

I INTRODUCTION

A. Purpose of the Environmental Impact Report

This document provides responses to comments received on the Draft Environmental Impact Report (Draft EIR) for the proposed Seismic Phase 2 project at the Lawrence Berkeley National Laboratory (LBNL) in Berkeley, California, and it includes revisions to the text and analysis in the Draft EIR made in response to comments. The Draft EIR identified significant impacts associated with the project, and examined alternatives and recommended mitigation measures that could avoid or reduce potential impacts.

This document, together with the Draft EIR, will constitute the Final EIR if the University of California (UC) Board of Regents (the Regents) certifies it as complete and adequate under the California Environmental Quality Act (CEQA).

B. Environmental Review Process

1. CEQA Process

The University of California (UC) is the lead agency for this EIR. This EIR has been prepared in compliance with CEQA and pursuant to the applicable provisions of the Amended University of California Procedures for Implementation of the California Environmental Quality Act (UC CEQA Procedures). This EIR uses CEQA significance thresholds included in the UC CEQA Procedures, unless otherwise stated.

According to CEQA, lead agencies are required to consult with public agencies having jurisdiction over a proposed project, and to provide the general public and project applicant with an opportunity to comment on the Draft EIR. This Final EIR has been prepared to respond to comments received on the Draft EIR and to clarify any errors, omissions, or misinterpretations of discussions of findings in the Draft EIR.

The Draft EIR was made available for public review on January 29, 2010. The Draft EIR was distributed to local and State responsible and trustee agen-

cies and the general public was advised of the availability of the Draft EIR through public notice published in the local newspaper and on the LBNL website as required by law. On Thursday February 25, 2010, a public hearing was held on the Draft EIR during the official public review period. The meeting was held at the North Berkeley Senior Center, located at 1901 Hearst Avenue from 7:00 to 9:00 p.m. The CEQA-mandated 45-day public comment period ended on May 15, 2010.

Copies of all written comments received on the Draft EIR are contained in this document. A transcript of oral comments made at the February 25, 2010 public hearing is also included. These comments and responses to these comments are set out in Chapter 5 of this Final EIR.

2. NEPA Process

The Department of Energy (DOE) issued a notice of intent to prepare an environmental assessment (EA) pursuant to the National Environmental Policy Act (NEPA) on November 25, 2008 to the same list of interested parties as for the CEQA EIR. The Draft EA is scheduled for release in the summer of 2010. Federal decision-makers will use the EA conclusions to determine whether a Finding of No Significant Impact (FONSI) or an Environmental Impact Statement (EIS) is appropriate.

C. Modifications to the Seismic Phase 2 Project

Since the publication of the Draft EIR, planning decisions made by UC LBNL management regarding future space needs have necessitated the revision of plans for the relocation of UC LBNL personnel associated with the proposed project. It was initially envisioned that approximately 100 UC LBNL life science personnel would relocate to a new general purpose laboratory (GPL) proposed for construction at the LBNL main hill site from off-site locations such as the 717 Potter Street facility in Berkeley and the Donner Laboratory on the UC Berkeley Campus. In line with recent UC LBNL planning decisions, however, the Seismic Phase 2 project description has been refined so that those 100 UC LBNL staff would remain in place at off-site

facilities and the proposed GPL space would be used to provide laboratory and office space for UC LBNL personnel already at the main hill site, as well as for the co-location of related programs. In the course of this co-location, approximately 30 researchers would transfer from the adjacent UC Berkeley campus; however, several of these researchers already work on the LBNL main hill site or travel there regularly for meetings. UC Berkeley researchers would not be issued parking passes and would either walk, bicycle, or use the shuttle service to get to and from the LBNL main hill site. The addition of 30 or so UC Berkeley researchers represents an increase of less than 1 percent over the 2006 average daily population (ADP) of 3,650 personnel of the LBNL main hill site. As a result, there would be only a negligible increase in ADP of the LBNL main hill site and no increase in the number of vehicle commute trips.

To reflect the modifications to the Seismic Phase 2 project, the proposed project objectives have been refined as follows:

- ◆ Remedy high seismic life safety risks in general purpose research facilities and lab-wide resource buildings.
- ◆ Provide researchers with safe, modern, life science research space that is fully suitable for 21st century science.
- ◆ Provide general-purpose research and institutional space that is upgradeable and that may flexibly meet the high accuracy requirements of DOE's 21st century missions. High accuracy laboratory space is essential for the continued development of DOE's key program areas.
- ◆ Increase efficiency of UC LBNL research operations and promote scientific adjacencies by offering modern, cost-effective consolidated space at the LBNL main hill site.
- ◆ Co-locate researchers and graduate students within a cluster of research facilities to expand opportunities for instrument sharing and interacting among life scientists engaged in a wide range of research projects.

- ◆ Locate consolidated life science research functions adjacent to the Nanosciences/Molecular Foundry Research cluster to strengthen ties and interaction between these two emerging and related areas of research.
- ◆ Construct a General Purpose Lab to provide replacement space that complies with DOE policy regarding LEED certification and thereby earns a LEED gold certification.

Additionally, the UC Richmond Field Station (RFS) Alternative has been updated on the basis of new, site-specific information that has become available since the publication of the Seismic Phase 2 Draft EIR in January 2010. This new information allows for a more refined analysis of the RFS Alternative; however, the conclusions of the RFS Alternative analysis in Chapter 5 of the Draft EIR remain unchanged.

D. Validity of the EIR Analysis for the Modified Project

The review process mandated by CEQA is iterative, including multiple opportunities for public comment and for project changes in response to those comments. It is not uncommon for a proposed project to evolve during the EIR process, so that the draft presented at the time of the Draft EIR has been revised by the time of the Final EIR. CEQA Guidelines Section 15088.5 addresses this situation, explaining how to evaluate whether changes to the project/plan (and to the Draft EIR's analysis and conclusions) necessitate recirculation of the Draft EIR prior to preparation of a Final EIR.

Under CEQA, recirculation of the Draft EIR is required when there is significant new information about the project or its impacts. Significant new information means disclosure of either a new significant impact, a substantial increase in the severity of an impact (unless mitigation measures are adopted that reduce the impact to a level of insignificance), or a feasible alternative or mitigation measure considerably different from others already analyzed that would clearly lessen significant impacts of the project but that the project proponents decline to adopt. Recirculation is also required if a Draft EIR is

so inadequate that meaningful public review and comment was precluded. However, recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.

In the current instance, the changes to the proposed project described above and the language added to the EIR as a result of comments received during the public review period (described in Chapter 3 of the Final EIR) do not constitute significant new information. Overall, the changes to the proposed project described above reduce the environmental impacts because the ADP of the LBNL main hill site would no longer increase by 100 people and there would no longer be an associated increase in the number of vehicle commute trips. The proposed project would therefore not contribute to significant, unavoidable traffic impacts on local roadways in the City of Berkeley. As a result of these changes, there would be no new significant or substantially more severe impacts or new mitigation measures that were not already included in the Draft EIR, and consequently recirculation of the Draft EIR is not required.

The conclusions of the Off-Site Leased Space Alternative analysis in Chapter 5 of the Draft EIR remain unchanged, although the total number of employees that would be relocated to the Potter Street facility or other nearby buildings would increase by 100 under the Off-Site Leased Space Alternative.

E. Document Organization

This document is organized into the following chapters:

- ◆ Chapter 1: Introduction. This chapter discusses the use and organization of this Final EIR.
- ◆ Chapter 2: Report Summary. This chapter is a summary of the findings of the Draft and the Final EIR. It has been reprinted from the Draft EIR with necessary changes made in this Final EIR.

- ◆ Chapter 3: Revisions to the Draft EIR. Corrections to the text and graphics of the Draft EIR are contained in this chapter. Underline text represents language that has been added to the EIR; text with ~~strike-through~~ has been deleted from the EIR.
- ◆ Chapter 4: List of Commentors. Names of agencies and individuals who commented on the Draft EIR are included in this chapter.
- ◆ Chapter 5: Comments and Responses. This chapter contains reproductions of the letters received from agencies and the public on the Draft EIR. The responses are keyed to the comments which precede them.