

**U. S. DEPARTMENT OF ENERGY
OFFICE OF SCIENCE**

**NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)
ENVIRONMENTAL EVALUATION NOTIFICATION FORM**

To be completed by "financial assistance award" organization receiving Federal funding. For assistance (including a point of contact), see "Instructions for Preparing SC F-560, Environmental Evaluation Notification Form".

Solicitation/Award No. (if applicable): _____

Organization Name: Lawrence Berkeley National Laboratory

Title of Proposed Project/Research: Parcel Lease Extensions for the Leases Described in Appendix D to the Department of Energy (DOE)/University of California(UC) M&O Contract

Total DOE Funding/Total Project Funding: Zero

I. Project Description (use additional pages as necessary):

A. Proposed Project/Action (delineate Federally funded/Non-Federally funded portions)

The proposed action is to revise the terms of existing ground leases for parcels on land located within the LBNL boundaries as documented on the attached supplements. The parcels are described in the: Supplement 7 Occupancy Agreement and its Exhibit A (Amended) Lawrence Berkeley Laboratory Buildings University Of California, Berkeley, California Statement Delineating Structures And Improvements On The Regular University Campus Revised 2011; Supplement No. 7 Wilson Tract Berkeley, California; Supplement No. 4 State University Tract, Plots 80 & 82, Berkeley, California; Supplement 12 State University Tract, Simmons Plot, Berkeley, California; Supplement 7 State University Tract, Plot O, Berkeley, California; and Supplement No. 2 Bailey Tract. All other terms and conditions of the leases would not change and the land use of the leased parcels would not change.

B. Would the project proceed without Federal funding?

Yes No
 N/A

If "yes", describe the impact to the scope:

II. Description of Affected Environment:

The leases are for existing parcels within the boundaries of LBNL.

III. Preliminary Questions:

A. Is the DOE-scope of work entirely a "paper study"?

Yes No
☒ ☐

If "Yes", ensure that the description in Section I reflects this and go directly to Section V.

B. Will the work to be performed include work that will take place outside existing buildings?

☐ ☐

And:

- | | | | |
|----|---|--------------------------|--------------------------|
| 1. | Threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health? | ☐ | ☐ |
| 2. | Require the siting, construction or major expansion of waste treatment, storage, or | ☐ | ☐ |

- disposal facilities?
3. Disturb hazardous substances, pollutants, or contaminants preexisting in the environment? ☐ ☐
4. Adversely affect environmentally-sensitive resources identified in Section IV.A.? ☐ ☐
5. Be connected to another existing/proposed activity that could potentially create a cumulatively significant impact? ☐ ☐
6. Have an inherent possibility for high consequence impacts to human health or the environment (e.g., Biosafety Level 3-4 laboratories, activities involving high levels of radiation)? ☐ ☐

If "No" to Question III.B. and ALL six subsequent questions, ensure the descriptions in Sections I and II reflect this and go directly to Section V.

IV. Potential Environmental Effects:

Attach/insert an explanation for each "Yes" response.

A. Sensitive Resources: Will the proposed action result in changes and/or disturbances to any of the following resources?

- | | Yes | No |
|--|--------------------------|--------------------------|
| 1. Threatened/Endangered Species and/or Critical Habitats | ☐ | ☐ |
| 2. Other Protected Species (e.g., Burros, Migratory Birds) | ☐ | ☐ |
| 3. Sensitive Environments (e.g., Tundra/Coral Reefs/Rain Forests) | ☐ | ☐ |
| 4. Archaeological/Historic Resources | ☐ | ☐ |
| 5. Important Farmland | ☐ | ☐ |
| 6. Non-Attainment Areas for Ambient Air Quality Standards | ☐ | ☐ |
| 7. Class I Air Quality Control Region | ☐ | ☐ |
| 8. Special Sources of Groundwater (e.g. Sole Source Aquifer) | ☐ | ☐ |
| 9. Navigable Air Space | ☐ | ☐ |
| 10. Coastal Zones | ☐ | ☐ |
| 11. Areas with Special National Designation (e.g. National Forests, Parks, Trails) | ☐ | ☐ |
| 12. Floodplains and Wetlands | ☐ | ☐ |

B. Regulated Substances/Activities: Will the proposed action involve any of the following regulated items or activities?

- | | Yes | No |
|---|--------------------------|--------------------------|
| 13. Natural Resource Damage Assessments | ☐ | ☐ |
| 14. Exotic Organisms | ☐ | ☐ |
| 15. Noxious Weeds | ☐ | ☐ |
| 16. Clearing or Excavation (indicate if greater than one acre) | ☐ | ☐ |
| 17. Dredge or Fill (under Clean Water Act, Section 404, indicate if greater than ten acres) | ☐ | ☐ |

B. Regulated Substances/Activities: Will the proposed action involve any of the following regulated items or activities? (continued)

- | | Yes | No |
|--|--------------------------|--------------------------|
| 18. Noise (in excess of regulations) | ☐ | ☐ |
| 19. Asbestos Removal | ☐ | ☐ |
| 20. PCB's | ☐ | ☐ |
| 21. Import, Manufacture, or Processing of Toxic Substances | ☐ | ☐ |
| 22. Chemical Storage/Use | ☐ | ☐ |
| 23. Pesticide Use | ☐ | ☐ |
| 24. Hazardous, Toxic, or Criteria Pollutant Air Emissions | ☐ | ☐ |
| 25. Liquid Effluents | ☐ | ☐ |
| 26. Underground Injection | ☐ | ☐ |
| 27. Hazardous Waste | ☐ | ☐ |
| 28. Underground Storage Tanks | ☐ | ☐ |
| 29. Radioactive Mixed Waste | ☐ | ☐ |
| 30. Radioactive Waste | ☐ | ☐ |
| 31. Radiation Exposure | ☐ | ☐ |

32. Surface Water Protection
 33. Pollution Prevention Act
 34. Ozone Depleting Substances
 35. Off-Road Vehicles
 36. Biosafety Level 3-4 Laboratory

☐	☐
☐	☐
☐	☐
☐	☐
☐	☐

C. Other Relevant Information: Will the proposed action involve the following?

37. Potential Violation of Environment, Safety, or Health Regulations/Permits
 38. Siting/Construction/Major Modification of Waste Recovery, or Waste Treatment, Storage, or Disposal Facilities
 39. Disturbance of Pre-existing Contamination
 40. New or Modified Federal/State Permits
 41. Public Controversy
 42. Environmental Justice
 43. Action/Involvement of Another Federal Agency (e.g. license, funding, approval)
 44. Action of a State Agency in a State with NEPA-type law. (Does the State Environmental Quality Review Act apply?)
 45. Public Utilities/Services
 46. Depletion of a Non-Renewable Resource
 47. Extraordinary Circumstances
 48. Connected Actions
 49. Exclusively Bench-top Research
 50. Only a Laboratory Setting

Yes	No
☐	☐
☐	☐
☐	☐
☐	☐
☐	☐
☐	☐
☐	☐
☐	☐
☐	☐
☐	☐
☐	☐
☐	☐
☐	☐
☐	☐
☐	☐

V. M & O Contract Organization Concurrence:

A. Organization Official (Name and Title):

Signature: _____

e-mail: _____

Phone: _____

Date: _____

B. Optional Concurrence (Name and Title):

Signature: _____

e-mail: _____

Phone: _____

Date: _____

Remainder to be completed by SC

VI. SC Concurrence/Recommendation/Determination:

A. SC BSO:

Federal Project Director or Contract Specialist (Name and Title):

Spencer Peterson,
Contracting Specialist

Signature: _____

e-mail: _____

Date: 2-17-2011

B. SC NEPA Team Review:

Is the project/activity appropriate for a determination or a recommendation to the Head of the Field Organization by the NEPA Compliance Officer (NCO) under Subpart D of the DOE NEPA Regulations?

Yes ☐

No ☐

Specific classes of action from Appendices A-D to Subpart D (10 CFR 1021): A7

Name and Title: Kim Abbott NEPA Program Manager

Signature: Kim Abbotte-mail: kim.abbott@bso.science.doe.govDate: 2/17/2011C. SC ISC Counsel (if necessary):

Name and Title: _____

Signature: _____

Date: _____

e-mail: _____

D. SC ISC Field Office NEPA Compliance Officer:

The preceding pages are a record of documentation required under DOE Final NEPA Regulation, 10 CFR 1021.400.

- ☒ Action may be categorically excluded from further NEPA review. I have determined that the proposed action meets the requirements for Categorical Exclusion referenced above.
- ☐ Action requires approval by Head of the Field Organization. Recommend preparation of an Environmental Assessment.
- ☐ Action requires approval by Head of the Field Organization or a Secretarial Officer. Recommend preparation of an Environmental Impact Statement.

Comments/Limitations if necessary:

Print Name

Signature: James L. ElinoreJames L. Elinore
SC ORO NEPA Compliance OfficerDate: 2/17/2011

**SUPPLEMENT NO. 7
TO LEASE BETWEEN
THE REGENTS OF THE UNIVERSITY OF CALIFORNIA
AND
U.S. DEPARTMENT OF ENERGY**

Occupancy Agreement, Berkeley, California

This Supplement is entered into on January 31, 2011, to modify the Occupancy Agreement for property on Berkeley, California, dated June 28, 1948, between the United States of America (hereafter called the "Government"), acting through the U.S. Department of Energy (hereafter called "DOE"), as lessee and The Regents of the University of California, a California corporation (hereafter called "University") as lessor (the "Ground Lease").

PURPOSE

The purpose of this Supplement No. 7 is to extend the term of the Agreement until the end of the current LBNL Contract, currently May 31, 2014 or as further extended.

NOW THEREFORE, the parties hereby mutually agree to amend the Occupancy Agreement between the parties hereto, dated June 28, 1948, and Supplements No. 1 dated May 16, 1956, No. 2 dated October 24, 1961, No. 3 dated April 30, 1963, No. 4 dated December 2, 1964, No. 5 dated June 15, 1970, and No. 6 dated January 29, 1988. Exhibit A is attached.

Except as herein modified, all terms and conditions of the ground Lease shall remain in full force and effect.

UNITED STATES OF AMERICA
DEPARTMENT OF ENERGY

By: Spencer R. Peterson

Title: Spencer R. Peterson
Contracting Officer

Date: 1/31/2011

THE REGENTS OF THE
UNIVERSITY OF CALIFORNIA

By: Sandra M. Vinson
Sandra M. Vinson

Title: Director, Contracts & Administration
Laboratory Management, UCOP

Date: January 31, 2011

**OCCUPANCY AGREEMENT
EXHIBIT A (AMENDED)
LAWRENCE BERKELEY LABORATORY BUILDINGS
UNIVERSITY OF CALIFORNIA, BERKELEY, CALIFORNIA
STATEMENT DELINEATING
STRUCTURES AND IMPROVEMENTS
ON THE REGULAR UNIVERSITY CAMPUS**

REVISED 2011

<u>NUMBER</u>	<u>STRUCTURE</u>	<u>NUMBER</u>	<u>STRUCTURE</u>
4	Offices	40	Dry Lab, Assembly, & Storage
*5	Laboratories & Research Offices	41	FA Offices & Storage
14	Laboratories & Offices	43	Standby Gen. Shelter (Compressor House)
16	Laboratories & Research Offices	44	Dry Lab, Assembly & Storage
16A	Storage	44A	Trailers
25	Labs, Shops, & Offices	44B	Trailers
25A	Shop, Assembly, & Offices	45	Fire Apparatus
25B	Waste Treatment Unit Shelter	48	Fire Station
28	Radio Shelter Facility	48A	Storage Container
28RT	Radio Tower		

All of the above-listed structures are Government-owned except the Chemistry Building. It is intended that the Commission shall have the right during the term of this occupancy Agreement to continue to use the Building.

Utilities and Improvements Financed by Government

1. Access Road (known as Cyclotron Road) on regular university Campus.
 2. Roads and walks between Government-owned and occupied buildings.
 3. Electrical and mechanical utility systems serving Government-owned and occupied buildings.
- * Building No. 5 Chemistry (University-owned) and 1950 addition (Government-owned)
Building No. 32 (University-owned)

**SUPPLEMENT NO. 7
TO LEASE BETWEEN
THE REGENTS OF THE UNIVERSITY OF CALIFORNIA
AND
U.S. DEPARTMENT OF ENERGY
Wilson Tract, Berkeley, California**

This Supplement is entered into on January 31, 2011, to modify the lease of real property on the Wilson Tract, Berkeley, California Campus dated September 1, 1948, between the United States of America (hereafter called the "Government"), acting through the U.S. Department of Energy (hereafter called "DOE"), as lessee and The Regents of the University of California, a California corporation (hereafter called "University") as lessor (the "Ground Lease").

PURPOSE

The purpose of this Supplement No. 7 is to extend the term of the lease for parcels 1-7, 9-10, and 16, until the end of the current LBNL Contract, currently May 31, 2014 or as further extended.

NOW THEREFORE, the parties agree to revise the term of the Ground Lease as follows:

Tract/Parcel/Building ¹	From:	To:
Parcel 1 (Bldg 51, 51A, 56, 60, 63, 64)	07/14/1999	05/31/2014, or as further extended.
Parcel 2 (Bldg 46, 46A)	12/14/1998	05/31/2014, or as further extended.
Parcel 3 (Bldg 50)	09/13/1998	05/31/2014, or as further extended.
Parcel 4 (Bldg 70, 54A)	03/26/2003	05/31/2014, or as further extended.
Parcel 5 (Bldg 17, 27, 47, 52, 52A, 53, 58A, 58, 58D)	12/17/2000	05/31/2014, or as further extended.
Parcel 6 (Bldg 55, 55A, 55B, 60 is also in Parcel 1)	02/14/2001	05/31/2014, or as further extended.
Parcel 7 (Bldg 71, 71A, 71B)	07/26/2005	05/31/2014, or as further extended.
Parcel 9 (Bldg 13B, 90)	05/04/2009	05/31/2014, or as further extended.
Parcel 10 (OSF: 13E, Bldg 65, 88, 88B, 88C, 88D)	08/27/2009	05/31/2014, or as further extended.
Parcel 16 (Bldg 50A, 50B, 50C, 50E, 50F)	10/30/2010	05/31/2014, or as further extended.

The following parcel term remains as follows:

Parcel 22 (Bldg 81, 82)	02/13/2017
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Except as herein modified, all terms and conditions of the ground Lease shall remain in full force and effect.

UNITED STATES OF AMERICA
DEPARTMENT OF ENERGY

By: Spencer R. Peterson
Title: Contracting Officer

Date: 1/31/2011

¹ Outside the parcel: 71K, 71X, 71D, 71W & 71T

THE REGENTS OF THE
UNIVERSITY OF CALIFORNIA

By: Sandra M. Vinson
Title: Director, Contracts & Administration
Laboratory Management, UCOP

Date: January 31, 2011

**SUPPLEMENT NO. 4
TO LEASE BETWEEN
THE REGENTS OF THE UNIVERSITY OF CALIFORNIA
AND
U.S. DEPARTMENT OF ENERGY**

State University Tract, Plots 80 & 82, Berkeley, California

This Supplement is entered into on January 31, 2011, to modify the lease of real property on the State University Tract, Plots 80 and 82, Berkeley, California, dated November 9, 1959, between the United States of America (hereafter called the "Government"), acting through the U.S. Department of Energy (hereafter called "DOE"), as lessee and The Regents of the University of California, a California corporation (hereafter called "University") as lessor (the "Ground Lease").

PURPOSE

The purpose of this Supplement No. 12 is to extend the term of the lease for parcel 11, until the end of the current LBNL Contract, currently May 31, 2014 or as further extended.

NOW THEREFORE, the parties agree to revise the term of the Ground Lease as follows:

Tract/Parcel/Building	From:	To:
Parcel 11 (Bldg 70A, 70B)	11/08/2009	05/31/2014, or as further extended.

The following parcel terms remain as follows:

Parcel 21 (Bldg 54)	03/01/2015
Parcel 5A (Bldg 2, 2A)	02/29/2036
Parcel 27 (Bldg 6, 10A, 80 & 80A, 15)	02/22/2037

Except as herein modified, all terms and conditions of the ground Lease shall remain in full force and effect.

UNITED STATES OF AMERICA
DEPARTMENT OF ENERGY

By: Spencer R. Peterson
Spencer R. Peterson
Contracting Officer
Title: _____

Date: 1/31/11

THE REGENTS OF THE
UNIVERSITY OF CALIFORNIA

By: Sandra M. Vinson
Sandra M. Vinson
Title: Director, Contracts & Administration
Laboratory Management, UCOP

Date: January 31, 2011

**SUPPLEMENT NO. 12
TO LEASE BETWEEN
THE REGENTS OF THE UNIVERSITY OF CALIFORNIA
AND
U.S. DEPARTMENT OF ENERGY**

State University Tract, Simmons Plot, Berkeley, California

This Supplement is entered into on January 31, 2011, to modify the lease of real property on the State University Tract, Simmons Plot, Berkeley, California, dated January 19, 1961, between the United States of America (hereafter called the "Government"), acting through the U.S. Department of Energy (hereafter called "DOE"), as lessee and The Regents of the University of California, a California corporation (hereafter called "University") as lessor (the "Ground Lease").

PURPOSE

The purpose of this Supplement No. 12 is to extend the term of the lease for parcels 14, 15, and 19, until the end of the current LBNL Contract, currently May 31, 2014 or as further extended.

NOW THEREFORE, the parties agree to revise the term of the Ground Lease as follows:

Tract/Parcel/Building	From:	To:
Parcel 14 (Bldg 33A, 73 & 73A)	10/12/2010	05/31/2014, or as further extended.
Parcel 15 (Bldg 74, 74F, 84 & 84B)	01/18/2011	05/31/2014, or as further extended.
Parcel 19 (Bldg 62, 62B)	11/30/2012	05/31/2014, or as further extended.

The following parcel terms remain as follows:

Parcel 23 (Bldg 61)	08/31/2019
Parcel 25 (Bldg 83, 86)	08/31/2028
Parcel 25A (Bldg 85 & 85A)	08/31/2041
Parcel 28 (Bldg 7A, 31, 31A, 66, 72, 72A, 72B, 72C, 67)	06/01/2053

Except as herein modified, all terms and conditions of the ground Lease shall remain in full force and effect.

UNITED STATES OF AMERICA
DEPARTMENT OF ENERGY

By: 
Title: Contracting Officer

Date: 1/31/2011

THE REGENTS OF THE
UNIVERSITY OF CALIFORNIA

By: 
Title: Director, Contracts & Administration
Laboratory Management, UCOP

Date: January 31, 2011

**SUPPLEMENT NO. 7
TO LEASE BETWEEN
THE REGENTS OF THE UNIVERSITY OF CALIFORNIA
AND
U.S. DEPARTMENT OF ENERGY**

State University Tract, Plot O, Berkeley, California

This Supplement is entered into on January 31, 2011, to modify the lease of real property on the State University Tract, Plots O, Berkeley, California, dated May, 1962, between the United States of America (hereafter called the "Government"), acting through the U.S. Department of Energy (hereafter called "DOE"), as lessee and The Regents of the University of California, a California corporation (hereafter called "University") as lessor (the "Ground Lease").

PURPOSE

The purpose of this Supplement No. 7 is to extend the term of the lease for parcels 12, 17, and 18, until the end of the current LBNL Contract, currently May 31, 2014 or as further extended.

NOW THEREFORE, the parties agree to revise the term of the Ground Lease as follows:

Tract/Parcel/Building	From:	To:
Parcel 12 (Bldg 33C, 68, 69, 75A, 75D, 75V, 75)	11/08/2009	05/31/2014, or as further extended.
Parcel 17 (Bldg 77, 77A, 77T, 77H, 77E, 77C, 77U, 79, 79A, 79B)	03/01/2012	05/31/2014, or as further extended.
Parcel 18 (Bldg 76, 76K, 76L, 78, 76A, 76M, 76N, 76J)	11/30/2012	05/31/2014, or as further extended.

The following parcel term remains as follows:

Parcel 29 (Bldg 36A and 36 Grizzly Peak Substation)	06/01/2053
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Except as herein modified, all terms and conditions of the ground Lease shall remain in full force and effect.

UNITED STATES OF AMERICA
DEPARTMENT OF ENERGY

By: Spencer R. Peterson
Spencer R. Peterson
Contracting Officer

Title: _____

Date: 1/31/2011

THE REGENTS OF THE
UNIVERSITY OF CALIFORNIA

By: Sandra M. Vinson
Sandra M. Vinson

Title: Director, Contracts & Administration
Laboratory Management, UCOP

Date: January 31, 2011

**SUPPLEMENT NO. 2
TO LEASE BETWEEN
THE REGENTS OF THE UNIVERSITY OF CALIFORNIA
AND
U.S. DEPARTMENT OF ENERGY**

Balley Tract

This Supplement is entered into on January 31, 2011, to modify the Bailey Tract, Berkeley, California, dated June 15, 1963, between the United States of America (hereafter called the "Government"), acting through the U.S. Department of Energy (hereafter called "DOE"), as lessee and The Regents of the University of California, a California corporation (hereafter called "University") as lessor (the "Ground Lease").

PURPOSE

The purpose of this Supplement No. 2 is to extend the term of the lease for parcel 20, until the end of the current LBNL Contract, currently May 31, 2014 or as further extended.

NOW THEREFORE, the parties agree to revise the term of the Ground Lease as follows:

Tract/Parcel/Building	From:	To:
Parcel 20 (Bldg 26)	06/15/2013	05/31/2014, or as further extended.

The following parcel term remains as follows:

Parcel 26 (Bldg 6, 7, 13H, 34, 37)	02/22/2037
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Except as herein modified, all terms and conditions of the ground Lease shall remain in full force and effect.

UNITED STATES OF AMERICA
DEPARTMENT OF ENERGY

By: Spencer R. Peterson

Spencer R. Peterson
Contracting Officer

Title:

Date: 1/31/2011

THE REGENTS OF THE
UNIVERSITY OF CALIFORNIA

By: Sandra M. Vinson

Sandra M. Vinson

Title: Director, Contracts & Administration
Laboratory Management, UCOP

Date: January 31, 2011

