

**CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS IN
CONNECTION WITH THE
APPROVAL OF DESIGN, BERKELEY WAY WEST
BERKELEY CAMPUS**

I. CONSIDERATION OF 2020 LRDP FEIR (1/05) AND ADDENDUM

Pursuant to the California Environmental Quality Act, Public Resources Code Sections 21000 *et seq.* (“CEQA”) and the State CEQA Guidelines, Title 14, California Code of Regulations, Sections 15000 *et seq.* (“CEQA Guidelines”), the Board of Regents of the University of California (the “University”), or its delegate (collectively referred to herein as the “University”), has considered the Final Environmental Impact Report prepared for the University of California, Berkeley’s (“UC Berkeley” or “Berkeley campus”) 2020 Long Range Development Plan (“LRDP”), State Clearinghouse Number 2003082131, which was certified by the University in January 2005, as amended by Addendum #5 thereto which analyzed Amendment #1 to the 2020 LRDP to address climate change and was approved by the University in July 2009 (collectively, the “2020 LRDP FEIR”) and the Berkeley Way West Addendum thereto, dated April 2015, including all comments received on the Berkeley Way West Addendum and the University’s responses, for the University’s design approval of the Berkeley Way West (“Berkeley Way West Addendum”). The University certifies that the 2020 LRDP FEIR and Berkeley Way West Addendum have been completed in compliance with CEQA and the CEQA Guidelines. The University further certifies that the information contained in the 2020 LRDP FEIR and Berkeley Way West Addendum reflects the independent judgment and analysis of the University.

The 2020 LRDP FEIR, including the information contained in Addendum #5 and the Berkeley Way West Addendum and all comments and responses thereto, contains the environmental analysis and information necessary to support approval of the Berkeley Way West project (hereafter, the “Proposed Action”), as set forth in Section III, below.

II. FINDINGS

The following Findings are hereby adopted by the University as required by Public Resources Code Sections 21081, 21081.5, 21081.6, and 21166, and CEQA Guidelines Sections 15091, 15092, 15162, 15164, 15168, 15303, and 15304 in conjunction with the approval of the proposed action, which is set forth in Section III, below.

A. Description of Proposed Action

The University of California, Berkeley would construct a new academic building of up to 325,000 gross square feet (GSF) (approximately 199,590 assignable square feet, or ASF) upon the western portion of the block bounded by Oxford, Shattuck, Hearst and Berkeley Way in the City of Berkeley, CA. The proposed project, referred to as Berkeley Way West, would replace existing Tolman Hall on the core campus of UC Berkeley, a 247,000 GSF (138,600 assignable square feet, or ASF) concrete academic building that has a seismic rating of poor and is the campus’ most urgent priority for seismic remediation--upon completion and occupancy of space at Berkeley Way West, Tolman Hall would be demolished. A former state-owned laboratory and

office building at the Berkeley Way site was demolished in 2010 and temporary surface parking for the University has been an interim use of the site. Approximately 188 parking spaces serving UC Berkeley affiliates, including 135 striped parking spaces, will be removed by construction of the project; following occupancy of the new building and demolition of Tolman Hall, these spaces are expected to be replaced on an interim basis at the Tolman site although this latter element is not part of the funded project at this time.

The new building will house the School of Education and the Department of Psychology, currently housed in Tolman Hall. The new building will also house the School of Public Health, currently located in interim space in University Hall. The program for these units, using modern programming and anticipating building efficiencies not common when earlier buildings were planned, totals 230,000 GSF and is comprised of classrooms, offices, open workstations, and collaborative space. Peak occupancy of the building by employees (when all work spaces are occupied) is anticipated to be approximately 1140 people.

The University proposes to maximize the development potential of the site to provide for potential future University needs. The building area beyond that required to meet the University's current needs (approximately 95,000 GSF) would be leased by the University or private developer to private office tenants — ideally tenants with an affiliation with the University. The private tenant occupancy for an interim period would allow the University to afford the expanded space, capitalizing on an opportunity to meet space demand despite limited funding. Once revenue goals are met, the space would revert to University occupancy.

To activate the pedestrian environment along Shattuck Avenue the building will provide approximately 7,000 to 7,500 ASF of retail space on the western edge of the ground floor of the building.

Planning for the Project is guided by both the UC Berkeley 2020 LRDP and the City of Berkeley Downtown Area Plan, developed by both a citizen advisory group and the city's Planning Commission and adopted by the Berkeley city council in 2012. Under the framework established in the UC Berkeley 2020 Long Range Development Plan, the site is within the City Environs - Adjacent Blocks West. The Project is also consistent with the UC Berkeley Physical Design Framework, presented to the University of California Regents in November 2009: the orthogonal forms of the building reinforce the urban fabric; the façade is finished in a tripartite expression; the building aims to blend concepts of civic and campus expression; the site plan implemented by the project creates public and protected places of interaction; the materials for the site and building are sympathetic to their context.

The site for the project is governed by the 2020 LRDP. The project would be located in the area designated in the 2020 LRDP as the Adjacent Blocks West. The 2020 LRDP anticipated up to 800,000 net new gross square feet of academic and support space would be developed on the Adjacent Blocks West over the lifetime of the 2020 LRDP, and over 2.2 million net new gross square feet within the entire area governed by the 2020 LRDP (2020 LRDP EIR Vol 3a, 3.1-14). These growth envelopes were analyzed in the 2020 LRDP EIR. The project would result in space levels below levels anticipated in the 2020 LRDP.

B. Environmental Review Process

In January 2005, the University certified the 2020 LRDP FEIR in accordance with CEQA, the CEQA Guidelines and the University of California Procedures for Implementation of CEQA, and adopted the 2020 LRDP. Both the 2020 LRDP and the 2020 LRDP FEIR analyzed the scope and nature of development proposed to meet the goals of the University at the Berkeley campus through academic year 2020-2021, including projects of growth in both campus headcount and campus space during this timeframe. The 2020 LRDP anticipated over 2.2 million net new gross square feet (gsf) of academic and support space within the entire area governed by the 2020 LRDP, including up to 1 million on the Campus Park. The 2020 LRDP FEIR identified measures to mitigate, to the extent feasible, the significant adverse project and cumulative impacts associated with growth of the UC Berkeley campus under the 2020 LRDP.

In June 2009, UC Berkeley published a proposed amendment to the 2020 LRDP, Sustainable Campus chapter, to reflect existing campus commitments to address climate change. The 2020 LRDP Amendment #1 reflects campus policy, including: “Design all aspects of new projects to achieve short term and long term climate change emission targets established in the campus climate action plan.” UC Berkeley targets achievement of 1990 greenhouse gas emission levels by 2014, six years ahead of state-mandated targets, and climate neutrality as soon as possible but not later than 2050. The amendment links the 2020 LRDP and the campus climate action plan, which is updated annually: see <http://sustainability.berkeley.edu/calcap/>.

Amendment #1 to the 2020 LRDP was approved by the University in July 2009 based on Addendum #5 to the certified 2020 LRDP FEIR. Addendum #5 was published in advance of consideration of the 2020 LRDP Amendment, and the 2020 LRDP Amendment was approved in July 2009 by the University, following review and consideration of comments from community members. Addendum #5 described existing climate change conditions and evaluated the potential for development under the 2020 LRDP, with minor amendments to reflect current campus policy, to affect climate change. Addendum #5 provided a summary of the current regulatory framework applicable to climate change, discussing the applicable federal, state, regional, and local agencies that regulate, monitor, and control greenhouse gas (GHG) emissions. Addendum #5 discussed the existing global, national, and statewide conditions for GHG and global climate change and evaluated the potential impacts on global climate from the implementation of the 2020 LRDP, as amended, to document existing UC Berkeley climate action strategies. Addendum #5 concluded that the proposed amendment to the 2020 LRDP Sustainable Campus chapter did not trigger a need to prepare a subsequent EIR or supplement to the 2020 LRDP FEIR. The Project complies with University policies on sustainable practices. See <http://tinyurl.com/UCBClimate> for documents and information.

Pursuant to CEQA section 21166 and CEQA Guidelines section 15162, no additional environmental review shall be prepared for a project unless the public agency with the next discretionary approval determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:

(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

If none of the conditions described in CEQA Guidelines Section 15162, above, requires the preparation of a subsequent EIR, the University may prepare an addendum if some changes or additions to the 2020 LRDP FEIR are necessary.

The Berkeley Way West Addendum was prepared in compliance with CEQA Section 21166 and CEQA Guidelines Section 15162 to examine the potential environmental impacts of approving the Proposed Action. The Berkeley Way West Addendum analyzes the impacts of

project implementation. Readers should review this document in conjunction with the 2020 LRDP FEIR and Addendum #5 thereto which fully analyze all of the potential environmental impacts of the 2020 LRDP.

While CEQA Guidelines Section 15164(c) does not require that addenda be circulated for public review, the Campus circulated the Berkeley Way West Addendum prior to approving the project. The Addendum was published on April 8, 2015, with request for comments by 5 pm on Friday, April 24; no comments were received. The City of Berkeley Design Review Committee and the Zoning Adjustments Board reviewed the design of the project in January 2015 and were generally supportive of the design of the project.

The University must consider the 2020 LRDP FEIR, including Addendum #5 (analyzing Amendment #1 to the 2020 LRDP), and the Berkeley Way West Addendum prior to making a decision on the proposed action.

The legal criteria for preparation of an addendum to the 2020 LRDP FEIR are met here. None of the conditions or circumstances that would require preparation of subsequent or supplemental environmental review pursuant to CEQA Section 21166 and CEQA Guidelines Section 15162 exists in connection with the approval of the Proposed Action. No substantial changes have been proposed to the project described in the 2020 LRDP FEIR that requires major revisions. There have not been any substantial changes with respect to the circumstances under which implementation of the 2020 LRDP would be undertaken that would require major revisions to the previously certified 2020 LRDP FEIR. In addition, there is no new information of substantial importance, which was not known and could not have been known at the time that the 2020 LRDP FEIR was certified showing that new or more severe environmental impacts not addressed in the 2020 LRDP FEIR would occur, that mitigation measures or alternatives found infeasible in the 2020 LRDP FEIR would in fact be feasible, or that different mitigation measures or alternatives from those analyzed in the 2020 LRDP FEIR would substantially reduce one or more significant impacts.

The Berkeley Way West Addendum analyzes and summarizes the potential impacts of the Proposed Action in relation to the environmental analysis in the 2020 LRDP FEIR with regard to the following environmental topic areas: Aesthetics; Air Quality; Biological Resources; Cultural Resources; Geology, Seismicity and Soils; Hazardous Materials; Hydrology and Water Quality; Land Use; Noise; Population; Public Services; Transportation; and Utilities and Service Systems. It also identifies mitigation measures and continuing best practices adopted as part of the 2020 LRDP FEIR relevant to the Project that have been incorporated into and must be implemented as part of the Project. All mitigation measures and continuing best practices in the 2020 LRDP FEIR relevant to the Proposed Action, as well as all components of the Proposed Action described in the Berkeley Way West Addendum, are included in the Approval and are made conditions of the Proposed Action. The Proposed Action will not result in any new impacts or increase the severity of any significant impact previously identified in the 2020 LRDP FEIR. No revisions or specific mitigation measures applicable to the Proposed Action were identified in the

Berkeley Way West Addendum that would further reduce the impacts of the 2020 LRDP implementation.

C. Relation of the Proposed Action to the 2020 LRDP FEIR

The Berkeley Way West project would develop a site identified in the 2020 LRDP as a potential project site; and the net square footage resulting from the project is well within the LRDP planning envelope. Please see the Berkeley Way West Addendum for full documentation of consistency with 2020 LRDP objectives, and detailed analysis of the project by EIR subject area, illustrating consistency with the 2020 LRDP FEIR.

D. Impacts of the Proposed Action

As described in greater detail below, the analysis in the Berkeley Way West Addendum indicates that the Proposed Action would not contribute to impacts previously identified in the 2020 LRDP FEIR, would not result in any new significant impacts, increase the severity of significant impacts previously identified in the 2020 LRDP FEIR, or cause any significant environmental effects not previously examined in the 2020 LRDP FEIR. All significant impacts that might result from implementation of the 2020 LRDP have been addressed in the Berkeley Way West Addendum, and/or the 2020 LRDP FEIR and in the 2020 LRDP FEIR Findings adopted by the University. The Proposed Action does not involve new information of substantial importance which would require mitigation measures or alternatives that are considerably different from those analyzed in the 2020 LRDP FEIR. No additional mitigation measures are feasible to substantially lessen any significant and unavoidable impacts previously identified in the 2020 LRDP FEIR.

The Proposed Action will not incrementally contribute to cumulative impacts previously identified in the 2020 LRDP FEIR associated with full 2020 LRDP implementation, nor result in any new significant cumulative impacts, increase the severity of significant cumulative impacts previously identified in the 2020 LRDP FEIR, or cause any environmental effects not previously examined in the 2020 LRDP FEIR. The 2020 LRDP FEIR examined all significant cumulative impacts to which implementation of the 2020 LRDP would contribute; these have been addressed in the 2020 LRDP FEIR and in the 2020 LRDP FEIR Findings adopted by the University.

Each of the potential impact areas relevant to the Proposed Action is discussed separately below.

1. Aesthetics

Based on the analysis in the 2020 LRDP EIR and the Berkeley Way West Addendum, incorporated herein by reference, the University finds that the Project will not result in any new, significant aesthetic impacts that were not examined in the 2020 LRDP FEIR, that aesthetic impacts associated with implementation of the 2020 LRDP would remain as identified in the 2020 LRDP FEIR, that the standards for preparation of an addendum under CEQA are met for

the Proposed Action, and that none of the circumstances that would require preparation of a subsequent or supplemental EIR under CEQA exists.

2. Air Quality

Based on the analysis in the 2020 LRDP EIR and the Berkeley Way West Addendum, incorporated herein by reference, the University finds that the Project will not result in any new, significant air quality impacts that were not examined in the 2020 LRDP FEIR, that air quality impacts associated with implementation of the 2020 LRDP would remain as identified in the 2020 LRDP FEIR, that the standards for preparation of an addendum under CEQA are met for the Proposed Action, and that none of the circumstances that would require preparation of a subsequent or supplemental EIR under CEQA exists.

3. Biological Resources

Based on the analysis in the 2020 LRDP EIR and the Berkeley Way West Addendum, incorporated herein by reference, the University finds that the Project will not result in any new, significant biological resource impacts that were not examined in the 2020 LRDP FEIR, that biological resource impacts associated with implementation of the 2020 LRDP would remain as identified in the 2020 LRDP FEIR, that the standards for preparation of an addendum under CEQA are met for the Proposed Action, and that none of the circumstances that would require preparation of a subsequent or supplemental EIR under CEQA exists.

4. Climate Change /Greenhouse Gases

Based on the analysis in the 2020 LRDP EIR and the Berkeley Way West Addendum, incorporated herein by reference, the University finds that the Project will not result in any new, significant climate change impacts that were not examined in the 2020 LRDP FEIR that no significant climate change impacts would be associated with implementation of the 2020 LRDP, that the standards for preparation of an addendum under CEQA are met for the Proposed Action, and that none of the circumstances that would require preparation of a subsequent or supplemental EIR under CEQA exists.

5. Cultural Resources

Based on the analysis in the 2020 LRDP EIR and the Berkeley Way West Addendum, incorporated herein by reference, the University finds that the Project will not result in any new, significant cultural resource impacts that were not examined in the 2020 LRDP FEIR, that cultural resource impacts associated with implementation of the 2020 LRDP would remain as identified in the 2020 LRDP FEIR, that the standards for preparation of an addendum under CEQA are met for the Proposed Action, and that none of the circumstances that would require preparation of a subsequent or supplemental EIR under CEQA exists.

6. Geology, Seismicity and Soils

Based on the analysis in the 2020 LRDP EIR and the Berkeley Way West Addendum, incorporated herein by reference, the University finds that the Project will not result in any new, significant geology, seismicity and soils impacts that were not examined in the 2020 LRDP FEIR, that geology, seismicity and soils impacts associated with implementation of the 2020 LRDP would remain as identified in the 2020 LRDP FEIR, that the standards for preparation of an addendum under CEQA are met for the Proposed Action, and that none of the circumstances that would require preparation of a subsequent or supplemental EIR under CEQA exists.

7. Hazardous Materials

Based on the analysis in the 2020 LRDP EIR and the Berkeley Way West Addendum, incorporated herein by reference, the University finds that the Project will not result in any new, significant hazardous materials impacts that were not examined in the 2020 LRDP FEIR, that hazardous materials impacts associated with implementation of the 2020 LRDP would remain as identified in the 2020 LRDP FEIR, that the standards for preparation of an addendum under CEQA are met for the Proposed Action, and that none of the circumstances that would require preparation of a subsequent or supplemental EIR under CEQA exists.

8. Hydrology and Water Quality

Based on the analysis in the 2020 LRDP EIR and the Berkeley Way West Addendum, incorporated herein by reference, the University finds that the Project will not result in any new, significant hydrology and water quality impacts that were not examined in the 2020 LRDP FEIR, that hydrology and water quality impacts associated with implementation of the 2020 LRDP would remain as identified in the 2020 LRDP FEIR, that the standards for preparation of an addendum under CEQA are met for the Proposed Action, and that none of the circumstances that would require preparation of a subsequent or supplemental EIR under CEQA exists.

9. Land Use

Based on the analysis in the 2020 LRDP EIR and the Berkeley Way West Addendum, incorporated herein by reference, the University finds that the Project will not result in any new, significant land use impacts that were not examined in the 2020 LRDP FEIR, that land use impacts associated with implementation of the 2020 LRDP would remain as identified in the 2020 LRDP FEIR, that the standards for preparation of an addendum under CEQA are met for the Proposed Action, and that none of the circumstances that would require preparation of a subsequent or supplemental EIR under CEQA exists.

10. Noise

Based on the analysis in the 2020 LRDP EIR and the Berkeley Way West Addendum, incorporated herein by reference, the University finds that the Project will not result in any new, significant noise impacts that were not examined in the 2020 LRDP FEIR, that noise impacts

associated with implementation of the 2020 LRDP would remain as identified in the 2020 LRDP FEIR, that the standards for preparation of an addendum under CEQA are met for the Proposed Action, and that none of the circumstances that would require preparation of a subsequent or supplemental EIR under CEQA exists.

11. Population and Housing

Based on the analysis in the 2020 LRDP EIR and the Berkeley Way West Addendum, incorporated herein by reference, the University finds that the Project will not result in any new, significant population and housing impacts that were not examined in the 2020 LRDP FEIR, that population and housing impacts associated with implementation of the 2020 LRDP would remain as identified in the 2020 LRDP FEIR, that the standards for preparation of an addendum under CEQA are met for the Proposed Action, and that none of the circumstances that would require preparation of a subsequent or supplemental EIR under CEQA exists.

12. Public Services

Based on the analysis in the 2020 LRDP EIR and the Berkeley Way West Addendum, incorporated herein by reference, the University finds that the Project will not result in any new, significant public services impacts that were not examined in the 2020 LRDP FEIR, that public services impacts associated with implementation of the 2020 LRDP as modified by Amendment #2 would remain as identified in the 2020 LRDP FEIR, that the standards for preparation of an addendum under CEQA are met for the Proposed Action, and that none of the circumstances that would require preparation of a subsequent or supplemental EIR under CEQA exists.

13. Transportation

Based on the analysis in the 2020 LRDP EIR and the Berkeley Way West Addendum, incorporated herein by reference, the University finds that the Project will not result in any new, significant transportation impacts that were not examined in the 2020 LRDP FEIR, that transportation impacts associated with implementation of the 2020 LRDP would remain as identified in the 2020 LRDP FEIR, that the standards for preparation of an addendum under CEQA are met for the Proposed Action, and that none of the circumstances that would require preparation of a subsequent or supplemental EIR under CEQA exists.

14. Utilities and Service Systems

Based on the analysis in the 2020 LRDP EIR and the Berkeley Way West Addendum, incorporated herein by reference, the University finds that the Project will not result in any new, significant utilities and service systems impacts that were not examined in the 2020 LRDP FEIR, that utilities and service systems impacts associated with implementation of the 2020 LRDP would remain as identified in the 2020 LRDP FEIR, that the standards for preparation of an addendum under CEQA are met for the Proposed Action, and that none of the circumstances that would require preparation of a subsequent or supplemental EIR under CEQA exists.

15. Cumulative Impacts

The University finds that the Proposed Action does not require new findings of significant impact, nor does it contribute to new significant regional or area wide cumulative impacts due to the implementation of the 2020 LRDP as addressed in the Berkeley Way West Addendum, incorporated herein by reference. The University finds that the standards for preparation of an addendum under CEQA are met for the Proposed Action, and that none of the circumstances that would require preparation of a subsequent or supplemental EIR under CEQA exists.

E. Additional Findings

1. Adequacy of Prior Environmental Reviews

All of the environmental effects of implementation of the 2020 LRDP and Amendment #1 thereto, as reflected in the Findings adopted by the University in January 2005 and July 2009 respectively, were adequately addressed in the certified 2020 LRDP FEIR and Addendum #5 thereto in that those impacts: (1) have been mitigated or avoided, (2) have been examined at a sufficient level of detail to enable those effects to be mitigated or avoided by site specific revisions, the imposition of conditions, or by other means in connection with the approval of the 2020 LRDP, or (3) cannot be mitigated to avoid or substantially lessen the significant impacts despite the University's willingness to accept all feasible mitigation measures, and the only purpose of including analysis of such effects in another environmental impact report would be to put the agency in a position to adopt a statement of overriding considerations with respect to the effects.

The Proposed Action is in every way consistent with the original intent and goals of the 2020 LRDP. The Proposed Action meets the criteria for tiering defined in CEQA Guidelines Section 15152(e). These Findings summarize, rely upon and incorporate the 2020 LRDP Findings and the Findings adopted in support of Amendment #1 to the 2020 LRDP, to address cumulative impacts, consistent with Guidelines Section 15130(d).

The Proposed Action is within the scope of the 2020 LRDP, as modified by Amendment #1 to address climate change, analyzed by the 2020 LRDP FEIR and Addendum #5, and does not implicate any of the conditions set forth in CEQA Section 21166 or CEQA Guidelines Section 15162 requiring the preparation of a subsequent or supplemental EIR to the 2020 LRDP FEIR. No new significant environmental impacts have been identified in connection with the Proposed Action that were not considered in the 2020 LRDP FEIR. As a result, no new environmental impacts are anticipated to occur and no new mitigation measures will be required other than as addressed in the 2020 LRDP FEIR. The potential environmental effects of the implementation of the 2020 LRDP (including any contribution of the Proposed Action to significant/mitigated and significant/ unavoidable impacts) have been fully addressed by the 2020 LRDP FEIR, the 2020 LRDP Findings and related Findings for Addendum #5. In accordance with CEQA Guidelines Section 15168(c), the University hereby finds that none of

the circumstances described in Section 15162(a) of the CEQA Guidelines is present, and no further environmental review or documentation is required for the Project.

The Proposed Action does not otherwise provide an opportunity to eliminate or substantially reduce any of the significant and unavoidable adverse impacts of implementing the 2020 LRDP identified in the 2020 LRDP FEIR.

2. Criteria for an Addendum

The Berkeley Way West Addendum to the 2020 LRDP FEIR concludes that none of the conditions or circumstances that would require preparation of a subsequent or supplemental EIR pursuant to CEQA Section 21166 exists in connection with the Proposed Action. No substantial changes have been proposed to the 2020 LRDP described in the 2020 LRDP FEIR that require major revisions to the 2020 LRDP FEIR. The 2020 LRDP described in the 2020 LRDP FEIR includes development of up to 2.2 million net new gsf, plus associated parking. The 2020 LRDP FEIR analyzes the environmental impacts that could result from 2.2 million net new gsf. The Proposed Action does not alter the projections of development anticipated under the 2020 LRDP.

The Berkeley Way West Addendum also indicates that there have not been any substantial changes with respect to the circumstances under which implementation of 2020 LRDP would occur that would require major revisions to the 2020 LRDP FEIR.

The Berkeley Way West Addendum also concludes that no new information of substantial importance, which was not known and could not have been known at the time that the 2020 LRDP FEIR was certified as complete, shows that the Project would cause or substantially worsen environmental impacts discussed in the 2020 LRDP FEIR, that mitigation measures or alternatives found infeasible in the 2020 LRDP FEIR would in fact be feasible, or that different mitigation measures or alternatives from those analyzed in the 2020 LRDP FEIR would substantially reduce one or more significant environmental impacts found in the 2020 LRDP FEIR.

For the reasons described above, the University hereby finds that preparation of The Berkeley Way West Addendum to the 2020 LRDP FEIR, as supplemented and augmented by Addendum #5, to analyze the environmental consequences of implementing the Proposed Action is appropriate under CEQA. In accordance with CEQA, the University hereby finds that none of the circumstances described in Section 15162(a) of the CEQA Guidelines is present, and no further environmental review or documentation is required for the Project.

3. Incorporation by Reference

These Findings incorporate by reference in their entirety the text of the Berkeley Way West Addendum prepared for the Project, the 2020 LRDP FEIR and Addendum #5 thereto, and the Findings adopted in support of the 2020 LRDP and Amendment #1 previously certified and/or adopted by the University. Without limitation, this incorporation is intended to elaborate

on the scope and nature of the Proposed Action, its potential environmental impacts and the basis for determining the significance of the Proposed Action's impacts.

4. Mitigation Monitoring

CEQA requires the Lead Agency approving a project to adopt a monitoring program for changes to the project that it adopts or makes a condition of project approval, including mitigation measures intended to eliminate or reduce potentially significant impacts of the project, in order to ensure compliance during project implementation. No new mitigation measures are required as part of the Proposed Action, which incorporates relevant and previously adopted 2020 LRDP FEIR mitigation measures and/or continuing best practices that will be monitored pursuant to the existing 2020 LRDP FEIR monitoring programs previously adopted by the University in connection with its approvals of the 2020 LRDP, as amended.

5. Record of Proceedings

Various documents and other materials constitute the record of proceedings upon which the University bases its findings and decision contained herein. Because of the complexity of the issues addressed in connection with the review of the Project, these documents and materials are located in various offices of the Berkeley campus, the Office of Capital Projects, and/or offices of consultants retained by the University to assist with the development and analysis of the Project. The custodian for these documents and materials is the Berkeley campus Office of Capital Projects, located at 300 A & E Building, Berkeley, California, 94720-1382.

F. Summary

Based on the foregoing Findings and the information contained in the administrative record, the University has made one or more of the following Findings with respect to the significant environmental effects of the Proposed Action:

- 1.** The Proposed Action will not increase the severity of significant environmental impacts previously identified in the 2020 LRDP FEIR.
- 2.** All 2020 LRDP FEIR mitigation measures relevant to the Proposed Action, as identified in the Berkeley Way West Addendum, as well as all components of the Proposed Action described in the Berkeley Way West Addendum, are made a condition of approval.
- 3.** All significant effects on the environment due to the implementation of the 2020 LRDP, as modified by Amendment #1, have been eliminated or substantially lessened where feasible through 2020 LRDP FEIR mitigation measures and continuing best practices adopted in connection with the University's approval of the 2020 LRDP FEIR. Some of those mitigation measures are within the responsibility and jurisdiction of another public agency that has adopted, or can and should adopt such changes, and the University lacks concurrent jurisdiction to adopt or implement such mitigation measures.

4. The Proposed Action will not result in environmental effects that were not adequately examined in the 2020 LRDP FEIR.

5. All remaining significant effects on the environment caused by implementation of the 2020 LRDP, including implementation of the Berkeley Way West project, found to be unavoidable, remain acceptable due to the reasons set forth in the 2020 LRDP Findings adopted by the University in connection with its approval of the 2020 LRDP FEIR, as referenced and reaffirmed herein.

III. APPROVALS

The University hereby takes the following actions:

A. The University has reviewed and considered the 2020 LRDP FEIR as supplemented and augmented by Addendum #5, and the Berkeley Way West Addendum, along with all comments received and responses thereto, for the Proposed Action as described in Section I, above.

B. The University reaffirms the Findings and Statement of Overriding Considerations adopted for the 2020 LRDP in January 2005.

C. The University hereby approves and makes a condition of the Proposed Action all elements of the Proposed Action and relevant 2020 LRDP FEIR mitigation measures and continuing best practices identified in the Berkeley Way West Addendum.

D. The University hereby adopts these Findings in their entirety as set forth in Section II, above.

E. Having independently reviewed and considered the 2020 LRDP FEIR as supplemented and augmented by Addendum #5, the Berkeley Way West Addendum, comments received and responses prepared regarding the Berkeley Way West Addendum, conditioned the Proposed Action as described above, and adopted the Findings, the University hereby approves the design of the Berkeley Way West project.