

PMC-ND

(1.08.09.13)

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

**RECIPIENT:** Pacific Ocean Energy Trust**STATE:** OR

PROJECT TITLE: Network Director for the TEAMER Program

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
	DE-EE0008895	GFO-0008895-003	GO8895

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.
- 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 (DOE) is proposing to provide federal funding to the Pacific Ocean Energy Trust (POET) to administer the Testing and Access for Marine Energy Research (TEAMER) program. The primary objective of TEAMER is to provide marine hydrokinetic (MHK) technology developers access to a network of United States based testing facilities which provide testing and modeling expertise. Access would be provided through competitively awarded funds awarded under TEAMER and administered by POET. POET would be advised by a Technical Board which would include representatives from DOE, DOE National Labs, and National Marine Renewable Energy Centers. There would be up to nine funding cycles.

The proposed project would be divided into 4 tasks. DOE previously completed two NEPA reviews for tasks 1, 2, and subtask 3.1 (GFO-0008895-001 CX A9; 11/14/2019) and for subtasks 3.2, 3.3.1 to 3.3.9, 3.4 and task 4 (GFO-0008895-002 CX A9, B3.6; 07/22/2020). Under subtasks 3.3.1 to 3.3.9 POET would select participants in up to 9 potential rounds of funding. Prior to awarding any funding each round is subject to an independent NEPA review of selected facilities, scope of work at each facility, and Technical Support Recipients (TSRs) (that is participants selected to receive assistance). The previous NEPA review included selection of 15 facilities and scope of work for Round 3.3.1. This review is limited to reviewing the TRSs for round 3.3.1, and ensuring that those participants would be receiving work at the selected facilities and under the reviewed scope of work.

POET has identified 15 TSRs to receive 16 awards of support. The recipients are:

1. Current Kinetics
2. Calwave Powerr Technologies
3. Dehlsen Associates, LLC

4. iMetalx Group llc
5. IProTech
6. Igiugig Village Council (IVC)
7. Ocean Energy USA LLC.
8. Ocean Motion Technologies, Inc.
9. Orbital Marine Power Ltd.
10. ORPC
11. Oscilla Power, Inc (OPI)
12. Rohrer Technologies, Inc (RTI)
13. University of Hawaii
14. Virginia Tech
15. Pyro-E, Inc.

Calwave Power Technologies would receive two separate TSR awards.

All 15 recipients would be receiving support from one of the 15 facilities previously reviewed and authorized to complete work in Round 3.3.1. Further all work would be of the type previously reviewed for these facilities. As such, all selections identified above to be made under Round 3.3.1 are subject to this NEPA review.

All selections of new facilities, new scope of work at facilities, and TSRs made under Subtask 3.3.2 to 3.3.9 will be subject to additional NEPA review prior to any work being completed on those projects.

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 conditional NEPA determination.

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

All tasks are approved, however selection of additional facilities, additional scope of work, and additional technical assistance recipients is subject to additional NEPA review. The following recipients are approved to receive technical support under 3.3.1.

1. Current Kinetics
2. Calwave Powerr Technologies
3. Dehlsen Associates, LLC
4. iMetalx Group llc
5. IProTech
6. Igiugig Village Council (IVC)
7. Ocean Energy USA LLC.
8. Ocean Motion Technologies, Inc.
9. Orbital Marine Power Ltd.
10. ORPC
11. Oscilla Power, Inc (OPI)
12. Rohrer Technologies, Inc (RTI)
13. University of Hawaii
14. Virginia Tech
15. Pyro-E, Inc.

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

All selections of facilities, scope of work, and TSRs made under Subtask 3.3.2 to 3.3.9 will be subject to additional NEPA review prior to any work being completed on those projects. All work must be completed by pre-approved facilities and must be the type of work reviewed and approved in a signed NEPA determination(s).

Notes:

Water Power Technologies Office
 This NEPA determination does require a tailored NEPA provision.
 Review completed by Roak Parker, 10/22/2020

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.

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: **Roak Parker**
NEPA Compliance Officer

Date: 10/22/2020

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: _____