

PMC-ND

(1.08.09.13)

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



RECIPIENT: Oregon State University

STATE: OR

PROJECT TITLE: The Pacific Marine Energy Center South Energy Test Site (PMEC-SETS)

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
	DE-EE0006518	GFO 0006518-002	GO6518

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.

## Rationale for determination:

The U.S. Department of Energy (DOE) is proposing to provide federal funding to Oregon State University (OSU) to evaluate and validate the facility siting, design, construction and operational requirements for open-ocean, grid-connected wave energy conversion (WEC) device testing and performance certification/validation at the Pacific Marine Energy Center South Energy Test Site (PMEC-SETS).

Tasks 1 through 6 of the proposed project have been previously reviewed and received a NEPA determination (GFO-0006518-001, CX A9, 11/5/2014). A revised SOPO identifying four additional tasks has been submitted in response to a Determination of Non-Competitive Financial Assistance. This conditional NEPA determination applies to the following four tasks as described in the revised, final SOPO.

- Task 7 - Regulatory and Permitting Activities
- Task 8 - Finalize BMH and UCMF Locations
- Task 9 - Finalize Subsea Cable Routes
- Task 10 - Supporting Infrastructure Updates

Task 7 is comprised of two main subtasks. Subtask 7.1 activities would include developing the Preliminary Draft Environmental Assessment (PDEA), FERC Draft License Application (DLA), Draft Biological Assessment, and Draft Site Characterization Study Reports. Activities within Subtask 7.1 involve information gathering and analysis and are being analyzed as part of this NEPA review. Subtask 7.2 activities would consist of conducting terrestrial surveys including a wetland survey, habitat and rare plant survey, stream survey, raptor nest survey, cultural survey, and boundary survey. The wetland survey and cultural survey could potentially necessitate ground disturbance which may impact sensitive ecological and cultural resources and are prohibited until further NEPA review and any required consultations have been completed.

Task 8 is comprised of six subtasks. Subtasks 8.1-8.4 would consist of identifying sites for geotechnical surveys and selecting a contractor to conduct property surveys. Activities within Subtask 8.1-8.4 involve information gathering and analysis as well as site characterization and are being analyzed as part of this NEPA review. Subtasks 8.5 and 8.6 would include completing geotechnical coring surveys at the identified properties and analyzing survey results. The locations for the geotechnical surveys have not been identified at this time, and the surveys may impact ecological and cultural resources; therefore, Subtasks 8.5 and 8.6 are prohibited until further NEPA review and any required consultations have been completed.

Task 9 is comprised of three subtasks. Subtask 9.1 would consist of selecting a contractor to conduct horizontal, directional drilling (HDD) route surveys. Subtask 9.1 involves information gathering and is being analyzed as part of this NEPA review. Subtasks 9.2 and 9.3 would include completing HDD route surveys consisting of a series of test cores taken from the shoreline out to the HDD breakout point in approximately 10 meters of water and an acoustic survey along the offshore portion of the HDD route(s) to determine the preferred nearshore, subsea cable route and analyzing survey results. Locations for the HDD route surveys have not been identified at this time, and the surveys may impact ecological and cultural resources; therefore, Subtasks 9.2 and 9.3 activities are prohibited until further NEPA review and any required consultations have been completed.

Task 10 would include the reporting of updates concerning support infrastructure for PMEC-SETS and is being analyzed as part of this NEPA review.

Based on review of the project information and the above analysis, DOE has determined that Subtasks 7.1, 7.2.1, 7.2.2, 7.2.3, 7.2.4, 7.2.5, 8.1, 8.2, 8.3, 8.4 and 9.1 and Task 10 would not have a significant individual or cumulative impact to human health and/or environment. DOE has determined that the activities associated with these subtasks and Task are consistent with actions outlined in DOE categorical exclusions A9 "Information gathering, analysis, and dissemination" and B3.1 "Site characterization" and are therefore categorically excluded from further NEPA review.

#### 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:

- Subtask 7.2.6. - Wetland Survey
- Subtask 7.2.7 - Cultural Survey
- Subtask 8.5 - Geotechnical and Test Core Surveys
- Subtask 8.6 - Analysis of Survey Results
- Subtask 9.2 - HDD Route Surveys
- Subtask 9.3 - Analysis of HDD Route Survey Results

This restriction does not preclude you from:

- Subtask 7.1 - Preliminary Draft EA/Draft License Application/Preliminary Study Report
- Subtask 7.2.1 - Boundary Survey
- Subtask 7.2.2 - Habitat Survey
- Subtask 7.2.3 - Rare Plant Survey
- Subtask 7.2.4 - Stream Survey
- Subtask 7.2.5 - Raptor Nest Survey
- Subtask 8.1 - Conduct Updated Assessment of Potential Properties

- Subtask 8.2 - Contracting for Initial Surveys
- Subtask 8.3 - Initial Surveys
- Subtask 8.4 - Contracting for Geotechnical and Test Core Surveys
- Subtask 9.1 - Contracting for HDD Route Surveys
- Task 10 - Supporting Infrastructure Updates

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:

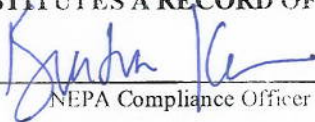
The recipient is required to provide information to DOE such that DOE can complete additional NEPA review and conduct required consultations before beginning work on any prohibited tasks listed in this NEPA provision.

Note to Specialist :

Wind and Water Power Technologies Office  
This NEPA determination requires a tailored NEPA provision.  
Review completed by Logan Sholar on 12/17/2015

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

NEPA Compliance Officer Signature: \_\_\_\_\_

  
NEPA Compliance Officer

Date: \_\_\_\_\_

12/21/2015

**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: \_\_\_\_\_

