

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



RECIPIENT: New York State Energy Research and Development Authority

STATE: NY

PROJECT TITLE : National Offshore Wind Research and Development Consortium

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
DE-FOA-0001767	DE-EE0008390	GFO-0008390-043	GO8390

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.)
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Rationale for determination:

The U.S. Department of Energy (DOE) is proposing to provide funding to the New York State Energy Research and Development Authority (NYSERDA) to form a not-for-profit 501(c)(3) entity, the "National Offshore Wind Research and Development Consortium" which would be led by NYSERDA, along with key industry stakeholders and research institutions. The Consortium would finance research initiatives seeking to address the technical barriers faced by offshore wind developers, original equipment manufacturers (OEMs), and supply chain partners, with the goal of reducing the Levelized Cost of Electricity (LCOE) for U.S. offshore wind plants and increasing opportunities for U.S. manufacturing.

The proposed project is divided into four (4) Budget Periods (BPs). DOE previously completed NEPA reviews for BP1, 2, 3, and 4 (GFO-0008390-001 CX A1, A9, and A13, 10/09/2018; GFO-0008390-002 CX A1, A9, and A13, 01/13/2020; GFO-0008390-019 CX A1, A9, and A13, 12/02/2020; GFO-0008390-042 CX A1, A9, A11, and A13, 12/28/2021). In addition, DOE completed NEPA reviews for 16 subawards made by the consortium under Task 19 and 22 subawards made by the consortium under Task 27 as well as awards under an Annual Operating Plan to the National Renewable Energy Laboratory (various CX determinations and dates). This NEPA review is for a sub award proposed to be made under Task 35 to ULC Technologies LLC.

Task 35 in BP3 involves reviewing applications received in response to the solicitation released in Task 34, and then choosing specific projects which would receive a sub award. While NYSERDA is allowed under the previous NEPA determination to proceed with choosing projects under Task 35, all projects chosen for sub award are subject to additional NEPA analysis prior to NYSERDA contracting for the sub award and prior to any work being completed on the sub award.

Under this proposed sub award, ULC Technologies would use unmanned aerial vehicles (UAVs), sensors, and machine learning technology to detect the presence of marine mammals at the surface of the sea in a range of operating and environmental conditions. The UAVs would be launched from the decks of vessels to capture imagery of marine mammals when they are at or near the surface of the sea, then landed back on the vessels to recover the data. The activities would be performed in New York over an approximate 10-month period.

The specific UAV and vessel to be used in the project and sites for data capture have not yet been selected and testing plans have not been developed. Project requirements would be defined in Task 1 and would inform the work planned for Tasks 2, 3, and 4. Accordingly, Tasks 2, 3, and 4, will be excluded from this review until equipment has been selected, test plans have been defined, and all relevant information has been submitted to DOE for review. This NEPA determination is to review Task 0 and Task 1.

Task activities are explained below:

Task 0 would include project management and progress reporting. Activities would consist of submitting reports, holding meetings, and participating with a Project Advisory Board who would provide technical and commercial advice to the project team throughout the duration of the project.

Task 1 activities would include defining project requirements, research, and planning. Preliminary project requirements would be defined. UAVs and sensors would be researched to identify what would be necessary for the project for detecting marine mammals. Applicable airspace regulations for UAS flights offshore would also be researched. Environmental and operating conditions such as sea state, day/night lighting conditions, and meteorological conditions would be defined along with optimal mammal spotting locations, body temperature, minimum approach distances, protected species regulations, etc. Operational scenarios (which would follow FAA and other applicable federal regulations) would be outlined and down-selected to the preferred option. The selected operational scenario would demonstrate a minimally viable solution with a reasonable path to scaling and implementing improvements for wider commercial use.

The proposed tasks would consist solely of intellectual, academic, and/or analytical activities. All project activities would be conducted from existing offices or computational facilities and use no materials beyond basic office supplies, software, and computer hardware.

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:

Budget Period 1
Budget Period 2
Budget Period 3
Budget Period 4
Sub Award to ULC Technologies LLC: Task 0 and Task 1

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

Sub Award to ULC Technologies LLC: Task 2, Task 3, and Task 4

Notes:

Wind Energy Technologies Office
This NEPA determination requires legal review of the tailored NEPA provision.
Review completed by Shaina Aguilar on 4/5/22.

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

