

PMC-EF2a

(2.04.02)

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



RECIPIENT: Virginia Electric and Power Company

STATE: VA

**PROJECT TITLE :** Virginia Offshore Wind Technology Advancement Project (VOWTAP)

<b>Funding Opportunity Announcement Number</b>	<b>Procurement Instrument Number</b>	<b>NEPA Control Number</b>	<b>CID Number</b>
DE-FOA-0000410	DE-EE0005985	GFO-0005985-001	GO

**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:

**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.)

**B3.1 Site characterization and environmental monitoring**

Site characterization and environmental monitoring (including, but not limited to, siting, construction, modification, operation, and dismantlement and removal or otherwise proper closure (such as of a well) of characterization and monitoring devices, and siting, construction, and associated operation of a small-scale laboratory building or renovation of a room in an existing building for sample analysis). Such activities would be designed in conformance with applicable requirements and use best management practices to limit the potential effects of any resultant ground disturbance. Covered activities include, but are not limited to, site characterization and environmental monitoring under CERCLA and RCRA. (This class of actions excludes activities in aquatic environments. See B3.16 of this appendix for such activities.) Specific activities include, but are not limited to: (a) Geological, geophysical (such as gravity, magnetic, electrical, seismic, radar, and temperature gradient), geochemical, and engineering surveys and mapping, and the establishment of survey marks. Seismic techniques would not include large-scale reflection or refraction testing; (b) Installation and operation of field instruments (such as stream-gauging stations or flow-measuring devices, telemetry systems, geochemical monitoring tools, and geophysical exploration tools); (c) Drilling of wells for sampling or monitoring of groundwater or the vadose (unsaturated) zone, well logging, and installation of water-level recording devices in wells; (d) Aquifer and underground reservoir response testing; (e) Installation and operation of ambient air monitoring equipment; (f) Sampling and characterization of water, soil, rock, or contaminants (such as drilling using truck- or mobile-scale equipment, and modification, use, and plugging of boreholes); (g) Sampling and characterization of water effluents, air emissions, or solid waste streams; (h) Installation and operation of meteorological towers and associated activities (such as assessment of potential wind energy resources); (i) Sampling of flora or fauna; and (j) Archeological, historic, and cultural resource identification in compliance with 36 CFR part 800 and 43 CFR part 7.

**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.

**Rational for determination:**

The U.S. Department of Energy (DOE) is proposing to provide federal funding to the Virginia Electric and Power Company to prepare for and facilitate the deployment of a 12 megawatt offshore wind facility, 37 km off the coast of Virginia. This NEPA determination applies to Budget Period (BP) 1. This NEPA determination does not apply to Budget Periods 2-5.

BP1 tasks are as follows:

Task 1.0- Design: 50% front-end engineering design (FEED) up to and including preliminary vendor quotes.

Task 1 activities would include planning and design activities including design basis, engineering design and analysis, data measurement and testing plan development, economic analysis, and risk management.

Task 2.0- Installation, Operation and Maintenance: Preliminary installation methods and identification of operating and maintenance systems suited to the proposed site.

Task 2 activities would include analysis of substructure design and installation methods, turbine and tower installation methods, operations and maintenance, health and safety planning, and marine resource planning.

Task 3.0-Environmental and Permitting Process: Initiation of all permitting or approval studies and illustration of a path to regulatory compliance and project completion

Subtask 3.1-Project Siting and Alternatives Analysis

Subtask 3.2-Preliminary Project Site Planning and Design: Evaluation of construction methodologies and constructability of preliminary site and alternatives including environmental impact.

Subtask 3.3-Agency Engagement/Stakeholder Outreach

Subtask 3.4- Environmental Studies and Surveys

Subtask 3.5-Environmental Surveys: Numerous onsite survey activities including marine geophysical survey, marine cultural survey, marine benthic survey, marine mammal and sea turtle survey, threatened and endangered species survey, site and environmental characterization (wind and/or wave data instrumentation deployment).

Subtask 3.6- Permits, Approvals & Consultation

Subtask 3.7-Permits, Approvals & Consultation Report

Task 4.0- Grid Interconnection: Initiation of all necessary grid interconnection requirements

Task 5.0- Economic Analysis: FEED study and economic analysis, risk identification and model development.

Task 6.0- BP1 down-selection

Field studies under subtask 3.4 would be designed in conformance with applicable requirements and best management practices to limit the potential effects of any resultant ground disturbance. To avoid harassment to marine mammals during boat based passive visual observations, VEPC is required to follow best management practices for boating under NOAA regulations for the Northeast region.

DOE has determined that the activities in BP1 are consistent with actions defined in DOE categorical exclusion A9 "information gathering," B3.1 "site characterization and environmental monitoring," and B3.16 "research activities in aquatic environments," and are categorically excluded from further NEPA review. Subtask 3.5 activities require additional consultation and the recipient is restricted from initiating these activities until consultations are complete.

**NEPA PROVISION**

DOE has made a conditional NEPA determination for this award, and funding for certain tasks under this award is contingent upon the final NEPA determination.

Insert the following language in the award:

You are restricted from taking any action using federal funds, which would have an adverse affect on the environment or limit the choice of reasonable alternatives prior to DOE/NNSA providing either a NEPA clearance or a final NEPA decision regarding the project.

Prohibited actions include:

Budget Periods 2-5

This restriction does not preclude you from:

Budget Period 1

If you move forward with activities that are not authorized for federal funding by the DOE Contracting Officer in advance of the final NEPA decision, you are doing so at risk of not receiving federal funding and such costs may not be recognized as allowable cost share.

Note to Specialist :

All required federal consultations, including but not limited to Section 7 of the Endangered Species Act and Section

106 of the National Historic Preservation Act, must be completed prior to DOE authorizing funds for environmental survey activities under subtask 3.5. The recipient is restricted from initiating environmental survey activities under subtask 3.5 until all consultations are complete and notification has been received from DOE. The DOE Contracting Officer will notify the recipient, in writing, when the consultations have been completed and of any conservation or mitigation measures that must be implemented for environmental survey activities under subtask 3.5.

Kelly Daigle 1/14/2013

**SIGNATURE OF THIS MEMORANDUM CONSTITUTES A RECORD OF THIS DECISION.**

NEPA Compliance Officer Signature: \_\_\_\_\_  
NEPA Compliance Officer

Date: 1/17/2013

**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: \_\_\_\_\_