

PMC-ND

(1.08.09.13)

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

**RECIPIENT:** Ocean Energy USALLC**STATE:** HI**PROJECT TITLE:** Ocean Energy Demonstration of the Ocean Energy (OE) Buoy at US Navy's Wave Energy Test Site

**Funding Opportunity Announcement Number**  
DE-FOA-0001081

**Procurement Instrument Number**  
DE-EE0006924

**NEPA Control Number**  
GFO-0006924-001

**CID Number**

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 (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.)

**Rationale for determination:**

The U.S. Department of Energy (DOE) is proposing to provide federal funding to Ocean Energy USA, LLC (OE) to perform the detailed engineering, fabrication, deployment, and testing of a near full-scale demonstration OE Buoy for comparison of performance, reliability, and levelized cost of energy (LCOE). The results of the testing would allow OE to fully validate the structural loads, device performance, operations and maintenance (O&M) requirements, and build-cost.

The proposed project would include design, fabrication, deployment, testing, and decommissioning of a 35 meter by 17 meter buoy weighing 65 tonnes for pre-commercial validation at the Navy's deepwater wave energy test site (WETS) located at the Marine Corps Base Hawaii (MCBH), Kaneohe Bay in Hawaii. The proposed project would include 21 tasks which would be separated into two Budget Periods (BPI and BP II). BPI would include tasks 1-10 (generally the design tasks); BP II would include Tasks 11-21 (generally the fabrication, deployment, testing, and decommissioning tasks). This NEPA review applies to BP I tasks only. Information required to complete the NEPA review for BP II will be gathered and developed during BP I. DOE will complete additional NEPA review prior to authorizing the use of any federal funds for BP II activities.

Tasks 1-10 (BPI) would include project management (Task 1), permitting (Task 2), design and costing of key components (Task 3-8), insurability assessment (Task 9), and reporting (Task 10). These tasks involve information gathering and dissemination, are exclusively intellectual, academic, or analytical in nature, and would use no physical materials beyond basic office supplies and software.

Based on review of the project information and the above analysis, DOE has determined that Tasks 1 through 10 (BPI) would not have a significant individual or cumulative impact to human health and/or environment. DOE has determined that these tasks are consistent with actions outlined in DOE categorical exclusion A9 "Information gathering, analysis, and dissemination" and are therefore categorically excluded from further NEPA review.

**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:

BPII Tasks 11 - 21. (Fabrication, deployment, testing, and/or decommissioning activities; specifically those activities)

This restriction does not preclude you from:

BPI Tasks 1 - 10 (Design, planning, permitting, costing, and project management/reporting activities)

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 :

Water Power Program

This NEPA determination requires a tailored NEPA provision.

Review completed by Rebecca McCord, 04/28/2015

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

NEPA Compliance Officer Signature:

  
NEPA Compliance Officer

Date:

5/1/2015

**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: