

PMC-ND

(1.08.09.13)

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



RECIPIENT: University of Massachusetts Amherst

STATE: MA

PROJECT TITLE: Fishway Entrance Palisade

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
DE-FOA-0001662	DE-EE0008340	GFO-0008340-002	G08340

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.)

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 funding to the University of Massachusetts, Amherst (UMass), to improve fishway entrance efficiency through a fish Entrance Palisade (EP) while reducing fishway construction and maintenance costs.

The proposed project would contain 6 tasks plus project management and reporting. DOE previously completed a NEPA review for the project (GFO-0008340-001 CX A9 and B3.6, 08/02/2018). Recipient now proposes to amend Task 5.

Tasks 5 would involve testing the EP. UMass previously collected blueback herring, walleye, American shad, and/or white sucker from the Connecticut River for use in the tests and conducted some tests. For testing, the flume was filled with water, collected fish were placed into the flume entrance, and fish were guided downstream towards the EP to determine whether the utilized design would guide fish into the EP, as well as how quickly the fish would enter the EP. Each test contained between 20 – 100 fish. Tests lasted between 2.5 and 20 hours. UMass originally planned to conduct up to 35 tests in 2019. While UMass completed some testing in 2019, they did not complete all testing. UMass now has modified their SOPO to request to conduct up to 50 more tests in 2020 using the same testing parameters as used during the 2019 testing. To conduct the additional tests UMass would need to collect additional fish resources including sea lamprey, American shad blueback herring, and white sucker. Permits have been obtained for the collection of the fish and for conducting tests with the fish. All fish would be collected from locations where no Threatened or Endangered species are present. Testing would occur at the

All procedures and protocols reviewed in the previous NEPA determination would be followed.

UMass would continue to partner with United States Geological Service (USGS) as well as the United States Fish and Wildlife Service and the National Oceanic Atmospheric Administration during all phases of the proposed project.

No modifications to the existing USGS's Conte Anadromous Fish Research Laboratory, where testing would occur, or new permits for construction would be needed.

Any work proposed to be conducted at a federal facility may be subject to additional NEPA review by the cognizant federal official and must meet the applicable health and safety requirements of the facility.

NEPA PROVISION

DOE has made a final NEPA determination.

Notes:

This NEPA determination does not require a tailored NEPA provision.
 Water Power Program
 Roak Parker 1/29/2020

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.

The proposed action is categorically excluded from further NEPA review.

SIGNATURE OF THIS MEMORANDUM CONSTITUTES A RECORD OF THIS DECISION.

NEPA Compliance Officer Signature: _____


 NEPA Compliance Officer

Date: 1/29/2020

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: _____

Field Office Manager

Date: _____