

PMC-ND
(1.08.09.13)

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



RECIPIENT: SMRU Consulting

STATE: WA

PROJECT TITLE: Coastal Acoustic Buoy for Offshore Wind

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
DE-FOA-0001924	DE-EE0008732	GFO-0008732-001	

Based on my review of the information concerning the proposed action, as NEPA Compliance Officer (authorized under DOE Policy 451.1), 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.)

B5.15 Small-scale

renewable energy research and development and pilot projects Small-scale renewable energy research and development projects and small-scale pilot projects, provided that the projects are located within a previously disturbed or developed area. Covered actions would be in accordance with applicable requirements (such as local land use and zoning requirements) in the proposed project area and would incorporate appropriate control technologies and best management practices.

Rationale for determination:

The U.S. Department of Energy is proposing to provide funding to SMRU Consulting develop technology to validate acoustic noise modelling and monitor exclusion zones for North Atlantic right whales (NARW) during offshore wind construction (with an emphasis on pile driving). The objective of the proposed project is to develop a cost-effective and robust system for monitoring and mitigating U.S. offshore wind construction. This project would be completed over two budget periods (BP) with a go/no-go decision after BP 1.

In BP 1, SMRU would:

- Model exclusion zone methods to determine the most robust and cost-effective technique;
- Identify most appropriate communication system for integration into the Coastal Acoustic Buoy (CAB);
- Obtain necessary permits to conduct field trials in Washington state;
- Demonstrate the capability to produce NARW calls;
- Conduct field trials in WA to evaluate NARW playbacks, communications and exclusion zone;
- Development, review, approval of research study plan for East Coast Effectiveness Trial; and
- Obtain necessary permits to conduct work in Budget Period 2.

In BP2, SMRU would:

- Conduct an effectiveness trial on the east coast;
- Analyze performance/costs of using CAB for offshore wind projects; and
- Submit a manuscript of findings to a peer reviewed journal.

BP1 Tasks 1-6 involve developing an IP management plan, computer modeling to develop an exclusion zone monitoring method, identifying communication challenges and potential solutions, selecting representative NARW playbacks, obtaining permits to conduct in-water testing in Washington State and on the east coast, and building and bench testing the CAB units.

There is not sufficient information available to conduct a meaningful review of Task 7 (Washington field trials) at this time. This information would be developed as part of Task 1- 6. Task 7 and the remaining tasks in the award will undergo additional NEPA review by DOE when additional details are available.

The design, development and fabrication of passive acoustic buoys would occur at SMRU facilities in Friday Harbor, WA, as well as subrecipient facilities (SAIL and University of St. Andrews) in the United Kingdom. No modifications of current facilities would be needed for this project.

NEPA PROVISION

DOE has made a conditional NEPA determination.

The NEPA Determination applies to the following Topic Areas, Budget Periods, and/or tasks:

The following tasks in BUDGET PERIOD 1:

Task 1.0: Intellectual Property Management Plan

Task 2.0: Exclusion Zone Method

Task 3.0: CAB Communications

Task 4.0: NARW Playbacks

Task 5.0: Permitting

Task 6.0: CAB Manufacturing

The NEPA Determination does not apply to the following Topic Area, Budget Periods, and/or tasks:

The following tasks in BUDGET PERIOD 1:

Task 7.0: WA Field Trials

Task 8.0: Software

Task 9.0: BRIDGE TASK. East Coast Trial Prep

BUDGET PERIOD 2: All tasks

Task 10.0: Effectiveness Trial

Task 11.0 Reporting

Task 12.0: Manuscript

Notes:

Wind Energy Technologies Office

This NEPA Determination requires a tailored NEPA provision.

FOR CATEGORICAL EXCLUSION DETERMINATIONS

The proposed action (or the part of the proposal defined in the Rationale above) fits within a class of actions that is listed in Appendix A or B to 10 CFR Part 1021, Subpart D. To fit within the classes of actions listed in 10 CFR Part 1021, Subpart D, Appendix B, a proposal must be one that would not: (1) threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health, or similar requirements of DOE or Executive Orders; (2) require siting and construction or major expansion of waste storage, disposal, recovery, or treatment facilities (including incinerators), but the proposal may include categorically excluded waste storage, disposal, recovery, or treatment actions or facilities; (3) disturb hazardous substances, pollutants, contaminants, or CERCLA-excluded petroleum and natural gas products that preexist in the environment such that there would be uncontrolled or unpermitted releases; (4) have the potential to cause significant impacts on environmentally sensitive resources, including, but not limited to, those listed in paragraph B(4) of 10 CFR Part 1021, Subpart D, Appendix B; (5) involve genetically engineered organisms, synthetic biology, governmentally designated noxious weeds, or invasive species, unless the proposed activity would be contained or confined in a manner designed and operated to prevent unauthorized release into the environment and conducted in accordance with applicable requirements, such as those listed in paragraph B(5) of 10 CFR Part 1021, Subpart D, Appendix B.

There are no extraordinary circumstances related to the proposed action that may affect the significance of the environmental effects of the proposal.

The proposed action has not been segmented to meet the definition of a categorical exclusion. This proposal is not connected to other actions with potentially significant impacts (40 CFR 1508.25(a)(1)), is not related to other actions with individually insignificant but cumulatively significant impacts (40 CFR 1508.27(b)(7)), and is not precluded by 40 CFR 1506.1 or 10 CFR

1021.211 concerning limitations on actions during preparation of an environmental impact statement.

DOE has determined that work to be carried out outside of the United States, its territories and possessions is exempt from further review pursuant to Section 5.1.1 of the DOE Final Guidelines for Implementation of Executive Order 12114; "Environmental Effects Abroad of Major Federal Actions."

A portion of the proposed action is categorically excluded from further NEPA review. The NEPA Provision identifies Topic Areas, Budget Periods, tasks, and/or subtasks that are subject to additional NEPA review.

SIGNATURE OF THIS MEMORANDUM CONSTITUTES A RECORD OF THIS DECISION.

NEPA Compliance Officer Signature:  **Electronically Signed By: Kristin Kerwin** Date: 7/2/2019
NEPA Compliance Officer

FIELD OFFICE MANAGER DETERMINATION

- Field Office Manager review not required
- Field Office Manager review required

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

Field Office Manager's Signature: _____ Date: _____
Field Office Manager