

PMC-ND  
(1.08.09.13)

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



**RECIPIENT:**Public Utility District No.1 of Snohomish County

**STATE:** WA

**PROJECT TITLE :** Puget Sound Pilot Tidal Energy Project

<b>Funding Opportunity Announcement Number</b>	<b>Procurement Instrument Number</b>	<b>NEPA Control Number</b>	<b>CID Number</b>
DE-FOA-0000293	DE-EE0003648	GFO-0003648-002	GO3648

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:

<b>A9 Information gathering, analysis, and dissemination</b>	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.)
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**Rationale for determination:**

DOE is proposing to provide funding to Snohomish Public Utility District (SnoPUD) for preliminary project activities while the FERC/DOE Environmental Assessment and FERC license agreement are completed. This NEPA determination applies to the following proposed preliminary activities:

- Engage stakeholders and all necessary regulatory agencies to ensure that all required documentation has been submitted for the necessary project permits or authorizations. This work does not include any preliminary studies for the Environmental Assessment; it is comprised of paperwork completion and meeting participation only.
- Complete the preliminary engineering designs for the entire project. This includes the project site, power cables, monitoring infrastructure, data acquisition system, and on-shore power station. Upon completion of this subtask, all designs will be in a near-final design stage, but will not be finalized.
- Develop and post requests for proposals (RFPs) for all subcontractor work under the grant. The proposals will be reviewed and top bidders selected for further negotiations. No final contracts will be executed under this subtask.
- Develop the construction management plan in order to ensure proper communication during the project period. This subtask involves research and planning activities and not the execution of any construction.

DOE has determined that impacts to the natural and human environment is expected to be negligible and that the proposed preliminary activities are consistent with actions covered under DOE CX A9 (information gathering, data analysis, document preparation and dissemination, and informational programs) and therefore is categorically excluded from further NEPA review.

This NEPA Determination does not apply to the following tasks:

- Final Design, Equipment Procurement, Assembly, and Construction
- Sea Trialing, Deployment, Subsea Connection, Testing
- Operation, Evaluation, and Removal

The activities that are not covered by this NEPA Determination are currently being evaluated in the ongoing Environmental Assessment (DOE/EA1949). Activities proposed under these tasks are unallowable pending a final NEPA determination. The C12 determination signed on June 27, 2012 still applies to these tasks.

DOE will make a Go/No-Go Decision at the conclusion of Budget Period 1.

#### 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:

- Final Design, Equipment Procurement, Assembly, and Construction
- Sea Trialing, Deployment, Subsea Connection, Testing
- Operation, Evaluation, and Removal

This restriction does not preclude you from:

The proposed preliminary activities identified in the determination above.

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 :

NEPA review completed by Laura Margason on July 25, 2013. Revised by K Kerwin August 13, 2013.

This project contains activities that are currently unallowable pending the completion of an EA and final NEPA determination. Please ensure that funds for this project are placed on ASAP Approval or ACH.

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

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

 Electronically  
Signed By: Kristin Kerwin  
NEPA Compliance Officer

Date: 8/13/2013

#### 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: \_\_\_\_\_