

**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

<b>Funding Opportunity Announcement Number</b>	<b>Procurement Instrument Number</b>	<b>NEPA Control Number</b>	<b>CID Number</b>
DE-FOA-0001767	DE-EE0008390	GFO-0008390-047b	

**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 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 subaward proposed to be made under Task 35 to GE Research. GE previously received a NEPA determination for office and laboratory activities (GFO-0008390-047, 7/1/2022, CXs A9 and B3.6). This review specifically applies to GE's remaining task in which at-sea work would be conducted.

Task 35 in the National Offshore Wind Research and Development Consortium's BP4 involves reviewing applications received in response to the solicitation released in Task 34, and then choosing specific projects which would receive a subaward. While NYSERDA is allowed under the previous NEPA determination to proceed with choosing projects under Task 35, all projects chosen for subaward are subject to additional NEPA analysis prior to NYSERDA contracting for the subaward and prior to any work being completed on the subaward.

Under this proposed subaward to GE, the at-sea portion of the project (Task 3, previously Task 4) includes inspecting fleets of offshore wind turbines and collecting data using an autonomous vessel. Relevant imaging data would be collected using a gyro-stabilized camera physically attached to the top of the vessel. The vessel would travel to the Block Island Wind Farm. A crew transfer vessel would accompany the unmanned vessel during the test and maintain a close distance. The total test duration would be up to 2 days during the daytime.

Inspection/imaging activities would involve the deployment of equipment into ocean waters where Endangered Species Act (ESA) listed species may be present. The Bureau of Ocean Energy Management (BOEM) Offshore Wind Site Assessment and Site Characterization Activities Programmatic Consultation (date June 29, 2021) addresses the types of activities proposed in this project and in New England waters, allowing for an expedited consultation process. On December 13, 2022, DOE sought concurrence from the National Marine Fisheries Service (NMFS) that project activities are covered under this programmatic consultation. On December 23, 2022 NMFS concurred with DOE's determination of no affect to species of concern provided that implementation of relevant Project Design Criteria (PDCs) and their associated Best Management Practices (BMPs) in the programmatic consultation (noted in conditions) would be required to be implemented to minimize impacts to the marine environment and listed species.

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 GE Research

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

All sub awards made under Task 35 (in Budget Period 4) will be subject to additional NEPA review prior to any work being completed on those projects.

Include the following condition in the financial assistance agreement:

The relevant Project Design Criteria (PDC) and their associated Best Management Practices (BMPs) described in the BOEM Offshore Wind Site Assessment and Site Characterization Activities Programmatic Consultation would be implemented in the following manners:

### PDC 5: Minimize Vessel Interactions with Listed Species

- BMP 1: GE project personnel and captain/crew from the crew transfer vessel will maintain a vigilant watch for all protected species and perform the appropriate vessel strike avoidance measures.
- BMPs 2-3: A designated trained crew or project personnel onboard the crew transfer vessel will perform lookout to avoid strikes. GE and its project partners will comply with the requirements on monitoring.
- BMPs 4-6: GE and its project partners will comply with the vessel operating requirements.

### PDC 8: Reporting Requirements

- GE understands DOE is the action agency and will perform any applicable reporting resulting from at-sea testing through the NEPA Specialist supporting the project.

Notes:

**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: Casey Strickland** Date: **5/16/2023**  
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