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PMC-EF2a

**U.S. DEPARTMENT OF ENERGY
EERE PROJECT MANAGEMENT CENTER
NEPA DETERMINATION**



(20102)

RECIPIENT: U.S. ARMY CORPS OF ENGINEERS

STATE: NY

PROJECT TITLE : NIAGARA RIVER, NY - SMALL HYDROPOWER

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
	DE-EE0001304	10-049	0

Based on my review of the information concerning the proposed action, as NEPA Compliance Officer (authorized under DOE Order 451.1A), I have made the following determination:

CX, EA, EIS APPENDIX AND NUMBER:

Description:

- A11** Technical advice and planning assistance to international, national, state, and local organizations.
- A9** Information gathering (including, but not limited to, literature surveys, inventories, audits), data analysis (including computer modeling), document preparation (such as conceptual design or feasibility studies, analytical energy supply and demand studies), and dissemination (including, but not limited to, document mailings, publication, and distribution; and classroom training and informational programs), but not including site characterization or environmental monitoring.

Rational for determination:

The United States Army Corps of Engineering (USACE) would demonstrate the feasibility of low-head hydropower generation along the Niagara River. The work would take place at the USACE offices in Buffalo, New York and Portland, Oregon. The project consists of two steps, Reconnaissance Analysis and Feasibility Study.

Reconnaissance Analysis of Low Head Hydropower generation on the Niagara River – A Reconnaissance Analysis, is defined by Section 905(b) of WRDA of 1986. Funding for the Reconnaissance Phase is generally limited to \$100,000 Federal with no non-Federal cost-sharing required. The purpose of the Reconnaissance Phase is to determine if there is a "Federal Interest" in proceeding to a detailed Feasibility Study. The primary product of the Reconnaissance Phase is a Reconnaissance Report which would make a preliminary determination of the economic, engineering and environmental viability of alternative plans to address the perceived problems or needs, in this case the engineering, economic and environmental viability of installing small scale hydropower facilities on the Niagara River. The Reconnaissance Phase would also determine if there is a valid non-Federal entity (usually a local, county or state agency) which is willing and capable of financing a detailed Feasibility Study and ultimate project construction. If the Reconnaissance study results are positive then a detailed Scope of Work, Cost-Estimate and Feasibility Cost-Sharing Agreement (FCSA) is prepared to conclude the Reconnaissance Phase. The Reconnaissance Analysis and resulting Reconnaissance Report takes approximately six months to complete.

Feasibility Study Cost-Sharing Agreement (FCSA) - The Second product, to be completed as a part of the Reconnaissance effort would be a detailed scope of studies, cost-estimate and Feasibility Cost-Sharing Agreement to conduct the Feasibility Study. This second product would only be completed if the Reconnaissance study results in a positive recommendation and a non-Federal sponsor agrees to fund the non-Federal share of the Feasibility Study. Corps of Engineers policies require that a non-Federal sponsor (usually a local, county or state agency) sign the FCSA and agree to provide 50% of the Feasibility Study costs either in cash or work-in-kind. Preparation of the detailed scope of study and negotiation of the cost-sharing agreement for the feasibility study (if warranted) takes an additional 6 months to complete.

Feasibility Study – The Feasibility Study would result in a Feasibility Report the final product of the overall effort. The primary purpose of the feasibility study is to investigate fully the alternatives identified in the Reconnaissance Report. The feasibility study would fully evaluate the engineering, environmental and economic viability of all alternatives for small scale hydropower on the Niagara River. Ultimately a preferred plan would be identified, designed and costs estimated for possible implementation by the Corps of Engineers. A non-Federal sponsor who is willing and able to share in the construction costs of a project would also be identified. Environmental compliance would be completed through the preparation of a draft and final Environmental Impact Statement to accompany the feasibility study report. The Feasibility Study Report would be developed through several internal review drafts and a draft and final version

for public and agency review. It is assumed that the report, if a positive recommendation is made, would be provided to Congress for Project Authorization in a Water Resources Development Act. The Feasibility Study would take two years to complete.

Period of Performance – The period of performance for the Reconnaissance Study would be one year from the initial expenditure of funds. The period of performance for the Feasibility Study would be two years from the date of execution of the FCSA by the Corps of Engineers and the non-Federal sponsor.

Budget – The total Reconnaissance Study cost would be \$100,000 consistent with the requirements of Section 905(b) of WRDA of 1986. The total cost of the feasibility study is \$ 751,100 (\$375,550 Federal and \$375,550 non-Federal). The Buffalo District Project Management Team would manage the studies and prepare documents. The USACE Hydroelectric Design Center at Portland, OR would develop and evaluate preliminary alternatives for small scale low head hydropower alternatives on the Niagara River. Buffalo District Hydraulics and Hydrology Branch would help develop and evaluate alternatives and coordinate the study with Canadian Counterparts on the International Joint Commission. Travel costs are primarily for bringing personnel from Portland, Oregon to Buffalo, New York on several occasions. The following table details the estimated costs.

Any projects resulting from this Reconnaissance Study and Feasibility Study would go under USACE NEPA review. There should be no generation of air emissions or hazardous wastes associated with this project. This project comprises of information gathering, studies, technical advice, and planning assistance in developing hydropower; therefore this project qualifies for Categorical Exclusions A9, and A11.

NEPA PROVISION

DOE has made a final NEPA determination for this award

Insert the following language in the award:

Note to Specialist :

none

SIGNATURE OF THIS MEMORANDUM CONSTITUTES A RECORD OF THIS DECISION.

NEPA Compliance Officer Signature: _____

NEPA Compliance Officer

Date: _____

11/30/09

FIELD OFFICE MANAGER DETERMINATION

Field Office Manager review required

NCO REQUESTS THE FIELD OFFICE MANAGER REVIEW FOR THE FOLLOWING REASON:

- Proposed action fits within a categorical exclusion but involves a high profile or controversial issue that warrants Field Office Manager's attention.
- Proposed action falls within an EA or EIS category and therefore requires Field Office Manager's review and determination.

BASED ON MY REVIEW I CONCUR WITH THE DETERMINATION OF THE NCO :

Field Office Manager's Signature: _____

Field Office Manager

Date: _____