

PMC-ND  
(1.08.09.13)

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

**RECIPIENT:** Oscilla Power, Inc.**STATE:** WA

**PROJECT TITLE :** Demonstration of an Advanced Multi-Mode Point Absorber for Wave Energy Conversion

<b>Funding Opportunity Announcement Number</b>	<b>Procurement Instrument Number</b>	<b>NEPA Control Number</b>	<b>CID Number</b>
DE-FOA-0001418	DE-EE0007819	GFO-0007819-001	

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.)

**Rationale for determination:**

The U.S. Department of Energy (DOE) is proposing to provide funding to Oscilla Power Inc. (OPI) to design, fabricate, and demonstrate a full scale wave energy device, known as the Triton-C.

The proposed project is divided into three Budget Periods, with a Go/No Go decision point between each Budget Period. This NEPA review is for Budget Period 1 (BP1) only.

BP1 activities would include seven tasks. The BP1 tasks would involve design and engineering; the confirmation of a testing site; and, development of a fabrication plan, a risk management plan, a permitting plan, and an installation, operation, maintenance and testing plan. All BP1 tasks would be limited to information gathering and data analysis and would occur at office facilities in Seattle, Washington, and Honolulu, Hawaii.

Based on the review of the proposal, DOE has determined BP1 (Tasks 1 – 7) fits within the class of actions selected above. DOE has also determined that: (1) there are no extraordinary circumstances (as defined by 10 CFR 1021.410 (2)) related to the proposal that may affect the significance of the environmental effects of the proposal; (2) the proposal has not been segmented to meet the definition of a categorical exclusion; and (3) the proposal is not connected to other actions with potentially significant impacts, related to other proposals with cumulatively significant actions, or an improper interim action. Tasks 1 – 7 are 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/NSA providing either a NEPA clearance or a final NEPA decision regarding the project.

Prohibited actions include:

All BP 2 and BP 3 Tasks

This restriction does not preclude you from:

All BP 1 Tasks

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

NEPA review completed by Roak Parker on 12.21.16

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

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



Casey Strickland

Date: 12/21/2016

NEPA Compliance Officer

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