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U. S. DEPARTMENT OF ENERGY
OFFICE OF SCIENCE -- CHICAGO OFFICE

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-CH F-560, Environmental Evaluation Notification Form".

Solicitation/Award No. (if applicable): CH-09CH11561

Organization Name: California State University - San Bernardino

Title of Proposed Project/Research: Reaching for the Stars - Cal State University San Bernardino Observatory Project

Total DOE Funding/Total Project Funding: $554,915/$3,396,500

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

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

The proposed project involves construction of the first educational astronomical observatory in southern California. The DOE funds, when joined with other contributed funding, will support the construction of two domed structures and the public restroom facility on Little Badger Hill on the CSU San Bernardino campus. Each domed facility will be 480 sq. ft. with a lower level of 1187 sq. ft. for storage. The separate restroom and electrical room facility will be 742 sq. ft with a transformer pad of 139 sq. ft. The gross building area will be 3028 sq. ft. The balance of the project includes a concrete plaza area, fire truck turnaround, concrete paved road and parking. One domed structure will be equipped with an optical telescope coupled with a CCD camera and the second domed structure will house a larger aperture reflecting telescope equipped with UBVRI filters.

DOE funding was provided by Congressional mandate in Public Law 111-8 and was made available in the Chicago Financial Plan.

B. Would the project proceed without Federal funding? Yes ☐ No ☒

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

II. Description of Affected Environment:

The project site is located within the campus of California State University, San Bernardino on a western knoll of Badger Hill in the northeast quadrant of the campus (see attached campus map and photographs of the site). The site is currently undisturbed except for a few dirt roads. The gross building area is expected to cover 3028 sq. ft. CSU has performed a comprehensive evaluation of the potential impacts and appropriate mitigation measures for this project in accordance with the State CEQA Guidelines. The University submitted a Mitigated Negative Declaration for the project in April 2002. The State Clearinghouse submitted the Negative Declaration to selected state agencies for review and no state agencies submitted comments. The State Clearinghouse letter of May 2002 indicates that CSU has complied with the review requirements pursuant to CEQA. A copy of this letter is attached. Also attached is an e-mail notification from the Fish and Wildlife Service agreeing with the protocol proposed to protect migratory birds and ensure consistency with the MIgratory Bird Treaty Act (MBTA).

III. Preliminary Questions:

		Yes	No
A.	Is the DOE-funded work *entirely* a "paper study"?	☐	☒

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

		Yes	No
B.	Will the work to be performed take place *entirely* in existing buildings?	☐	☒

*And **NOT**:*

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 "Yes" 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 SEE ATTACHED	☒ pb	☒
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) SEE ATTACHED	☒ pb	☒
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?

		Yes	No
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?) SEE ATTACHED	☒	☒
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	☐	☒

V. Financial Assistance Award Organization Concurrence:

A. Organization Official (Name and Title): Charles Stanley

Signature: CH Stanley Date: 6/1/09

e-mail: cstanley@csusb.edu Phone: 909-537-3914

B. Optional Concurrence (Name and Title): B. Robert Carlson

Signature: B Robert Carlson Date: 6/1/09

e-mail: carlson@csusb.edu Phone: 909-537-5300

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Remainder to be completed by SC-CH

VI. SC-CH Concurrence/Recommendation/Determination:

A. SC-CH Office of Acquisition and Assistance or Office of Safety, Technical & Infrastructure Services:

Project Director or Contract Specialist (Name and Title): PATRICK BREWINGTON, PROJECT DIRECTOR

Signature: [signature] Date: 01/14/2010

B. SC-CH 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 ☐ B1.15

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

Name and Title: JAMES OPRZEDEK

Signature: [signature] Date: 1/27/10

C. SC-CH Counsel (if necessary):

Name and Title: N/A

Signature: Date:

D. SC-CH 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:

Signature: [signature] Date: 1/27/10

Peter R. Siebach
SC-CH NEPA Compliance Officer

California State University (CSU) San Bernardino EENF Corrections

The university's EENF form has been updated to provide clarification on the following checklist items that were initially marked "No".

Item #4, Archeological/Historic Resources

This item should have been marked "YES". Because this project involves construction, CSU was advised by DOE to engage a consultant to perform a cultural resources investigation of the proposed Observatory project area in order to satisfy the federal requirements under Section 106. This investigation was completed in October 2009, with a finding of no adverse effects on cultural resources. The State of California SHPO was then notified by DOE of the determination.

Item #16, Clearing or Excavation

This item should have been checked "YES" because the project site is located on an area of approximately five acres. The area is described in detail in the grantee's Biological Assessment document that was part of the grantee's application for federal assistance.

Item #44, Action of a State Agency in a State with NEPA-type law

The State of California does have a NEPA-type law. The university followed State CEQA guidelines when evaluating the potential impacts and appropriate mitigation measures for their project and contacted the State Clearinghouse upon completion of their review with the submittal of a Negative Declaration of impacts.

I have corrected the university's EENF form and signed as the DOE project director.

Patrice Brewington
Program Support Services
Chicago Office
Department of Energy

January 27, 2010