> Jeff Maslow	<b>Approved by</b> VP, EF&W	<b>Date</b> June 13, 2017
	<b>Version</b> 2.1	Page 7