

# BPA Policy 710-1

## Basic Environmental Policies and Responsibilities

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## 1. Purpose & Background

To establish policies and responsibilities for meeting 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 Executive Vice President of Environment, Fish and Wildlife owns this policy.

## 3. Applicability

This policy applies to all BPA employees engaged in tasks related to meeting BPA's environmental responsibilities and guides those activities in a manner consistent with environmental laws, regulations, and responsible stewardship.

## 4. Policy

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

- A. BPA complies with applicable federal environmental laws, rules, and legal mandates (e.g., National Environmental Policy Act (NEPA); Endangered Species Act (ESA); Clean Water Act (CWA); National Historic Preservation Act (NHPA); Resource Conservation and Recovery Act (RCRA); Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); Safe Drinking Water Act; Northwest Power Act, etc.), state and local regulations and requirements, as appropriate, 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, and natural resource groups; and communicates with the public and invites public participation, to the extent practicable.
- C. In consultation with appropriate federal, state, and local agencies and tribes, all new and continuing BPA policies, plans, programs, and projects are developed and 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.

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- D. BPA commences analysis of the environmental impacts of each proposed or recommended BPA policy, plan, program, or project early during its planning. If there is a potentially significant environmental impact from certain proposed policy, plan, program, or project, sufficient time is allowed for effective participation by state, local, and federal agencies, tribes, and the public in the agency's decision-making process. Impact analyses are presented in a manner that facilitates objective and informed decision making.
- E. BPA recognizes that its activities may affect the socioeconomics of various communities and the environment of the region, and therefore assesses the impacts of its activities on all appropriate affected resources in its environmental analysis. 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.
- F. Consistent with the BPA Strategic Plan, BPA integrates climate change considerations into agency planning and decision-making processes. BPA supports efforts to reduce regional greenhouse gas emissions and to increase resilience to climate change impacts. BPA evaluates climate change considerations relevant to its activities by assessing the potential impacts resulting from climate change on policies, plans, programs, and projects as well as potential contributions to global greenhouse gas emissions from BPA's on-the-ground actions.

## 5. Policy Exceptions

None

## 6. 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 Executive 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 issues as they affect BPA's responsibilities and BPA's commitment to the integrity of the region's natural and cultural resources. The Executive Vice President of Environment, Fish and Wildlife has authority to implement BPA's environmental program.
- C. **The Chief Administrative Officer (CAO):** Has authority to implement BPA's Sustainability Program to meet the standards set by relevant Department of Energy (DOE) orders and executive order requirements.

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- D. **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.
- E. **The Office of General Counsel:** Advises all BPA personnel on applicable directives and legal aspects of implementation.
- F. **The Environmental Planning and Analysis (EC) group:**
1. Provides guidance and direction on the integration of environmental (i.e., physical, biological, cultural, social, and economic) 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, collaboration, coordination, and consultation on environmental issues with federal, state, tribal, and other partners, and regulatory agencies; and other environmental client services for all parts of the agency. EC may obtain environmental permits for certain projects.
  3. Within EC, NEPA Compliance Officers manage BPA’s 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.
- G. **The Historic Preservation, Cultural Resources Compliance (EH) group:**
1. Provides guidance and direction on the integration of cultural resource management issues into BPA’s business decision-making process.
  2. Provides Section 106 (under the NHPA) compliance for proposed BPA actions; collaboration, coordination, and consultation on cultural resources issues with federal, state, tribal, other partners, and regulatory agencies; and other environmental client services for all parts of the agency.
  3. Implements the Federal Columbia River Power System (FCRPS) Cultural Resources Program in partnership with the U.S. Army Corps of Engineers (Corps) and U.S. Bureau of Reclamation (BOR), with input from BPA’s Power Services (PGAF).
- H. **The Fish and Wildlife (EW) group:**
1. Implements BPA’s Fish and Wildlife Program, which funds hundreds of projects each year to mitigate the impacts of the development and operation of the Federal hydropower system on fish and wildlife. BPA began this program to fulfill mandates set by Congress in the Pacific Northwest Electric Power Planning and Conservation Act of 1980 (Northwest Power Act), 16 United States Code (U.S.C.) § 839b(h)(10)(A), to protect, mitigate, and enhance fish and wildlife affected by the development and operation of the FCRPS. BPA continues to ensure that the Fish and Wildlife Program

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is consistent with the Northwest Power and Conservation Council's Fish and Wildlife Program (Council) and fully implements offsite mitigation actions listed in various biological opinions for species listed under the Endangered Species Act (ESA). It includes project review (both technical and policy), contracting, and project management activities for fish and wildlife actions.

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, the Corps, the National Marine Fisheries Service, the BOR, the U.S. Fish & Wildlife Service, individual tribes, state agencies, utilities, and others.

**I. 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 develops guidance, coordinated environmental plans, and assistance to ensure environmental permit compliance 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.
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) reduction and equipment replacements.
6. Manages overall CERCLA (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.

## 7. Standards & Procedures

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- A. BPA conducts environmental reviews under NEPA consistent with CEQ and DOE implementing regulations and associated guidance. BPA’s environmental review process integrates compliance with all applicable laws and regulations relevant to environmental protection.
- B. Because BPA is exempt from DOE Order 231.1B and due to the Power Marketing Administration (PMA) Equivalency in DOE Order 436.1A *Departmental Sustainability*, an Environmental Management System (EMS) consistent with those of other DOE facilities is not required of BPA. BPA meets the substantive elements of DOE Order 436.1A through its own sustainability policy that sets annual targets and manages sustainability performance through various measures.
- C. Risk-informed decision-making processes and documentation, such as the Agency Decision Framework (as described in BPA’s Enterprise Risk Management Policy [BPA Policy 231-1]), include environmental considerations developed with input and participation from Environment, Fish and Wildlife.

## 8. Performance & Monitoring

NEPA Compliance Officers notify the DOE Office of NEPA Policy and Compliance of all environmental reviews. BPA tracks quarterly and end-of-year results.

## 9. 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 Program.
  - 2. [BPA Policy 710-3](#): Hazardous Waste Management and Hazardous Waste Materials Coordination Program.
  - 3. [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. **Department of Energy Order 436.1A: Departmental Sustainability** (Apr. 25, 2023).
- F. **Endangered Species Act**, 16 U.S.C. §§ 1531–1599. Interagency cooperation – Section 7 regulations, 50 CFR Part 402.
- G. **Federal Insecticide, Fungicide, and Rodenticide Act**, 7 U.S.C. §§ 136–136y.
- H. **Federal Trust Responsibilities to Indian Tribes**

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1. BPA Tribal Policy, April 30, 1996, revised July 2016.
  2. Memorandum documenting BPA's equivalency with some sections of DOE American Indian Tribal Government Interactions and Policy, DOE Order No. 144.1 (June 4, 2015).
- I. **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.
- J. **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.
  2. Department of Energy National Environmental Policy Act Implementing Procedures, 10 CFR Part 1021.
  3. Department of Energy Policy 451.1, National Environmental Policy Act Compliance Program (Dec. 21, 2017).
- K. **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.
  4. Memorandum documenting BPA's equivalency of Department of Energy Policy 141.1, Management of Cultural Resources (June 4, 2015)
- L. **Northwest Power Act**, 16 U.S.C. §§ 839–839h.
- M. **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.
- N. **Safe Drinking Water Act**, 42 U.S.C. §§ 300f–300j-27.
- O. **Toxic Substances Control Act**, 15 U.S.C. §§ 2601–2695d. TSCA Regulations, Polychlorinated Biphenyls, 40 CFR Part 761.

## 10. Review

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This policy is scheduled for review in 2029.

## 11. 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.
3.0	2/6/25	Major revision of policy.

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