

**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-FOA-0002012	DE-EE0008895	GFO-0008895-025	G08895

**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>B5.25 Small-scale renewable energy research and development and pilot projects in aquatic environments</b> | Small-scale renewable energy research and development projects and small-scale pilot projects located in aquatic environments. Activities would be in accordance with, where applicable, an approved spill prevention, control, and response plan, and would incorporate appropriate control technologies and best management practices. Covered actions would not occur (1) within areas of hazardous natural bottom conditions or (2) 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, use of large-scale vibratory coring techniques, or seismic activities other than passive techniques. |

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. Considering the dynamic nature of TEAMER, however, POET conducts periodic reviews of facilities that request to join the TEAMER facility network. Any facility that requests to join the network or modify their existing support capabilities is subject to additional NEPA review in addition to a separate review conducted by POET and the TB.

For this review, the facility identified by POET is:

1. Marine Renewable Energy Collaborative of New England, Inc. Bourne Tidal Test Site (BTTS), Bourne, MA. Activities

at BTTS would include open water testing of marine energy converters and components. BTTS is a platform in Cape Cod Canal situated on three piles in approximately 7 meters of tidal waters that experiences flows of over 1.5 meters/second. A central lifting arm allows easy deployment and retrieval of prototypes of up to 3 meters in diameter. The stability of the platform allows for excellent sensor precision and the location close to the U.S. Army Corps of Engineers canal headquarters ensures security.

The facility identified above is a preexisting, purpose-built facility that regularly engages in the types of work to be conducted for this award. No new permits or modifications to the facility would be needed. Existing health, safety, and environmental policies and procedures would be followed during the proposed activities.

As of February 13, 2024, DOE has an Endangered Species Act Section 7 Programmatic Consultation in place with the National Marine Fisheries Service (NMFS), Greater Atlantic Regional Fisheries Office, Protected Resources Division (GARFO PRD) for BTTS. The verification process established by DOE and GARFO PRD would be completed for each proposed TEAMER Technical Support Recipient (TSR) project to ensure activities fall within the terms of the Programmatic Consultation. If proposed TSR project activities do not fall within the terms of the Programmatic Consultation, additional consultation with NMFS would be required. Consideration of U.S. Fish and Wildlife Service ESA-listed species would be required for each NEPA review of proposed BTTS TSR projects.

If additional facilities are identified beyond those reviewed in this or previous determinations, or if the type of assistance offered by an approved facility is modified, additional NEPA reviews must be completed regarding those proposed changes.

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.

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 facility is approved to join the TEAMER facility network and provide technical support as described in this NEPA Determination:

### 1. Marine Renewable Energy Collaborative of New England, Inc. Bourne Tidal Test Site (BTTS)

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 Determinations 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 applies to.

Notes:

Water Power Technologies Office (WPTO)  
NEPA review completed by Melissa Parker, 04/26/24

## 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: 5/2/2024  
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