

PMC-ND
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**U.S. DEPARTMENT OF ENERGY
OFFICE OF ENERGY EFFICIENCY AND RENEWABLE ENERGY
NEPA DETERMINATION**



RECIPIENT:Stantec Consulting Services, Inc.

STATE: ME

PROJECT TITLE : Deepwater Offshore Bat and Avian Monitoring Program

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
	DE-EE0005378	GFO-0005378-002	GO5378

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, analysis, and dissemination** Information gathering (including, but not limited to, literature surveys, inventories, site visits, and audits), data analysis (including, but not limited to, computer modeling), document preparation (including, but not limited to, conceptual design, feasibility studies, and analytical energy supply and demand studies), and information dissemination (including, but not limited to, document publication and distribution, and classroom training and informational programs), but not including site characterization or environmental monitoring. (See also B3.1 of appendix B to this subpart.)
- B3.1 Site characterization and environmental monitoring** Site characterization and environmental monitoring (including, but not limited to, siting, construction, modification, operation, and dismantlement and removal or otherwise proper closure (such as of a well) 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). Such activities would be designed in conformance with applicable requirements and use best management practices to limit the potential effects of any resultant ground disturbance. Covered activities include, but are not limited to, site characterization and environmental monitoring under CERCLA and RCRA. (This class of actions excludes activities in aquatic environments. See B3.16 of this appendix for such activities.) Specific activities include, but are not limited to: (a) Geological, geophysical (such as gravity, magnetic, electrical, seismic, radar, and temperature gradient), geochemical, and engineering surveys and mapping, and the establishment of survey marks. Seismic techniques would not include large-scale reflection or refraction testing; (b) Installation and operation of field instruments (such as stream-gauging stations or flow-measuring devices, telemetry systems, geochemical monitoring tools, and geophysical exploration tools); (c) Drilling of wells for sampling or monitoring of groundwater or the vadose (unsaturated) zone, well logging, and installation of water-level recording devices in wells; (d) Aquifer and underground reservoir response testing; (e) Installation and operation of ambient air monitoring equipment; (f) Sampling and characterization of water, soil, rock, or contaminants (such as drilling using truck- or mobile-scale equipment, and modification, use, and plugging of boreholes); (g) Sampling and characterization of water effluents, air emissions, or solid waste streams; (h) Installation and operation of meteorological towers and associated activities (such as assessment of potential wind energy resources); (i) Sampling of flora or fauna; and (j) Archeological, historic, and cultural resource identification in compliance with 36 CFR part 800 and 43 CFR part 7.
- B3.16 Research activities in aquatic environments** Small-scale, temporary surveying, site characterization, and research activities in aquatic environments, limited to: (a) Acquisition of rights-of-way, easements, and temporary use permits; (b) Installation, operation, and removal of passive scientific measurement devices, including, but not limited to, antennae, tide gauges, flow testing equipment for existing wells, weighted hydrophones, salinity measurement devices, and water quality measurement devices; (c) Natural resource inventories, data and sample collection, environmental monitoring, and basic and applied research, excluding (1) large-scale vibratory coring techniques and (2) seismic activities other than passive techniques; and (d) Surveying and mapping. These activities would be conducted in accordance with, where applicable, an approved spill prevention, control, and response plan and would incorporate appropriate control technologies and best management practices. None of the activities listed above would occur within the boundary of an established marine sanctuary or wildlife refuge, a governmentally proposed marine sanctuary or wildlife refuge, or a governmentally recognized area of high biological sensitivity, unless authorized by the agency responsible for such refuge, sanctuary, or area (or after consultation with the responsible agency, if no authorization is required). If the proposed activities would occur outside such refuge, sanctuary, or area and if the activities would have the potential to cause impacts within such refuge, sanctuary, or area, then the responsible agency shall be consulted in order to determine whether authorization is required and whether such activities would have the potential to cause significant impacts on such refuge, sanctuary, or area. Areas of high biological sensitivity include, but are not limited to, areas of known ecological importance, whale and marine mammal mating and calving/pupping areas, and fish and invertebrate spawning and nursery areas recognized as being limited or unique and vulnerable to perturbation; these areas can occur in bays, estuaries, near shore, and far offshore, and may vary seasonally. No permanent

facilities or devices would be constructed or installed. Covered actions do not include drilling of resource exploration or extraction wells.

Rationale for determination:

The U.S. Department of Energy (DOE) is proposing to provide federal funding to Stantec Consulting Services, Inc. to conduct bat and radar surveys in offshore and coastal environments in the New England, mid-Atlantic coastal and Great Lakes regions. DOE funding would be used for the deployment of passive acoustic bat detection units and the continued operation of a marine radar unit, as well as for associated data analysis and reporting of the surveys.

A previous NEPA determination (GFO-0005378-001 CX A9, B3.1, B3.3, B3.16 1/10/2012) was made for Budget Period 1 activities that included the deployment of bat echolocation detector systems and a marine radar unit at numerous costal and offshore locations. This determination applies to Budget Period 2 and 3 activities in the New England, mid-Atlantic coastal and Great Lakes region.

The proposed project includes a three-year regional offshore study that uses passive acoustic bat detectors and marine radar to evaluate seasonal movement and migration patterns at multiple locations. The radar equipment would not emit signals; it would only record information from frequencies used by bats for echolocation. The units themselves would passively record, store, and date and time stamp higher frequency sounds that are post-processed at the end of the field season to assess bat activity. Individual units would be self-powered and able to be deployed for long periods with various components such as battery, charge controller, acoustic detector unit, and microphone. The components would be housed in small weatherproof receptacles and could be reconfigured in a variety of ways to adapt to existing conditions. Dual units would be deployed together for back-up purposes with a total weight of less than 50 pounds including housing frame and dual 10-watt solar panels.

Passive acoustic bat detectors would be deployed on existing land-based fixed sites, existing in-water buoys, existing United States Coast Guard (USCG) Aids to Navigation (ATON) platforms, and research vessels operated by the National Oceanic and Atmospheric Administration (NOAA). Stantec would not deploy any buoys. The equipment would be installed by the organization that owns the existing buoy including: Integrated Ocean Observing System (IOOS), Northeastern Regional Association of Coastal Ocean Observing Systems (NERACOOS) and at least one USCGATON platform. Similar to the deployments on buoys, the acoustic units would be deployed on vessels that have an already established purpose and do not cause or create any additional change of route or level of effort. The acoustic units would be deployed on the upper shipboard rails of each vessel.

Stantec would perform periodic maintenance and inspection visits to each location site. Except for long-term deployments on buoys or unique access cases, all equipment would be deployed in early spring and retrieved in late fall each year.

Stantec will comply with all best management practices (BMP's) for boating and traveling in coastal areas including appropriate BMP's addressing safe boating and personal safety concerns. Stantec will cooperate with the US Coast Guard, IOOS and NERACOOS when attaching instrumentation onto their equipment. Where applicable, Stantec will meet other Federal Agency rules and regulations, such as the US Fish and Wildlife Service, National Park Service, US Coast Guard and NOAA/NMFS. Stantec will comply with Section 106 of the National Historic Preservation Act (NHPA). If applicable, Stantec must contact the State Historic Preservation Officer (SHPO) and retain sufficient documentation to demonstrate that the recipient has received required approvals. Stantec will make this documentation available to DOE on DOE's request.

Based on review of the project information and the above analysis, DOE has determined the proposed bat and radar surveys in Budget Period 2 and 3 would not have a significant individual or cumulative impact to human health and/or environment. DOE has determined the proposed project is consistent with actions contained in DOE categorical exclusion A9 "information gathering, analysis and dissemination," B3.1 "site characterization and environmental monitoring," and B3.16 "research activities in aquatic environments" and is categorically excluded from further NEPA review.

NEPA PROVISION

DOE has made a final NEPA determination for this award

Insert the following language in the award:

If you intend to make changes to the scope or objective of your project you are required to contact the Project Officer identified in Block 11 of the Notice of Financial Assistance Award before proceeding. You must receive notification of approval from the DOE Contracting Officer prior to commencing with work beyond that currently approved.

Note to Specialist :

Kelly Daigle 7/25/2013

SIGNATURE OF THIS MEMORANDUM CONSTITUTES A RECORD OF THIS DECISION.

NEPA Compliance Officer Signature:  **Electronically Signed By: Kristin Kerwin**
NEPA Compliance Officer Date: 8/12/2013

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: _____