

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



RECIPIENT: Coonamessett Farm Foundation, Inc.

STATE: MA

PROJECT TITLE : Surveying Commercial Fish Species And Habitat In Wind Farm Areas Using A Suite Of Non-Lethal Survey Methods

| | | | |
|--|--------------------------------------|----------------------------|-------------------|
| Funding Opportunity Announcement Number | Procurement Instrument Number | NEPA Control Number | CID Number |
| DE-FOA-0002237 | DE-EE0009799 | GFO-0009799-002 | G09799 |

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.)

B3.16 Research activities in aquatic environments

Small-scale, temporary surveying, site characterization, and research activities in aquatic environments, limited to: (a) Acquisition of rights-of-way, easements, and temporary use permits; (b) Installation, operation, and removal of passive scientific measurement devices, including, but not limited to, antennae, tide gauges, flow testing equipment for existing wells, weighted hydrophones, salinity measurement devices, and water quality measurement devices; (c) Natural resource inventories, data and sample collection, environmental monitoring, and basic and applied research, excluding (1) large-scale vibratory coring techniques and (2) seismic activities other than passive techniques; and (d) Surveying and mapping. These activities would be conducted in accordance with, where applicable, an approved spill prevention, control, and response plan and would incorporate appropriate control technologies and best management practices. None of the activities listed above would occur within the boundary of an established marine sanctuary or wildlife refuge, a governmentally proposed marine sanctuary or wildlife refuge, or a governmentally recognized area of high biological sensitivity, unless authorized by the agency responsible for such refuge, sanctuary, or area (or after consultation with the responsible agency, if no authorization is required). If the proposed activities would occur outside such refuge, sanctuary, or area and if the activities would have the potential to cause impacts within such refuge, sanctuary, or area, then the responsible agency shall be consulted in order to determine whether authorization is required and whether such activities would have the potential to cause significant impacts on such refuge, sanctuary, or area. Areas of high biological sensitivity include, but are not limited to, areas of known ecological importance, whale and marine mammal mating and calving/pupping areas, and fish and invertebrate spawning and nursery areas recognized as being limited or unique and vulnerable to perturbation; these areas can occur in bays, estuaries, near shore, and far offshore, and may vary seasonally. No permanent facilities or devices would be constructed or installed. Covered actions do not include drilling of resource exploration or extraction wells.

Rationale for determination:

The U.S. Department of Energy (DOE) is proposing to provide funding to the Coonamessett Farm Foundation, Inc. (CFF) to evaluate the impacts of offshore wind development on commercial fish species and benthic habitats and communities using non-lethal survey methods. During the project, three different survey methods would be developed and field tested: towed off-bottom vehicle survey, stationary camera survey, and video trawl survey. The project would be completed over three Budget Periods (BPs) with a Go/No-Go decision point between each BP. DOE previously completed a NEPA review of planning and preliminary research activities (GFO-0009799-001; 7/1/22; CXs A9, A11, B3.6). This NEPA determination is to review the sonar portion of task 2 in BP1 in which sonar would be turned on and tested at sea. Remaining project activities (including data collection in wind farm lease areas) remain restricted until consultation with the National Marine Fisheries Service (NMFS) and further NEPA review have been completed.

The installation of the sonar equipment onto the HabCam vessel was reviewed in the previous NEPA determination. Since that time, the sonar equipment has been installed on an existing HabCam vessel that is part of a separate project for the Sea Scallop Research Set-Aside (RSA) survey program funded by NMFS Northeast Fisheries Science Center (NEFSC). This vessel would be at sea for 10-20 days. The timeline of the remaining activities for the CFF project has been delayed, however, the third party on which the sonar activity is reliant is operating on schedule. This includes the company, vessel, crew, and CFF team running the HabCam who are all working under agreed timelines by NOAA and the Northeast Fisheries Management Council. NMFS conducted an intra-service Section 7 consultation

for these activities to be funded by the NMFS NEFSC. The associated RSA was reviewed under the Biological Opinion issued on 10/8/2021 for activities to be conducted from 10/2021 through 10/2026. This specific activity would be conducted in offshore marine waters on Georges Bank and in the Mid-Atlantic in the summer of 2023. During the scallop surveys, the HabCam would be pulled behind a commercial scallop vessel over zigzag tracks that cover major fishing grounds.

The images obtained during this trip will be used to ensure the habcam and vessel can maneuver safely through the windfarm sites in future project activities, as navigating obstacles within a wind farm array poses more difficulty than in open ocean. The sonar testing needs to be tested and validated so that the survey done in 2024 can operate safely within construction that may occur between now and then. Also, the front-facing sonar offers additional time for HabCam operators and the vessel captain to react to and avoid obstacles.

No changes in the use, mission, or operation of existing facilities would be required as part of this project and no additional permits would be required in order to conduct any of the work activities. Aside from sonar activities, no additional in water work would occur.

Project activities would involve work on vessels at-sea. Any risks associated with project activities would be mitigated through adherence to established health and safety policies and procedures including training, the use of personal safety gear (immersion suites, personal floatation devices, life rafts), and adherence to vessel emergency procedures. All waste products would be disposed of by licensed waste management service providers. CFF and its project partners would observe all applicable Federal, state, and local health, safety, and environmental regulations.

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:

Task 1

Task 2

Task 3.1

Task 4.1

Task 5

Task 6

Task 7

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

BP 1: Remaining Task 3 and 4 activities

BP2: Tasks 8 – 14

BP3: Tasks 15 – 18

Notes:

Wind Energy Technologies Office

Review completed by Shaina Aguilar on 4/28/23.

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:  Casey Strickland Date: 5/1/2023
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