

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



RECIPIENT: City of False Pass (COFP)/ Ocean Renewable Power Company (ORPC)

STATE: AK

PROJECT TITLE : Hydrokinetic Power System Validation Project

Notice of Funding Opportunity Number

Procurement Instrument Number

NEPA Control Number

CID Number

DE-EE0010701

GFO-0010701-002

GO10701

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:

B1.31 Installation or relocation of machinery and equipment

Installation or relocation and operation of machinery and equipment (including, but not limited to, laboratory equipment, electronic hardware, manufacturing machinery, maintenance equipment, and health and safety equipment), provided that uses of the installed or relocated items are consistent with the general missions of the receiving structure. Covered actions include modifications to an existing building, within or contiguous to a previously disturbed or developed area, that are necessary for equipment installation and relocation. Such modifications would not appreciably increase the footprint or height of the existing building or have the potential to cause significant changes to the type and magnitude of environmental impacts.

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 administer Congressionally Directed Spending to the City of False Pass (City) to advance the potential installation of a marine energy generation system to decrease the City's dependence on diesel fuel. Tasks 1 and 2 have been reviewed under NEPA previously (GFO-0010701-001: signed April 22, 2025). This ND applies only to Task 3.1 and all Task 4 activities; Tasks 3.2 through 3.8 would be reviewed under a separate and future NEPA determination when sufficient details are known.

Task 3.1 activities would include the implementation of a community/stakeholder plan, generation of communication deliverables, and hosting public meetings and listening sessions. Task 4 activities would include evaluating site characteristics, environmental considerations, establishing a permitting pathway and potentially pursuing necessary project licensing, completing a techno-economic analysis, evaluating the local grid and making the necessary upgrades to accommodate future hydrokinetic power generation.

Office-based activities would occur at the City's Headquarters in False Pass, AK, Ocean Renewable Power Company, Inc. (ORPC) headquarters in Portland ME, and ORPC-Alaska in Anchorage, AK. The proposed grid updates would include the installation of an exterior isolation breaker (i.e., a feeder breaker) on the outside of the existing power plant/generator building in False Pass, AK.

The USFWS IPaC outlined one federally listed species that may occur with the project area associated with Task 4 activities. The Stellar's eider (federally threatened) is a bird species that occurs in shallow marine waters in the vicinity of bays, reefs, inlets and lagoons. Terrestrial habitats they occupy include beaches, sandbars and flat rocks exposed during low tide. Breeding areas include grassy edges of tundra lakes and ponds, as well as lake basins, barren rocky areas in tundra, and grassy hummock depressions. An IPaC evaluation of potential impacts to this species led to a no effect finding, which was based on the proposed project being outside the scope of the ESA Section 7 Standing Analysis for projects in Alaska. The proposed project site is also outside of the critical habitat of this species. Accordingly, DOE has determined there would be no effect on federally listed threatened or endangered species. Further, DOE does not anticipate adverse impacts to migratory bird species.

Formal consultation with the Alaska SHPO was initiated on April 8th, 2026. The SHPO responded on May 5th,

2026 stating that they concur that no historic resources would be affected by the proposed project. The SHPO deemed no eligible properties would be affected as a result of the proposed project activities and that the recipient has fulfilled section 106 consultation. Should unidentified cultural resources be discovered during the course of project field activities, work must be interrupted until the resources have been evaluated in terms of the National Register of Historic Places eligibility criteria (36 CFR 60.4), in consultation with the Alaska Office of History and Archaeology.

Wetland and waterway areas would be avoided during field activities and no impacts to aquatic resources, including floodplains, are expected through project implementation.

Project-related hazards include electrical hazards, work at heights and/or confined spaces, mechanical and equipment hazards, hot work and fire hazards, chemical and process hazards, noise and vibration, thermal hazards, lifting and material-handling hazards, environmental and site hazards, and organizational and human-factor hazards. Existing institutional health and safety policies, including mandatory employee training, use of appropriate personal protective equipment, engineering controls and adherence to standard safety procedures would be followed. Compliance with federal, state, and local health and safety regulations would be maintained throughout the project to ensure the safety of all personnel. Additional policies and procedures would be implemented as new health and safety risks are identified.

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.

NEPA PROVISION

DOE has made a conditional NEPA determination.

The NEPA Determination applies to the following Topic Areas, Budget Periods, and/or tasks:

- Task 3.1
- Task 4

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

- Tasks 1 and 2 (previously reviewed under GFO-0010701-001; signed on April 22, 2025)
- Tasks 3.2 through 3.8 (these subtasks are on hold)

Notes:

Water Power Technologies Office
NEPA review completed by Chris Akios, 5/22/2026

FOR CATEGORICAL EXCLUSION DETERMINATIONS

The proposal fits within a class of actions that is listed in Appendix B to 10 CFR Part 1021 or Appendix B and C of DOE's NEPA Implementing Procedures (June 30, 2025). To fit within the classes of actions listed in Appendix B to 10CFR Part 1021, or Appendix B of DOE's NEPA Implementing Procedures, a proposal must satisfy the conditions that are integral elements of the classes of actions in Appendix B of both 10 CFR Part 1021 and DOE's NEPA Implementing Procedures.

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.

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: Nicole Serio

NEPA Compliance Officer

Date: 5/14/2026

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: _____
Field Office Manager

Date: _____