

Categorical Exclusion Determination

Bonneville Power Administration
Department of Energy



Proposed Action: Continued Libby Dam Power Marketing Services and Activities consistent with its Biological Opinion and term extension

Proposed By: Bonneville Power Administration

Location: Multiple locations in the Columbia River Basin

Categorical Exclusion Applied (from Subpart D, 10 C.F.R. Part 1021): B4.4 Power Marketing Services and Activities; B4.5 Temporary Adjustments to River Operations

Description of the Proposed Action: Bonneville Power Administration (Bonneville) proposes to continue marketing the power generated from the operation of the Libby Dam on the Kootenai River in Lincoln County, Montana consistent with the continued implementation of the 2006 Libby Dam biological opinion, "*The Effects of Libby Dam Operations on the Kootenai River White Sturgeon, Bull Trout, and Kootenai Sturgeon Critical Habitat*", and the subsequent 2008 clarified Reasonable and Prudent Alternative (RPA), and the 2018 term extension.

Libby Dam is operated and maintained by the U.S. Army Corps of Engineers (Corps) for several Congressionally-authorized purposes, including flood risk management, hydropower operations, recreation, and fish and wildlife purposes. Bonneville's role is to market and transmit the power generated by the federal dams, including Libby Dam, that are part of the Columbia River System in accordance with Bonneville's statutory directives. In order to fulfill its obligations to meet power customer loads and provide an adequate, efficient, economical and reliable power supply, Bonneville staff coordinate closely with dam operators (the Corps in the case of Libby Dam) to ensure power marketing operations remain within normal operating limits (e.g., ramping rates). These operations are managed with other project purposes and Columbia River Systemwide operating constraints, including operations to support ESA-listed fish, such as Kootenai River white sturgeon (Kootenai sturgeon).

On December 20, 2000, the U.S. Fish and Wildlife Service (FWS) issued the Federal Columbia River Power System (FCRPS) biological opinion "*Effects to Listed Species from Operations of the Federal Columbia River Power System*," which addressed effects to threatened Columbia Basin bull trout in areas downstream of Hells Canyon Dam and in the Upper Columbia Basin, and to endangered Kootenai sturgeon. With the subsequent designation of Kootenai sturgeon critical habitat and new information on the Kootenai sturgeon, the Corps and Bonneville (Agencies) requested reinitiation of consultation on the effects of the operation and maintenance of Libby Dam on the Kootenai sturgeon and its critical habitat in July 2003. The 2000 biological opinion was supplemented with the 2006 Libby Dam biological opinion: "*The Effects of Libby Dam Operations on the Kootenai River White Sturgeon, Bull Trout, and Kootenai Sturgeon Critical Habitat*" on February 16, 2006. The 2006 Libby Dam biological opinion addressed dam operations and other actions to benefit Kootenai sturgeon and bull trout, and included an incidental take statement (ITS) for both species. In 2008, after additional analysis and consultation, the FWS issued the 2008 clarified RPA to further define Kootenai sturgeon operations and other actions to benefit the species.

In 2016 and 2018, the FWS extended the 2006 Libby biological opinion and the 2008 clarified RPA, including the accompanying ITS, to allow completion of the broader Columbia River System consultation. The Agencies are continuing implementation of the Libby Dam operations and other actions in the 2006 Libby Dam biological opinion and the 2008 clarified RPA, and are complying with the reasonable and prudent measures and terms and conditions of the current ITS. Bonneville's power

marketing services and activities and power demand changes are consistent with existing operating constraints and within the normal operating limits of Libby Dam.

The Agencies will also continue to implement offsite mitigation actions, such as research monitoring and evaluation (RM&E), habitat restoration, and conservation aquaculture projects to benefit the Kootenai sturgeon and the bull trout, in close coordination with the FWS. Bonneville provides funding for offsite mitigation actions in support of the implementation of the 2006 Libby Dam biological opinion and 2008 clarified RPA to the Kootenai Tribe of Idaho in cooperation with state and local entities. These projects undergo site-specific environmental compliance prior to implementation. This analysis includes review under applicable laws and regulations, such as the National Environmental Policy Act (NEPA).

Generally, the offsite mitigation actions Bonneville continues to fund, consistent with the 2006 Libby Dam biological opinion and the 2008 clarified RPA, are part of the Kootenai River Integrated Program (Program). This Program uses RM&E results to inform management decisions and to evaluate effectiveness of Program components. Components of the Program include:

- *Habitat Restoration and Management:* Implementation of Kootenai River management actions, such as pool excavation, side channel creation and enhancement, and bank grading and revegetation, as informed by RM&E, to benefit spawning, egg attachment, incubation, and rearing for sturgeon and for related river ecosystem functions. Bonneville analyzed the Kootenai River Habitat Restoration at Bonners Ferry Project in a 2016 environmental assessment (EA) (Department of Energy [DOE]/EA 1901) and the Kootenai River Lower Meander Project in a 2017 EA (DOE/EA 2051).
- *Nutrient Addition:* Addition of nitrogen and phosphorus, as needed, to increase nutrient availability and improve associated biological productivity downstream of Libby Dam in both the Kootenai River in Idaho and Kootenay Lake. In 2005, Bonneville developed the Kootenai River Ecosystem EA (DOE/EA-1518). Based on the analysis in the 2005 EA, Bonneville decided to fund the Kootenai River Ecosystem Project for up to five years (beginning in 2006), with possible project extensions depending on results of fish and water quality monitoring and subject to further environmental analysis and documentation. Because of positive results, Bonneville analyzed the continued funding of the project in a 2012 Supplement Analysis (DOE/EA-1518/SA-1).
- *Conservation Aquaculture:* Carry out hatchery actions aimed at preventing extinction and augmenting the sturgeon population by preserving the genetic and life history trait diversity of the remaining natural population. Adults are spawned and juveniles are reared and released from hatcheries at Bonners Ferry and Twin Rivers in Idaho. Bonneville analyzed the construction of new hatchery facilities and the operation of the hatchery program in 2013 in the Kootenai Sturgeon Hatchery Program EA (DOE/EA-1901).

During the course of continued implementation of the actions associated with marketing power from Libby Dam and the other actions addressed in the 2006 Libby Dam biological opinion and the 2008 clarified RPA, projects would continue to undergo site-specific environmental compliance prior to implementation. If projects change the status quo or directly impact the physical environment, commensurate NEPA analysis would be conducted.

Findings: In accordance with Section 1021.410(b) of the DOE's National Environmental Policy Act (NEPA) Regulations (57 FR 15144, Apr. 24, 1992, as amended at 61 FR 36221-36243, July 9, 1996; 61 FR 64608, Dec. 6, 1996, 76 FR 63764, Nov. 14, 2011), Bonneville has determined that the proposed action:

- (1) fits within a class of actions listed in Appendix B of 10 Code of Federal Regulation 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, Bonneville finds that the proposed action is categorically excluded from further NEPA review.

/s/ Katey Grange

Katey Grange

Environmental Protection Specialist

Concur:

/s/ Stacy L. Mason

Stacy L. Mason

NEPA Compliance Officer

Date: December 20, 2018

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.

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Project Site Description

Libby Dam is located on the Kootenai River in Lincoln County, Montana.

Evaluation of Potential Impacts to Environmental Resources

Environmental Resource Impacts	No Potential for Significance	No Potential for Significance, with Conditions
1. Historic and Cultural Resources	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Explanation:</u> Because operations to support power marketing would remain within normal system operating limits, there is expected to be no change in the level of effects from dam operations to historic or cultural resources.		
2. Geology and Soils	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Explanation:</u> Because operations to support power marketing would remain within normal system operating limits, there is expected to be no change in the level of effects from dam operations to soils and geologic resources.		
3. Plants (including federal/state special-status species)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Explanation:</u> Because operations to support power marketing would remain within normal system operating limits, there is expected to be no change in the level of effects from dam operations to plants, including ESA-listed or special-status species.		
4. Wildlife (including federal/state special-status species and habitats)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Explanation:</u> Because operations to support power marketing would remain within normal system operating limits, there is expected to be no change in the level of effects from dam operations to wildlife, including their habitat.		
5. Water Bodies, Floodplains, and Fish (including federal/state special-status species and ESUs)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Explanation:</u> Because operations to support power marketing would remain within normal system operating limits, there is expected to be no change in the level of effects from dam operations to water resources and fish.		
6. Wetlands	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Explanation:</u> Because operations to support power marketing would remain within normal system operating limits, there is expected to be no change in the level of effects from dam operations to wetland resources.		

7. **Groundwater and Aquifers**



Explanation: Because operations to support power marketing would remain within normal system operating limits, there is expected to be no change in the level of effects from dam operations to groundwater or aquifers.

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



Explanation: Because operations to support power marketing would remain within normal system operating limits, there is expected to be no change in the level of effects from dam operations to adjacent land uses.

9. **Visual Quality**



Explanation: Because operations to support power marketing would remain within normal system operating limits, there is expected to be no change in the level of effects from dam operations to visual resources.

10. **Air Quality**



Explanation: Because operations to support power marketing would remain within normal system operating limits, there is expected to be no change in the level of effects from dam operations to air quality.

11. **Noise**



Explanation: Because operations to support power marketing would remain within normal system operating limits, there is expected to be no change in the level of noise effects from dam operations.

12. **Human Health and Safety**



Explanation: Because operations to support power marketing would remain within normal system operating limits, there is expected to be no change in the level of effects from dam operations to human health and safety.

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, if necessary:

- Require siting and construction or major expansion of waste storage, disposal, recovery, or treatment facilities (including incinerators) that are not otherwise categorically excluded.

Explanation, if necessary:

- 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, if necessary: Because operations to support power marketing would remain within normal system operating limits, there is expected to be no change in the level of disturbance from dam operations to contaminants and pollutants.

- 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, if necessary:

Landowner Notification, Involvement, or Coordination

Description: BPA coordinates extensively with the Corps on the operation of Libby Dam. Because there would be no change in operations to support power marketing and operations would remain within normal system operating limits, there would be no change in the level of effects experienced by upstream and downstream land owners.

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

Signed: /s/ Katey Grange

Katey Grange, ECT
Environmental Protection Specialist

Date: December 20, 2018