

PMC-ND

(1.08.09.13)

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

**RECIPIENT:** American Wind Wildlife Institute**STATE:** Mult

PROJECT TITLE Evaluating the Effectiveness of a Camera-Based Detection System to Support Informed Curtailment and Minimize Eagle Fatalities at Wind Energy Facilities

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
DE-FOA-0001554	DE-EE0007880	GFO-0007880-002	GO7880

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:

B3.3 Research related to conservation of fish, wildlife, and cultural resources Field and laboratory research, inventory, and information collection activities that are directly related to the conservation of fish and wildlife resources or to the protection of cultural resources, provided that such activities would not have the potential to cause significant impacts on fish and wildlife habitat or populations or to cultural resources.

Rationale for determination:

The Department of Energy (DOE) is proposing to provide funding to the American Wind Wildlife Institute (AWWI) to compare the detection and classification of golden eagles by the IdentiFlight system to human observers at two wind energy facilities in the western United States. AWWI would partner with Western Ecosystems Technology, Inc. (WEST) of Fort Collins Colorado to independently evaluate how IdentiFlight compares to human observers (aka 'biomonitors') in detecting and identifying eagles under a suite of environmental conditions and would use the observation data to model how IdentiFlight and biomonitors reduce the eagle fatality prediction through informed curtailment. The IdentiFlight system uses standard image-sensors, high-magnification stereoscopic sensors, and high-performance artificial intelligence algorithms for autonomous real-time image processing.

DOE completed a NEPA determination for this award (GFO-0007880-001, CX A9 and B3.3, signed on 4/11/2017) that restricted Tasks 2 – 8 at the Elkhorn Valley Wind Farm until sufficient details were available to complete a meaningful NEPA review. DOE now has sufficient information and has completed required consultations to support a final NEPA determination.

Either three or four IdentiFlight units would be installed at the Elkhorn Valley Wind Farm. The IdentiFlight units are freestanding. The units require a level ground surface and occupy an area of approximately 12 square feet. Concrete ballast weights hold an approximate 20 foot tilt-up tower that contains the sensors. Power is generally supplied to the IdentiFlight unit from the nearest wind turbine. Each unit would be installed up to 800 meters from the nearest turbine which would require cable trenching to install power. Along with the IdentiFlight data collection, biomonitors would be stationed at the site to collect eagle activity data.

Based on the results of the records review and cultural resource survey, DOE determined that no historic properties would be effected by its action of funding the proposed research project. In a letter dated December 18, 2017, the State Historic Preservation Office concurred with DOE's finding. To ensure protection of cultural resources DOE will require that:

1) If evidence of an archaeological resource is inadvertently encountered during any activities, all activity near the resource would be halted immediately and SHPO and the appropriate Tribes would be promptly notified to ensure compliance with 36 CFR 800.13 and ORS 358.920. If evidence of human remains is encountered, all ground-disturbing activity in the vicinity would be halted immediately and SHPO, Oregon State Police, Legislative Commission on Indian Services, Union County Medical Examiner, and the appropriate Tribes promptly notified to ensure compliance with ORS 97.745. And,

2) An archaeological monitor will be on site during ground disturbing activities to flag areas to avoid.

Once the Identiflight units are installed, the data collection process is passive and would not interfere with avian behavior or ongoing windfarm operations, including eagle mitigation collision risk reductions activities. DOE has determined that the proposed activities would not impact sensitive resources including threatened or endangered species, bald or golden eagles, cultural resources, or wetlands.

Based on the review of the proposal, DOE has determined that Tasks 2.0 through 8.0 at the Elkhorn Valley Wind Farm fit within the class of action(s) and the integral elements of Appendix B to Subpart D of 10 CFR 1021 outlined in the DOE categorical exclusion(s) 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 2.0 through 8.0 at Elkhorn Valley Wind Farm is/are categorically excluded from further NEPA review.

NEPA PROVISION

DOE has made a final NEPA determination for this award

Insert the following language in the award:

If the Recipient intends to make changes to the scope or objective of this project, the Recipient is required to contact the Project Officer, identified in Block 15 of the Assistance Agreement before proceeding. The Recipient must receive notification of approval from the DOE Contracting Officer prior to commencing with work beyond that currently approved. If the Recipient moves forward with activities that are not authorized for Federal funding by the DOE Contracting Officer in advance of a final NEPA decision, the Recipient is doing so at risk of not receiving Federal funding and such costs may not be recognized as allowable cost share.

Insert the following language in the award:

You are required to:

1) If evidence of an archaeological resource is inadvertently encountered during any activities, all activity near the resource would be halted immediately and SHPO and the appropriate Tribes would be promptly notified to ensure compliance with 36 CFR 800.13 and ORS 358.920. If evidence of human remains is encountered, all ground-disturbing activity in the vicinity would be halted immediately and SHPO, Oregon State Police, Legislative Commission on Indian Services, Union County Medical Examiner, and the appropriate Tribes promptly notified to ensure compliance with ORS 97.745.

2) An archaeological monitor is required to be on site at the Elkhorn Valley Wind Farm during ground disturbing activities to observe work and flag areas to avoid.

Note to Specialist :

Wind Program

This NEPA determination requires a tailored NEPA provision.

SIGNATURE OF THIS MEMORANDUM CONSTITUTES A RECORD OF THIS DECISION.

NEPA Compliance Officer Signature: _____

 Electronically Signed By: Kristin Kerwin
NEPA Compliance Officer

Date: 1/18/2018

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: _____

Date: _____

