

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



**RECIPIENT:** Pacific Ocean Energy Trust

**STATE:** OR

**PROJECT TITLE :** Network Director for the TEAMER Program

**Notice of Funding Opportunity Number**  
DE-FOA-0002012

**Procurement Instrument Number**  
DE-EE0008895

**NEPA Control Number**  
GFO-0008895-036

**CID Number**  
GO8895

**Based on my review of the information concerning the proposed action, as NEPA Compliance Officer (authorized under DOE Policy 451.1), 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.)

**A11 Technical advice and assistance to organizations**

Technical advice and planning assistance to international, national, state, and local organizations.

**B3.6 Small-scale research and development, laboratory operations, and pilot projects**

Siting, construction, modification, operation, and decommissioning of facilities for smallscale research and development projects; conventional laboratory operations (such as preparation of chemical standards and sample analysis); and small-scale pilot projects (generally less than 2 years) frequently conducted to verify a concept before demonstration actions, provided that construction or modification would be within or contiguous to a previously disturbed or developed area (where active utilities and currently used roads are readily accessible). Not included in this category are demonstration actions, meaning actions that are undertaken at a scale to show whether a technology would be viable on a larger scale and suitable for commercial deployment.

**Rationale for determination:**

The U.S. Department of Energy (DOE) is proposing to provide federal funding to the Pacific Ocean Energy Trust (POET) to administer the Testing and Access for Marine Energy Research (TEAMER) program. POET would collaborate with a Technical Board (TB) which would include representatives from DOE, DOE National Laboratories, and National Marine Renewable Energy Centers. The primary objective of TEAMER is to provide marine energy (ME) technology developers access to a network of facilities within the U.S. which provide testing and modeling assistance for ME technologies. Developers would apply for assistance through a competitive process.

DOE previously completed NEPA reviews which apply to all tasks. Considering the dynamic nature of TEAMER, however, POET conducts periodic reviews of facilities that request to join the TEAMER facility network. Any facility that requests to join the network or modify their existing support capabilities is subject to additional NEPA review in addition to a separate review conducted by POET and the TB.

For this review, the facility identified by POET is:

1. Michigan Technological University (MTU; Wave Lab and Wave Tank) in Houghton, MI. At the Wave Lab, MTU would provide technical support through numerical modeling and analysis. At the Wave Tank, MTU would provide technical support through wave tank testing. The wave tank is a 10-meter (m) x 3-m x 1-m tank with eight independently controlled paddles that generate custom wave fields which propagate towards a 3-m long curved high density polyethylene plastic beach. A glass wall spans the tank length, allowing observation and imaging of underwater experiments. MTU's research group supports advanced marine and renewable energy research with a focus on wave energy converter modeling, simulation, control design and implementation, and real-time data acquisition through wave tank experiments.

The facility identified above is a preexisting, purpose-built facility that regularly engages in the types of work that may be conducted for technical support recipients. Existing university health, safety, and environmental policies and procedures would be followed during all proposed activities.

DOE has considered potential impacts on resources, including those of an ecological, historical, cultural, and socioeconomic nature. DOE does not anticipate adverse impacts on these resources.

If additional facilities are identified beyond those reviewed in this or previous determinations, or if the type of assistance offered by an approved facility is modified, additional NEPA reviews must be completed regarding those proposed changes.

EERE is aware of the November 12, 2024, decision in *Marin Audubon Society v. FAA*, No. 23-1067 (D.C. Cir. Nov. 12, 2024). To the extent that a court may conclude that the Council on Environmental Quality (CEQ) regulations implementing NEPA are not judicially enforceable or binding on this agency action, EERE has nonetheless elected to follow those regulations at 40 C.F.R. Parts 1500-1508, in addition to DOE's procedures/regulations implementing NEPA at 10 C.F.R. Part 1021, to meet the agency's obligations under NEPA, 42 U.S.C. §§ 4321 et seq.

## NEPA PROVISION

DOE has made a conditional NEPA determination.

The NEPA Determination applies to the following Topic Areas, Budget Periods, and/or tasks:

All tasks are approved; however, selection of additional facilities, new activities, and Technical Support Recipients (TSRs) are subject to additional NEPA review.

The following facility is approved to join the TEAMER facility network and provide technical support as described in this NEPA Determination:

### 1. Michigan Technological University (Wave Lab and Wave Tank) in Houghton, MI

The NEPA Determination does not apply to the following Topic Area, Budget Periods, and/or tasks:

Selections of additional facilities, new activities, and TSRs. Such additions are subject to additional NEPA review. All technical support activities must be completed by pre-approved facilities and must be the type of work which a signed NEPA Determination applies to.

Notes:

Water Power Technologies Office (WPTO)  
NEPA review completed by Melissa Parker, 01/14/25

## FOR CATEGORICAL EXCLUSION DETERMINATIONS

The proposed action (or the part of the proposal defined in the Rationale above) fits within a class of actions that is listed in Appendix A or B to 10 CFR Part 1021, Subpart D. To fit within the classes of actions listed in 10 CFR Part 1021, Subpart D, Appendix B, a proposal must be one that would not: (1) threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health, or similar requirements of DOE or Executive Orders; (2) require siting and construction or major expansion of waste storage, disposal, recovery, or treatment facilities (including incinerators), but the proposal may include categorically excluded waste storage, disposal, recovery, or treatment actions or facilities; (3) disturb hazardous substances, pollutants, contaminants, or CERCLA-excluded petroleum and natural gas products that preexist in the environment such that there would be uncontrolled or unpermitted releases; (4) have the potential to cause significant impacts on environmentally sensitive resources, including, but not limited to, those listed in paragraph B(4) of 10 CFR Part 1021, Subpart D, Appendix B; (5) involve genetically engineered organisms, synthetic biology, governmentally designated noxious weeds, or invasive species, unless the proposed activity would be contained or confined in a manner designed and operated to prevent unauthorized release into the environment and conducted in accordance with applicable requirements, such as those listed in paragraph B(5) of 10 CFR Part 1021, Subpart D, Appendix B.

There are no extraordinary circumstances related to the proposed action that may affect the significance of the environmental effects of the proposal.

The proposed action has not been segmented to meet the definition of a categorical exclusion. This proposal is not connected to other actions with potentially significant impacts (40 CFR 1508.25(a)(1)), is not related to other actions with individually insignificant but cumulatively significant impacts (40 CFR 1508.27(b)(7)), and is not precluded by 40 CFR 1506.1 or 10 CFR 1021.211 concerning limitations on actions during preparation of an environmental impact statement.

A portion of the proposed action is categorically excluded from further NEPA review. The NEPA Provision identifies Topic Areas, Budget Periods, tasks, and/or subtasks that are subject to additional NEPA review.

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

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



Electronically Signed By: **Andrew Montano**

NEPA Compliance Officer

Date: **1/15/2025**

**FIELD OFFICE MANAGER DETERMINATION**

☒ Field Office Manager review not required

☐ Field Office Manager review required

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

Field Office Manager's Signature: \_\_\_\_\_

Field Office Manager

Date: \_\_\_\_\_