

FMC-ND

(1.08.09.13)

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



RECIPIENT:Littoral Power Systems Inc.

STATE: MA

PROJECT TITLE : A cost-disruptive, low impact, modular form factor low-head hydropower system

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
DE-FOA-0001286	DE-EE0007243	GFO-0007243-002	GO7243

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.)
- B3.6 Small-scale research and development, laboratory operations, and pilot projects** Siting, construction, modification, operation, and decommissioning of facilities for smallscale research and development projects; conventional laboratory operations (such as preparation of chemical standards and sample analysis); and small-scale pilot projects (generally less than 2 years) frequently conducted to verify a concept before demonstration actions, provided that construction or modification would be within or contiguous to a previously disturbed or developed area (where active utilities and currently used roads are readily accessible). Not included in this category are demonstration actions, meaning actions that are undertaken at a scale to show whether a technology would be viable on a larger scale and suitable for commercial deployment.

Rationale for determination:

The U.S. Department of Energy (DOE) is proposing to provide federal funding to Littoral Power Systems, Inc. to re-purpose standard shipping containers and connectors to create dams using modular, prefabricated units that can be swapped out for repair and maintenance.

DOE completed a previous NEPA determination for this project which reviewed all tasks (GFO-00007243, CX A9, B3.6 12/17/2015). Since that time Littoral has made changes to the proposed project.

Originally, Littoral proposed to use pre-existing shipping containers which would be stacked and welded together and tested at Alden Labs. Littoral now plans to design the containers and then have a sub-contractor manufacture the containers using preexisting shipping container forms and blocks, as well as coat and paint the manufactured containers. Any design work would occur at Littoral Power Systems office facility. The containers would be manufactured at an existing metal fabrication facility in Massachusetts and then shipped to Alden labs for testing. The fabrication facility is an existing facility that conducts metal fabrication work as their ordinary course of business. No hazardous materials would be used or produced, and all excess material would be recycled, re-used, or disposed of properly. Existing health and safety procedures would be followed during construction. No changes to the fabrication facility, additions, or permits would be required.

All other tasks would remain the same.

Any work proposed to be conducted at a DOE laboratory may be subject to additional NEPA review by the cognizant DOE NEPA Compliance Officer for the specific DOE laboratory prior to initiating such work. Further, any work conducted at a DOE laboratory must meet the laboratory's health and safety requirements.

Based on the review of the proposal, DOE has determined the proposed project fits within the class of action(s) selected above. DOE has also determined that: (1) there are no extraordinary circumstances (as defined by 10 CFR 1021.410(2)) related to the proposal that may affect the significance of the environmental effects of the proposal; (2) the proposal has not been segmented to meet the definition of a categorical exclusion; and (3) the proposal is not connected to other actions with potentially significant impacts, related to other proposals with cumulatively significant actions, or an improper interim action. All activities associated with this proposal are 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 the Recipient intends to make changes to the scope or objective of this project, the Recipient is required to contact the Project Officer, identified in Block 15 of the Assistance Agreement before proceeding. The Recipient must receive notification of approval from the DOE Contracting Officer prior to commencing with work beyond that currently approved. If the Recipient moves forward with activities that are not authorized for Federal funding by the DOE Contracting Officer in advance of a final NEPA decision, the Recipient is 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:


Any work proposed to be conducted at a DOE laboratory may be subject to additional NEPA review by the cognizant DOE NEPA Compliance Officer for the specific DOE laboratory prior to initiating such work. Further, any work conducted at a DOE laboratory must meet the laboratory's health and safety requirements.

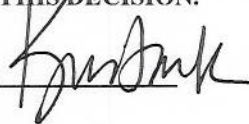
Note to Specialist :

This NEPA review requires a tailored NEPA provision.
Review completed by Roak Parker April 13, 2017.
Water Power Technology Office.

SIGNATURE OF THIS MEMORANDUM CONSTITUTES A RECORD OF THIS DECISION.

NEPA Compliance Officer Signature: _____

 Electronically Signed By: Kristin Kerwin
NEPA Compliance Officer



Date: 4/17/2017

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: _____