

PMC-EF2a

(2.04.02)

U.S. DEPARTMENT OF ENERGY
EERE PROJECT MANAGEMENT CENTER
NEPA DETERMINATION



RECIPIENT:ND Department of Commerce

STATE: ND

PROJECT TITLE : Lake Region State College Wind turbine Project

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
DE-FOA-0000052	DE-EE0000142	GFO-09-267-004	0

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:

C12 Siting, construction, and operation of energy system prototypes including, but not limited to, wind resource, hydropower, geothermal, fossil fuel, biomass, and solar energy pilot projects.

Rational for determination:

The North Dakota Department of Commerce is proposing to provide \$1,000,000 of Recovery Act funds to Lake Region State College to purchase and install a single 1.5 MW wind turbine on state owned land just north of the campus in Devils Lake, ND. The electricity generated by the turbine will replace fossil fuel generated power on campus. The turbine will also provide an educational resource for the college's wind technician program. The turbine would have a 250 foot rotor diameter blade, the tip of which is expected to extend approximately 390 feet in height. The proposed site contains wetlands and is in close proximity to the town of Devils Lake and the Fort Totten Indian Reservation.

Due to the structure size, close proximity to a town and Indian reservation, and site location on a wetland, existing and potential impacts are unknown at this time. Per the DOE NEPA implementing regulations (Appendix C to Subpart D to 10 CFR Part 1021 - C12, as noted above), preparation of an Environmental Assessment is required prior to allowing federal funds for this proposed project.

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:

DOE funds are not authorized for project site prep and all installation activities pending outcome of the Environmental Assessment.

This restriction does not preclude you from:

North Dakota Department of Commerce is authorized to initiate the preparation of an EA by a third-party contractor, consistent with DOE NEPA implementing regulations. DOE, North Dakota Department of Commerce and the third-party contractor shall enter into a Memorandum of Agreement (MOA) defining the scope of services to be completed by the third-party contractor on behalf of DOE.

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.

Insert the following language in the award:

You are required to:
Conduct an Environmental Assessment (EA) following the guidelines and protocol established by the DOE Golden Field Office (GO). The EA must be submitted to GO for review. Work on this project can not commence until a Findings of No Significant Impact (FONSI) is issued by GO.

Note to Specialist :

According to the project officer, funding for this project is estimated at \$1,000,000. The recipient must prepare an Environmental Assessment and receive notice of a FONSI before work can begin on the project.

SIGNATURE OF THIS MEMORANDUM CONSTITUTES A RECORD OF THIS DECISION.

NEPA Compliance Officer Signature: _____
NEPA Compliance Officer

Date: 5/25/10
5/25/2010

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: 5/28/10