



U.S. Department of Energy Categorical Exclusion Determination Form

Proposed Action Title: Lease Extensions to Continue Research Operations at 717 Potter Street, Berkeley, CA (LB-CX-15-01)

Program or Field Office: Berkeley Site Office

Location(s) (City/County/State): Berkeley, California

Proposed Action Description:

The U. S. Department of Energy (DOE) proposes to extend an existing lease of an approximately 96,000 square foot research laboratory located at 717 Potter Street, Berkeley, CA, to conduct research in the areas of cancer, deoxyribonucleic acid (DNA) damage and repair, radiation biology, genome structure and function, neurodegenerative diseases, structural biology, bio-fuel production, and bioremediation. The facility contains laboratories, offices, and support facilities; and the existing research operations in the leased area would remain unchanged. A categorical exclusion (CX) determination for the original lease was approved on December 7, 2004; and a subsequent CX determination lease extension was approved on July 8, 2010. Since leases for the various suites within the facility expire at various times, this proposed CX determination would extend the lease extension for this facility through December 2025. The building is located in the city of Berkeley which is a commercially zoned area.

Categorical Exclusion(s) Applied:

B1.24 - Property transfers

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

B3.12 - Microbiological and biomedical facilities

B3.15 - Small-scale indoor research and development projects using nanoscale materials

For the complete DOE National Environmental Policy Act regulations regarding categorical exclusions, including the full text of each categorical exclusion, see Subpart D of 10 CFR Part 1021.

Regulatory Requirements in 10 CFR 1021.410(b): (See full text in regulation)

The proposal 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 proposal that may affect the significance of the environmental effects of the proposal.

The proposal 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.

The above description accurately describes the proposed action, which reflects the requirements of the CX cited above. Therefore, I concur that the above description accurately describes the proposed action.

BSO Point of Contact: Rick Chapman R. Chapman **Date Determined:** 11/13/14

The above description accurately describes the proposed action, which reflects the requirements of the CX cites above. Therefore, I recommend that the proposed action be categorically excluded from further NEPA review and documentation.

BSO Program Point of Contact: Kim Abbott Kim Abbott Date Determined: 11/13/14

Based on my review of the proposed action, as NEPA Compliance Officer (as authorized under DOE Order 451.1B), I have determined that the proposed action fits within the specified class(es) of action, the other regulatory requirements set forth above are met, and the proposed action is hereby categorically excluded from further NEPA review.

NEPA Compliance Officer: Gary Hartman Gary S. Hartman Date Determined: 11/14/2014