

**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

<b>Funding Opportunity Announcement Number</b>	<b>Procurement Instrument Number</b>	<b>NEPA Control Number</b>	<b>CID Number</b>
	DE-EE0008895	GFO-0008895-016	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:

<b>A9 Information gathering, analysis, and dissemination</b>	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.)
<b>A11 Technical advice and assistance to organizations</b>	Technical advice and planning assistance to international, national, state, and local organizations.
<b>B3.6 Small-scale research and development, laboratory operations, and pilot projects</b>	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 development.
<b>B3.16 Research activities in aquatic environments</b>	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 Pacific Ocean Energy Trust (POET) to administer the Testing and Access for Marine Energy Research (TEAMER) program. POET would collaborate with a Technical Board (TB) which would include representatives from DOE, DOE National Laboratories, and National Marine Renewable Energy Centers. The primary objective of TEAMER is to provide marine energy (ME) technology

developers access to a network of facilities within the U.S. which provide testing and modeling assistance for ME technologies. Developers would apply for assistance through a competitive process.

DOE previously completed NEPA reviews which apply to all tasks. Under Subtask 3.3.1, however, POET would conduct periodic rounds of funding, specifically identifying facilities offering assistance which applicants could apply for. Applications would be reviewed and selected by POET and the TB. Prior to releasing funds to support any selected application, each application would be subject to NEPA review. Applications would include scope of work, where work would be completed, and who would be responsible for completing work (including network facilities providing assistance).

For this review, POET has identified one Technical Support Recipient (TSR) to receive support through the TEAMER program:

1. Ocean Renewable Power Company (ORPC)

The TSR would receive support from one or more facilities within the TEAMER facility network. Prior to admitting a facility into the network, the facility and its capabilities would be reviewed by POET and the TB. All selections of additional facilities, facility capabilities (i.e., type of support offered), activities, and TSRs would be subject to additional NEPA review.

For this project, ORPC would receive technical assistance from the University of Washington. Support activities would include the brief deployment of floating hydrophone devices (approximately 1 meter (m) x 0.2 m x 0.2 m) to characterize the noise emitted from ORPC turbine devices deployed in the Kvichak River (Igiugig, AK) and Millinocket Stream (Millinocket, ME). The deployment of the turbine devices is not part of this project, but the deployments were previously reviewed by DOE as part of other DOE financial assistance awards (DE-EE0007348 and DE-EE0008948).

DOE has considered the scale, duration, and nature of proposed activities to determine potential impacts on resources, including those of an ecological, historical, cultural, and socioeconomic nature. DOE does not anticipate impacts on these resources which would be considered significant or require DOE to consult with other agencies or stakeholders. All necessary permissions from the Igiugig community and their respective authorities would be obtained prior to any personnel traveling to the community and performing on-site activities.

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, scope of work, and Technical Support Recipients (TSRs) are subject to additional NEPA review.

The following TSRs are approved to receive technical support for activities proposed in the application(s) that were part of this review:

1. Ocean Renewable Power Company (ORPC)

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

All selections of additional facilities, scope of work, activities, and TSRs which this or previous NEPA Determination(s) do not apply to. Such additions are subject to additional NEPA review. All technical support activities must be completed by pre-approved facilities and must be the type of work which a signed NEPA Determination(s) applies to.

Notes:

Water Power Technologies Office (WPTO)  
NEPA review completed by Dan Cahill, 06/29/2023.

## 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:  \_\_\_\_\_ Date: 7/10/2023  
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