

PMC-EF2a

(20402)

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



RECIPIENT: University of Hawaii

STATE: HI

PROJECT TITLE : Subtask 2.3 Makai Research Pier: National Marine Renewable Energy Center in Hawaii

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
DE-PS36-08GO98030	DE-FG36-08GO18180	GFO-09-013-003	GO18180

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.

Rational for determination:

The University of Hawaii has established the National Marine Renewable Energy Center in the State of Hawaii in order to facilitate the development and implementation of commercial wave energy systems. A prior NEPA determination was made for their project work that included research and conventional laboratory activities. A CX A9 and B3.6 was applied to this work. The prior NEPA determination did not allow subtasks 2.1-2.4 and determined these tasks as unallowable pending further information. This NEPA determination is being made for activities associated with subtask 2.3 as described in the current SOPO, and below, for Budget Period 1 of this project.

The University of Hawaii is proposing to use DOE funding under subtask 2.3 to conduct a comprehensive study to determine if the Makai Research Pier is a feasible site for future ocean power activities. The site is already permitted by the State of Hawaii for a range of marine research activities but at this time it is only being planned as an alternate site for future opportunities. The University will be assessing the additional permitting that may be necessary for future activities and potential ocean energy deployments for that location.

The University of Hawaii will be conducting desktop research and feasibility studies; therefore a CX A9 applies to subtask 2.3 of this project.

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:

As stated in the prior NEPA determination, dated 02-26-2009, task 3.0 work that is planned to be conducted off campus, referred as "off-site" or "field studies" work in the current SOPO is prohibited.

Any tasks, outside desktop research and feasibility studies, are unallowable for this task. No field studies or environmental monitoring is allowable without further NEPA review.

This restriction does not preclude you from:

Task 2.3 (desktop research activities only) and tasks that have received CX determinations in prior NEPA reviews.

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.

Insert the following language in the award:

You are required to:

If field environmental studies or technological deployments are desired for this site, an additional NEPA EF1 and DOE approval will need to be completed prior to initiating work

Submit an additional EF1 and all related documentation if the scope of this task changes to include activities other than technical advice and desktop research activities. This will need to be done prior to any additional work starting.

Note to Specialist :

Completed by Laura Margason: 9.22.2010

SIGNATURE OF THIS MEMORANDUM CONSTITUTES A RECORD OF THIS DECISION.

NEPA Compliance Officer Signature:  Date: 9/29/10
NEPA Compliance Officer

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: _____ Date: _____
Field Office Manager