

Categorical Exclusion Determination

Bonneville Power Administration
Department of Energy



Proposed Action: Memorandum of Understanding related to U.S. Government Commitments in Support of the “Columbia Basin Restoration Initiative” in Partnership with the Six Sovereigns

Project Manager: Ben Zelinsky - E-4

Location: Multnomah County, Oregon

Categorical Exclusion Applied (from Subpart D, 10 C.F.R. Part 1021): A1. Routine DOE business actions

Description of the Proposed Action: Bonneville Power Administration (Bonneville) plans to enter into a Memorandum of Understanding (MOU) with the Confederated Tribes and Bands of the Yakama Nation, the Confederated Tribes of the Umatilla Indian Reservation, the Confederated Tribes of Warm Springs, the Nez Perce Tribe (Tribes); and the State of Oregon, and the State of Washington (States) to provide certain funding for fish restoration projects in the Columbia River Basin. As part of this agreement, Bonneville’s Administrator is using his authority under 16 U.S.C. § 832a(f) to provide \$10 million dollars annually (adjusted for inflation) over ten years as a component of this proposed settlement. The Six Sovereigns would use these settlement funds for projects that contribute to the restoration of salmon and other native fish populations as prioritized by these entities. These projects have not yet been identified by the Six Sovereigns.

The proposed MOU is purely administrative in nature and would not require Bonneville to take any action which would have a potential effect on the human environment. Funding under this MOU would be through a separate funding agreement or agreements. Individual projects would continue to undergo site-specific environmental compliance analysis by Bonneville environmental compliance staff prior to implementation to ensure compliance with applicable laws, including, but not limited to, the National Environmental Policy Act (NEPA), the Endangered Species Act, and the National Historic Preservation Act. Bonneville would also evaluate whether any proposed actions are covered under existing environmental compliance documents or if new or supplemented environmental compliance documents would be necessary. This includes any future actions under this MOU by Bonneville, which remain subject to environmental compliance requirements under Federal environmental laws thereby providing Bonneville with discretion on future decisions that are informed by the requisite environmental compliance processes.

Findings: In accordance with Section 1021.410(b) of the Department of Energy’s 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), Bonneville has determined that the proposed action:

- 1) fits within a class of actions listed in Appendix A of 10 CFR 1021, Subpart D
- 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/ Amy Mai

Amy Mai

Environmental Protection Specialist

Concur:

/s/ Sarah T. Biegel

December 12, 2023

Sarah T. Biegel

Date

NEPA Compliance Officer