

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



RECIPIENT: Duke University

STATE: NC

PROJECT TITLE : Wildlife and Offshore Wind (WOW): A Systems Approach to Research and Risk Assessment for Offshore Wind Development from Maine to North Carolina

<b>Funding Opportunity Announcement Number</b>	<b>Procurement Instrument Number</b>	<b>NEPA Control Number</b>	<b>CID Number</b>
DE-FOA-0002237	DE-EE0010287	GFO-0009798-001	

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.)

**A11 Technical advice and assistance to organizations** Technical advice and planning assistance to international, national, state, and local organizations.

**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 Duke University to develop a structured framework for comprehensive evaluation of potential effects of offshore wind energy on wildlife and habitats across a range of spatial and temporal scales. The project would be completed over three Budget Periods (BPs) with a Go/No-Go decision point between each BP. Outcomes of activities performed in BP1 would define the proposed scope, plan, and sites for field work to be conducted in BP2 and BP3. As such, this NEPA determination is applicable to BP1 only.

Duke University is the prime recipient. Subrecipients on the project would include the Biodiversity Research Institute, Cornell University, Florida State University, New England Aquarium, Pacific Northwest National Laboratory, Rutgers University, Scientific Innovations, Southall Environmental Associates, SUNY Stony Brook, Syracuse University, Tetra Tech, University of St. Andrews (UK), Wildlife Conservation Society, and Woods Hole Oceanographic Institution.

BP1 activities consist primarily of desktop work, including data aggregation/analysis, study planning, and mathematical model construction. The project participants would identify recently released species distribution data sources and compile habitat characterizations, identify knowledge gaps, and design a plan for offshore research in the Massachusetts/Rhode Island and New York/New Jersey Bight areas. Activities would also include stakeholder engagement, development of a Project Management Plan and an Intellectual Property Management Plan, and updating the Statement of Project Objectives (SOPO) for BP2. Duke would identify and obtain necessary approvals to begin field work in BP2. Because of an expected long lead-time on orders of electronic components needed in

BP2, BP1 would also include the purchase of this equipment prior to the review of activities in which the equipment would be used. These supplies include six acoustic recording instruments for Cornell University, microphones and ancillary equipment needed for bat monitoring for Tetra Tech, and test tags, a tag activator, and cell phone data plans for the Block Island receiving units for BRI. Some instrument fabrication and technology validation would also occur. All work would take place in dedicated facilities and no field work would be conducted in BP1.

Proposed project activities would not require modifications to facilities, new permits, additional licenses and/or authorizations. No ground disturbing activities, no changes in the operation of existing facilities, and no installation of equipment outdoors would occur for project activities. Health and safety hazards to either the public or project workers are not expected. No additional waste streams would be added by the proposed project work.

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 - all tasks](#)

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

[Budget Period 2 - all tasks](#)

[Budget Period 3 - all tasks](#)

Notes:

[Wind Energy Technologies Office](#)

[Review completed by Shaina Aguilar on 4/15/22.](#)

## 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 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:  \_\_\_\_\_ Date: 4/21/2022  
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