



PMC-EF2a

(20+02)

**U.S. DEPARTMENT OF ENERGY  
EERE PROJECT MANAGEMENT CENTER  
NEPA DETERMINATION**



RECIPIENT: Oregon State University

STATE: OR

**PROJECT TITLE :** Wave Energy Research and Demonstration Center

<b>Funding Opportunity Announcement Number</b>	<b>Procurement Instrument Number</b>	<b>NEPA Control Number</b>	<b>CID Number</b>
N/A-Congressionally Directed Project	EE0000279	GFO-09-411	0

**Based on my review of the information concerning the proposed action, as NEPA Compliance Officer (authorized under DOE Order 451.1A), I have made the following determination:**

**CX, EA, EIS APPENDIX AND NUMBER:**

Description:

- A9** Information gathering (including, but not limited to, literature surveys, inventories, audits), data analysis (including computer modeling), document preparation (such as conceptual design or feasibility studies, analytical energy supply and demand studies), and dissemination (including, but not limited to, document mailings, publication, and distribution; and classroom training and informational programs), but not including site characterization or environmental monitoring.
- B3.1** Onsite and offsite site characterization and environmental monitoring, including siting, construction (or modification), operation, and dismantlement or closing (abandonment) of characterization and monitoring devices and siting, construction, and associated operation of a small-scale laboratory building or renovation of a room in an existing building for sample analysis. Activities covered include, but are not limited to, site characterization and environmental monitoring under CERCLA and RCRA. Specific activities include, but are not limited to:
- B3.6** Siting, construction (or modification), operation, and decommissioning of facilities for indoor bench-scale research projects and conventional laboratory operations (for example, preparation of chemical standards and sample analysis); small-scale research and development projects; and small-scale pilot projects (generally less than two years) conducted to verify a concept before demonstration actions. Construction (or modification) will be within or contiguous to an already developed area (where active utilities and currently used roads are readily accessible).
- C12** Siting, construction, and operation of energy system prototypes including, but not limited to, wind resource, hydropower, geothermal, fossil fuel, biomass, and solar energy pilot projects.

Rational for determination:

This is a congressionally directed project with funding that will be used in conjunction to Oregon State University's 2008 competitively awarded grant (GO18176 NorthWest National Marine Renewable Energy Center).

The funding for this project will be used for the following tasks:

- Task 1.0 Advancing Ocean Test Berth and Demonstration Site
- Task 2.0 NNMREC Educational Outreach and Engagement
- Task 3.0 Mooring Systems (literature search & selection process)
- Task 4.0 Marine Biofouling Resistant Materials
- Task 5.0 Acoustic Characterization Study (environmental monitoring activities)
- Task 6.0 Project Management and Reporting

Task 1 involves the design, construction and deployment of full-scale mobile PADA test berth off the coast of Oregon by OSU (Task 10.1 in GO18176 is the same activity). Existing and potential impacts are unknown for this task. Per the DOE NEPA implementing regulations (Appendix C to Subpart D to 10 CFR Part 1021 - C12, as noted above), a preparation of an Environmental Assessment is required prior to allowing federal funds for this task of the proposed project.

Task 2, 3 and 6 will involve information gathering, dissemination and classroom studies; therefore it can be categorized as a CX A9.

Tasks 4 – 5 will involve testing in conventional laboratory settings and environmental monitoring activities. Laboratory work will take place in existing OSU laboratories. A thorough R&D questionnaire has been filled out; therefore a CX B3.6 is applicable. Environmental monitoring activities will involve deploying commonly used oceanic measuring devices (see attachment) to measure and record marine mammal acoustic deterrence, ambient marine sounds and wave characteristics. These devices are neither attached to the sea bottom or will be permanent; therefore a CX B3.1 will apply.

**NEPA PROVISION**

DOE has made a conditional NEPA determination for this award, and funding for certain tasks under this award is contingent upon

the final NEPA determination.

Insert the following language in the award:

You are restricted from taking any action using federal funds, which would have an adverse affect on the environment or limit the choice of reasonable alternatives prior to DOE/NNSA providing either a NEPA clearance or a final NEPA decision regarding the project.

Prohibited actions include:

Task 1 (Phase II) - DOE funds are not authorized for final design, capitol equipment purchase, project site preparations and deployment of the mobile PADA test berth pending outcome of the environmental assessment.

Phase III activities

This restriction does not preclude you from:

Tasks 2 – 6 (Phase II)

Oregon State University is authorized to initiate the preparation of an EA by a third-party contractor, consistent with DOE NEPA implementing regulations. DOE, Oregon State University and third-party contractor shall enter into a Memorandum of Agreement (MOA) defining the scope of services to be completed by the third-party contractor on behalf of DOE.

If you move forward with activities that are not authorized for federal funding by the DOE Contracting Officer in advance of the final NEPA decision, you are doing so at risk of not receiving federal funding and such costs may not be recognized as allowable cost share.

Note to Specialist :

Task 1 of this project will require the preparation of an environmental assessment. We recommend the recipient's grant be placed on ASAP approval - if not done so already.

**SIGNATURE OF THIS MEMORANDUM CONSTITUTES A RECORD OF THIS DECISION.**

NEPA Compliance Officer Signature:   
NEPA Compliance Officer

Date: 11/5/09


**FIELD OFFICE MANAGER DETERMINATION**

Field Office Manager review required

**NCO REQUESTS THE FIELD OFFICE MANAGER REVIEW FOR THE FOLLOWING REASON:**

- Proposed action fits within a categorical exclusion but involves a high profile or controversial issue that warrants Field Office Manager's attention.
- Proposed action falls within an EA or EIS category and therefore requires Field Office Manager's review and determination.

**BASED ON MY REVIEW I CONCUR WITH THE DETERMINATION OF THE NCO :**

Field Office Manager's Signature:   
Field Office Manager

Date: 11/13/09