CALIFORNIA ENVIRONMENTAL QUALITY ACT
FINDINGS IN CONNECTION WITH THE APPROVAL OF
THE UNIVERSITY OF CALIFORNIA, BERKELEY CAMPUS
2020 LONG RANGE DEVELOPMENT PLAN

I. CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT

The University of California ("University" or "UC"), as the lead agency, has prepared the Final Environmental Impact Report ("Final EIR") for the 2020 Long Range Development Plan ("2020 LRDP" or "Project") and Chang-Lin Tien Center for East Asian Studies for the University of California, Berkeley campus ("UC Berkeley" or "the campus"). The Final EIR has been assigned State Clearinghouse No. 2003082131.

Volumes 1 and 2 of the Final EIR assess the potential environmental effects of implementation of the 2020 LRDP, identify means to eliminate or reduce potential significant adverse impacts, and evaluate a range of reasonable alternatives to the 2020 LRDP. Volumes 3A and 3B of the Final EIR provide text changes, Responses to Comments on the Draft EIR from responsible agencies, interested groups and individuals, and the Mitigation Monitoring Program.

This action certifies the entire 2020 LRDP Final EIR, which analyzes the 2020 LRDP at a program-level and the Tien Center project at a project-level. The Findings herein, however, apply only to the approval of the 2020 LRDP. Separate Findings will be made for the Tien Center project prior to its approval.

Pursuant to California Code of Regulations, Title 14, Section 15090, The Board of Regents of the University of California ("The Regents") certifies that the Final EIR has been completed in compliance with the California Environmental Quality Act, Public Resources Code Section 21000, *et seq.* ("CEQA") and the State CEQA Guidelines, Title 14, California Code of Regulations, Section 15000, *et seq.* ("CEQA Guidelines"). The Regents further certifies that it has been presented with the Final EIR and that it has reviewed and considered the information contained in the Final EIR prior to making the following certifications and the findings in Section II, below, and the approvals set forth below in Section III, below. The Regents further certifies that the Final EIR satisfies the requirements for a long range development plan EIR prepared pursuant to Public Resources Code Section 21080.09 and CEQA Guidelines Section 15081.5. The Regents further certifies that the Final EIR reflects its independent judgment and analysis. The conclusions presented in these Findings are based upon the Final EIR and other evidence in the administrative record.

Based upon the foregoing, The Regents finds and determines that as the certified Environmental Impact Report for the 2020 LRDP, the Final EIR provides the basis for approval of the 2020 LRDP, and the supporting findings set forth in Section II, below. In accordance with Public resources Code Section 21080.09, such further review as may be required under the provisions of CEQA for implementation of projects implementing the 2020 LRDP shall be based upon the Final EIR or a tiered analysis based upon the Final EIR.

II. FINDINGS

The Regents is certifying the Final EIR for the 2020 LRDP and the Tien Center project. Because the University is the lead agency for the 2020 LRDP and subsequent UC Berkeley campus developments, the Final EIR is intended to be the basis for compliance with CEQA for each of the possible discretionary actions by other state and local agencies that may be necessary to carry out the 2020 LRDP.

In this action, The Regents is certifying the Final EIR and approving the 2020 LRDP. Approvals of future projects contemplated by the 2020 LRDP will be made by The Regents and/or University officials delegated such authority pursuant to the Standing Orders and Bylaws of the University, as applicable, in accordance with and based upon the analysis in the Final EIR, supplemented as necessary.

Having received, reviewed and considered the Final EIR and other information in the administrative record, which is herein incorporated into these Findings by reference, The Regents hereby adopts the following Findings and Statement of Overriding Considerations for the 2020 LRDP in compliance with CEQA, the CEQA Guidelines, and the University's procedures for implementing CEQA. The Regents certifies that its Findings are based on full appraisal of all viewpoints, including all comments received up to the date of adoption of these Findings, concerning the environmental impacts identified and analyzed in the Final EIR, and are supported by substantial evidence. The Regents adopts these Findings and Statement of Overriding Considerations in conjunction with its approval as set forth in Section III, below.

A. Environmental Review Process

1. *Development of the Proposed 2020 LRDP*

In May 1990, The Regents adopted the 1990 LRDP for the UC Berkeley campus as a guide for the physical development in support of campus needs and goals, and campus population growth projected through academic year 2005-06. As of academic year 2001-02, the campus was within the projected overall enrollment and employee growth levels established by the 1990 LRDP. However, the University of California projects that system-wide, full-time equivalent (FTE) enrollment will increase by approximately 63,000 from 1998 through 2010. Therefore, in January 2000, the University's Office of the President asked each UC campus to consider the feasibility of implementing campus-specific enrollment targets. UC Berkeley has been requested to evaluate the ability to grow by 4,000 full time equivalent students over base year 1998 by 2010. As a result, UC Berkeley has prepared a new LRDP (2020 LRDP) to plan for anticipated growth through 2020.

2. *Preparation of the EIR*

On August 29, 2003, the University released a Notice of Preparation ("NOP") (including an Initial Study ["IS"]) announcing the preparation of a Draft EIR and describing its proposed scope.

The University issued the Draft EIR on April 15, 2004 and circulated it for public review and comment for a 61-day period ending on June 14, 2004. At the request of the City of Berkeley, the comment period was extended to June 18, 2004. UC Berkeley staff presented a preview of the Draft EIR to City of Berkeley staff on April 12, 2004 in advance of formal publication. Additionally, the University held two public hearings at the UC Berkeley campus, on May 5, 2004 and May 11, 2004, to receive comments on the Draft EIR. Approximately 53 people provided comments on the Draft EIR at the public hearings. In addition, written comments were received from 4 federal and state agencies, 6 regional and local agencies, and 300 organizations and individuals during the public comment period.

In August 2004, the Chancellor of UC Berkeley met with the Mayor of Berkeley to discuss the City's concerns over the pace of 2020 LRDP approval and over three particular aspects of the 2020 LRDP: faculty housing in the Hill Campus, the magnitude of the proposed increase in University parking, and the fiscal impacts of UC Berkeley campus operations on the City. The Chancellor agreed to request consideration of the 2020 LRDP by The Regents be postponed from November 2004 to January 2005, to allow for further consideration of these topics. UC Berkeley staff presented a preview of the Final EIR to City of Berkeley staff on December 16, 2004, in advance of formal publication.

The Final EIR contains all of the comments received during the public comment period, including a transcript of the public hearing, together with written responses to those comments which were prepared in accordance with CEQA, the CEQA Guidelines, and the University's procedures for implementing CEQA. The Regents certifies that it has reviewed the comments received and responses thereto and finds that the Final EIR provides adequate, good faith and reasoned responses to the comments.

3. *Absence of Significant New Information*

CEQA Guidelines Section 15088.5 requires a lead agency to recirculate an EIR for further review and comment when significant new information is added to the EIR after public notice is given of the availability of the Draft EIR but before certification. New information includes: (i) changes to the project; (ii) changes in the environmental setting; or (iii) additional data or other information. Section 15088.5 further provides that "[n]ew information added to an EIR is not 'significant' unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement." Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications to an adequate EIR.

The changes to the Draft EIR are discussed in Section 9.1 of the Final EIR, and include the following:

- Elimination of 100 units of housing in the Hill Campus suitable for faculty, staff, and/or visiting scholars;

- Deferral of 500 of the 2,300 net new parking spaces until after 2020 if a route is approved and construction begins on the AC Transit Bus Rapid Transit project by January 2010;

- Expansion of the boundaries of the Classical Core; and

- Retention of the Northwest Promontory as a reserve site.

Having reviewed the information contained in the Final EIR and in the administrative record, including the comments on the Draft EIR and the Responses to Comments, as well as the requirements under CEQA Guidelines Section 15088.5 and interpretive judicial authority regarding recirculation of draft EIRs, The Regents hereby finds that no new significant information was added to the EIR following public review and thus, recirculation of the EIR is not required by CEQA. The new information added to the EIR does not involve any new or more severe environmental impacts or indicate that the Draft EIR was in any way inadequate or conclusory.

B. Impacts and Mitigation Measures

The following section summarizes the environmental impacts of the Project, and includes the Findings of The Regents as to those impacts, as required by CEQA and the CEQA Guidelines. The Findings provide the written analysis and conclusions of The Regents regarding the environmental impacts of the Project, Continuing Best Practices and Mitigation Measures, alternatives to the Project and the Continuing Best Practices and Mitigation Measures proposed by the Final EIR and adopted by The Regents as conditions of approval.

These Findings summarize the environmental determinations of the Final EIR about Project impacts before and after mitigation and do not attempt to describe the full analysis of each environmental impact contained in the Final EIR. Instead, these Findings provide a summary description of each impact, describe the applicable Continuing Best Practices and Mitigation Measures identified in the Final EIR and adopted by The Regents, and state The Regents' Findings on the significance of each impact after imposition of the adopted Continuing Best Practices and Mitigation Measures. A full explanation of these environmental Findings and conclusions can be found in the Final EIR and these Findings hereby incorporate by reference the discussion and analysis in the Final EIR supporting the Final EIR's determinations regarding Continuing Best Practices and Mitigation Measures an the Project's impacts. In making these Findings, The Regents ratifies, adopts and incorporates the analysis and explanation in the Final EIR in these Findings, and ratifies, adopts and incorporates in these Findings the determinations and conclusions of the Final EIR relating to Continuing Best Practices and Mitigation Measures

and environmental impacts, except to the extent any such determinations and conclusions are specifically and expressly modified by these Findings.

As set forth in Part III, below, The Regents adopts and incorporates as conditions of approval, the Continuing Best Practices and Mitigation Measures set forth in these Findings to reduce or avoid the potentially significant and significant impacts of the Project, as well as certain less-than-significant impacts. In adopting these Continuing Best Practices and Mitigation Measures, The Regents intends to adopt each of the Continuing Best Practices and Mitigation Measures proposed in the Final EIR. Accordingly, in the event a Continuing Best Practice or Mitigation Measure recommended in the Final EIR has inadvertently been omitted from these Findings, said Continuing Best Practice and Mitigation Measure is hereby adopted and incorporated in the Findings below by reference. In addition, in the event the language of the Continuing Best Practices or Mitigation Measures set forth below fail to accurately reflect the Continuing Best Practices or Mitigation Measures in the Final EIR due to a clerical error, the language of the Continuing Best Practice or Mitigation Measure as set forth in the Final EIR shall control, unless the language of the Continuing Best Practice or Mitigation Measure has been specifically and expressly modified by these Findings.

In the comments on the Draft EIR, a number of measures were suggested by various commentors as proposed additional mitigation measures or modifications to the EIR's proposed mitigation measures. Several mitigation measures were modified in response to such comments. With respect to the measures that were suggested in the comments and not adopted by the Final EIR, the Responses to Comments in the Final EIR explain that the suggested mitigation measures are either already part of ongoing campus programs and procedures, or why they are infeasible and thus not recommended by the Final EIR for adoption. The Regents hereby adopts and incorporates by reference the reasons stated in the Responses to Comments contained in the Final EIR as its grounds for finding these suggested mitigation measures to be infeasible.

1. *Aesthetics*

a) *Impact AES-1: Projects under the 2020 LRDP would result in visual changes, through new construction on presently undeveloped sites, through replacement of existing structures with new structures, and through exterior renovations of existing structures. The design provisions of the 2020 LRDP would ensure those changes would not degrade the existing visual quality and character of their environs.*

Continuing Best Practice AES-1-a: New projects in the Campus Park would as a general rule conform to the Campus Park Guidelines. While the Guidelines would not preclude alternate design concepts when such concepts present the best solution for a particular site, UC Berkeley would not depart from the Guidelines except for solutions of extraordinary quality.

Continuing Best Practice AES-1-b: Major new campus projects would continue to be reviewed at each stage of design by the UC Berkeley Design Review Committee. The provisions of the

2020 LRDP, as well as project specific design guidelines prepared for each such project, would guide these reviews.

Continuing Best Practice AES-1-c: New Hill Campus projects would as a general rule conform to the design principles established in the Hill Campus Framework. While these principles would not preclude alternate design concepts when such concepts present the best solution for a particular site, the University would not depart from these principles except for solutions of extraordinary quality.

Continuing Best Practice AES-1-d: To the extent feasible, future fuel management practices would include the selective replacement of high hazard introduced plant species with native species: for example, the restoration of native grassland and oak-bay woodland though the eradication of invasive exotics, and replacement of aged pines and second growth eucalyptus. Such conversions would be planned with care, however, to avoid significant disruption of faunal habitats.

Continuing Best Practice AES-1-e: UC Berkeley would make informational presentations of all major projects in the City Environs in Berkeley to the Berkeley Planning Commission and, if relevant, the Berkeley Landmarks Preservation Commission for comment prior to schematic design review by the UC Berkeley Design Review Committee. Major projects in the City Environs in Oakland would similarly be presented to the Oakland Planning Commission and, if relevant, to the Oakland Landmarks Preservation Advisory Board. Whenever a project in the City Environs is under consideration by the UC Berkeley Design Review Committee, a staff representative designated by the city in which it is located would be invited to attend and comment on the project.

Continuing Best Practice AES-1-f: Each individual project built in the City Environs under the 2020 LRDP would be assessed to determine whether it could pose potential significant aesthetic impacts not anticipated in the 2020 LRDP, and if so, the project would be subject to further evaluation under CEQA.

Continuing Best Practice AES-1-g: To the extent feasible, University housing projects in the 2020 LRDP Housing Zone would not have a greater number of stories nor have setback dimensions less than could be permitted for a project under the relevant city zoning ordinance as of July 2003.

Continuing Best Practice AES-1-h: Assuming the City of Berkeley adopts the Southside Plan without substantive changes, the University would as a general rule use, as its guide for the location and design of University projects implemented under the 2020 LRDP within the area of the Southside Plan, the design guidelines and standards prescribed in the Southside Plan, which would supersede provisions of the City's prior zoning policy.

FINDING: For the reasons stated in the Final EIR, The Regents finds that impacts on visual quality and character from the implementation of the 2020 LRDP would be less than significant. Implementation of Continuing Best Practices AES-1-a, AES-1-b, AES-1-c,

AES-1-d, AES-1-e, AES-1-f, AES-1-g and AES-1-h would ensure that visual changes as a result of new construction, replacement of existing structures or exterior renovation of existing structures would not degrade the existing visual quality and character of the project environs, and therefore this impact would remain less than significant.

b) *Impact AES-2: The Campus Park and Hill Campus have a number of scenic vistas into, within, and from campus lands. While projects under the 2020 LRDP would result in visual changes, the design provisions of the 2020 LRDP would ensure those changes would not have adverse effects on those scenic vistas.*

Continuing Best Practice AES-2: See Continuing Best Practices under Impact AES-1.

FINDING: For the reasons stated in the Final EIR, The Regents finds that impacts on scenic vistas from the implementation from the 2020 LRDP would be less than significant. Implementation of Continuing Best Practices AES-1-c through AES-1-h would ensure that visual changes as a result of projects under the 2020 LRDP would not have adverse effects on the scenic vistas at Campus Park and Hill Campus, and therefore this impact would remain less than significant.

c) *Impact AES-3: Projects under the 2020 LRDP have the potential to create new sources of substantial light or glare that could have adverse impacts on day- or night-time views, but the mitigation measures would reduce this impact to* less than significant.

Mitigation Measure AES-3-a: Lighting for new development projects would be designed to include shields and cut-offs that minimize light spillage onto unintended surfaces and to minimize atmospheric light pollution. The only exception to this principle would be in those areas within the Campus Park where such features would be incompatible with the visual and/or historic character of the area.

Mitigation Measure AES-3-b: As part of the design review procedures described in the above Continuing Best Practices, light and glare would be given specific consideration and measures incorporated into the project design to minimize both. In general, exterior surfaces would not be reflective: architectural screens and shading devices are preferable to reflective glass.

FINDING: For the reasons stated in the Final EIR, The Regents finds that projects under the 2020 LRDP have the potential to create new sources of substantial light or glare that could adversely impact day- or night-time views. However, implementation of Mitigation Measures AES-3-a and AES-3-b will reduce this potentially significant impact to a less-than-significant level.

d) *Cumulative Impact AES-1: The 2020 LRDP, in combination with other reasonably foreseeable projects, would result in visual changes. While such changes would have the potential to degrade the visual quality and character of the sites and their environs, the design provisions of the 2020 LRDP would ensure the contribution of projects under the 2020 LRDP would not be cumulatively considerable.*

e) *Cumulative Impact AES-2: The 2020 LRDP, in combination with other reasonably foreseeable projects, would result in visual changes. While such changes would have the potential to adversely affect scenic vistas, the design provisions of the 2020 LRDP would ensure the contribution of projects under the 2020 LRDP would not be cumulatively considerable.*

FINDING: For the reasons stated in the Final EIR, The Regents finds that the visual changes with potential to degrade the visual quality and character of the sites and their environs and to adversely affect scenic vistas resulting from implementation of the 2020 LRDP in conjunction with other development in the region is a less-than-significant impact; therefore, no further mitigation is required.

f) *Cumulative Impact AES-3: The 2020 LRDP, in combination with other reasonably foreseeable projects, would have the potential to create new sources of substantial light or glare that could have adverse impacts on day- or night-time views, but the mitigation measures prescribed above would ensure the contribution of the 2020 LRDP to any such adverse impact would not be cumulatively considerable.*

FINDING: For the reasons stated in the Final EIR, The Regents finds that the new sources of light and glare could result from implementation of the 2020 LRDP in conjunction with other development in the region. However, implementation of LRDP Mitigation Measures AES-3-a and AES-3-b would reduce any potentially significant impact to a less-than-significant level by ensuring that the contribution of the 2020 LRDP to any such impact would not be cumulatively considerable.

2. *Air Quality*

a) *Impact AIR-1: Implementation of the 2020 LRDP would not violate the carbon monoxide standard or expose sensitive receptors to substantial CO concentrations.*

Continuing Best Practice AIR-1: UC Berkeley shall continue to implement the same or equivalent alternative transit programs, striving to improve the campus mode split and reduce the use of single occupant vehicles among students, staff, faculty and visitors to campus.

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of the 2020 LRDP would not violate the carbon monoxide standard or expose sensitive receptors to substantial CO concentrations. Implementation of Continuing Best Practice AIR-1 would ensure the carbon monoxide standard is not violated and sensitive receptors are not exposed to substantial CO concentrations, and thus this impact would remain less than significant.

b) *Impact AIR-2: Implementation of the 2020 LRDP would not create objectionable odors affecting a substantial number of people.*

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of the 2020 LRDP would not create objectionable odors affecting a substantial number of people; therefore, no mitigation measures or continuing best practices are required.

c) *Impact AIR-3: Implementation of the 2020 LRDP would not expose people to substantial levels of toxic air contaminants (TACs) from stationary and area sources.*

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of the 2020 LRDP would not expose people to substantial levels of toxic air contaminants from stationary and area sources; therefore, no mitigation measures or continuing best practices are required.

d) *Impact AIR-4: Emissions from construction activities associated with the 2020 LRDP would be controlled and would not lead to a violation of air quality standards.*

Continuing Best Practice AIR-4-a: UC Berkeley shall continue to include in all construction contracts the measures specified below to reduce fugitive dust impacts:

- All disturbed areas, including quarry product piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using tarps, water, (non-toxic) chemical stabilizer/suppressant, or vegetative ground cover.

- All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or (nontoxic) chemical stabilizer/suppressant.

- When quarry product or trash materials are transported off-site, all material shall be covered, or at least two feet of freeboard space from the top of the container shall be maintained.

Mitigation Measure AIR-4-a: In addition, UC Berkeley shall include in all construction contracts the measures specified below to reduce fugitive dust impacts, including but not limited to the following:

- All land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, and demolition activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking.

- When demolishing buildings, water shall be applied to all exterior surfaces of the building for dust suppression.

- All operations shall limit or expeditiously remove the accumulation of mud or dirt from paved areas of construction sites and from adjacent public streets as necessary. See also Continuing Best Practice HYD 1-b.

- Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions by utilizing sufficient water or by covering.

- Limit traffic speeds on unpaved roads to 15 mph.

- Water blasting shall be used in lieu of dry sand blasting wherever feasible.

- Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with slopes over one percent.

- To the extent feasible, limit area subject to excavation, grading, and other construction activity at any one time.

- Replant vegetation in disturbed areas as quickly as possible.

Continuing Best Practice AIR-4-b: UC Berkeley shall continue to implement the following control measure to reduce emissions of diesel particulate matter and ozone precursors from construction equipment exhaust:

- Minimize idling time when construction equipment is not in use.

Mitigation Measure AIR-4-b: UC Berkeley shall implement the following control measures to reduce emissions of diesel particulate matter and ozone precursors from construction equipment exhaust:

- To the extent that equipment is available and cost effective, UC Berkeley shall require contractors to use alternate fuels and retrofit existing engines in construction equipment.

- To the extent practicable, manage operation of heavy-duty equipment to reduce emissions, including the use of particulate traps.

FINDING: For the reasons stated in the Final EIR, The Regents finds that emissions from constructions activities associated with the 2020 LRDP would be less than significant. Implementation of Continuing Best Practice AIR-4-a and Mitigation Measure AIR-4-a would reduce fugitive dust impacts, and implementation of Continuing Best Practice AIR-4-b and Mitigation Measure AIR-4-b would reduce emissions of diesel particulate matter and ozone precursors from construction equipment exhaust, and thus these impacts would remain less than significant.

e) *Impact AIR-5: Operational emissions from implementation of the 2020 LRDP may hinder the attainment of the Clean Air Plan. This would be a* significant and unavoidable *impact.*

Continuing Best Practice AIR-5: UC Berkeley will continue to implement transportation control measures such as supporting voluntary trip-reduction programs, ridesharing and implementing improvements to bicycle facilities.

Mitigation Measure AIR-5: UC Berkeley will work with the City of Berkeley, ABAG and BAAQMD to ensure that emissions directly and indirectly associated with the campus are adequately accounted for and mitigated in applicable air quality planning efforts.

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of the 2020 LRDP may hinder the attainment of the Clean Air Plan. Implementation of Continuing Best Practice AIR-5 and Mitigation Measure AIR-5 could reduce this impact to the extent feasible, but this impact may remain significant and unavoidable. The Regents finds this remaining significant impact to be acceptable because the benefits of the Project outweigh this and the other unavoidable environmental impacts of the Project for the reasons set forth in Section II.F of these Findings.

f) *Cumulative Impact AIR-1: The 2020 LRDP, in combination with other reasonably foreseeable projects, could result in a cumulatively considerable increase of non-attainment pollutants and thereby conflict with the most recent Clean Air Plan. The cumulative impact would be* significant.

FINDING: For the reasons stated in the Final EIR, The Regents finds that the increase of non-attainment pollutants and conflict with the most recent Clean Air Plan resulting from implementation of the 2020 LRDP in conjunction with other development in the region is a cumulatively considerable impact. Although implementation of Continuing Best Practice AIR-5 and LRDP Mitigation Measure AIR-5 would reduce the contribution of the 2020 LRDP to the cumulative air quality impact to the maximum extent feasible, this impact would remain significant and unavoidable. The Regents finds this significant and unavoidable impact to be acceptable because the benefits of the Project outweigh this and other environmental impacts of the Project for the reasons set forth in Section II.F of these Findings.

g) *Cumulative Impact AIR-2: Traffic associated with the development under the 2020 LRDP, in combination with other reasonably foreseeable projects, would not contribute to a cumulatively considerable increase in or expose receptors to substantial CO concentrations. The cumulative impact would be* less than significant.

FINDING: For the reasons stated in the Final EIR, The Regents finds that the increase in or exposure of receptors to substantial CO concentrations resulting from implementation of the 2020 LRDP in conjunction with other development in the region would not contribute to a cumulatively considerable impact. Therefore, this impact would be less than significant.

h) *Cumulative Impact AIR-3: With technological improvements to meet more stringent standards, regional growth would not result in an increase in toxic air contaminants.*

FINDING: For the reasons stated in the Final EIR, The Regents finds that the increase in toxic air contaminants resulting from implementation of the 2020 LRDP in conjunction with other development in the region is a less-than-significant impact; therefore, no further mitigation is required.

i) *Cumulative Impact AIR-4: The 2020 LRDP, in combination with other reasonably foreseeable projects, would contribute to a cumulatively considerable increase in toxic air contaminants from stationary and area sources. The impact would be* significant and unavoidable.

FINDING: For the reasons stated in the Final EIR, The Regents finds that the increase in toxic air contaminants from stationary and area sources resulting from implementation of the 2020 LRDP in conjunction with other development in the region is a cumulatively considerable impact. The cumulative risk due to toxic air contaminant emissions from stationary and area sources under the 2020 LRDP and the Lawrence Berkeley National Laboratory 2004 LRDP would be significant and unavoidable. The Regents finds this significant and unavoidable impact to be acceptable because the benefits of the Project outweigh this and other environmental effects of the Project for the reasons set forth in Section II.F of these Findings.

j) *Cumulative Impact AIR-5: Construction activities associated with the 2020 LRDP, in combination with other reasonably foreseeable projects, would be controlled by best management practices in accordance with air district guidance. The cumulative impact would be* less than significant.

FINDING: For the reasons stated in the Final EIR, The Regents finds that the construction activities resulting from implementation of the 2020 LRDP in conjunction with other development in the region would be controlled by Best Management Practices in accordance with the Air District Guidance; therefore, this is a less-than-significant impact.

3. *Biological Resources*

a) *Impact BIO-1: New construction, land management and other 2020 LRDP activities would not have a substantial adverse effect on special-status species, or unique vegetation elements that contribute to the campus character.*

Mitigation Measure BIO-1-a: UC Berkeley will, to the full feasible extent, avoid the disturbance or removal of nests of raptors and other special-status bird species when in active use. A preconstruction nesting survey for loggerhead shrike or raptors, covering a 100 yard perimeter of the project site, would be conducted during the months of March through July prior to commencement of any project that may impact suitable nesting habitat on the Campus Park and Hill Campus. The survey would be conducted by a qualified biologist no more than 30 days prior to initiation of disturbance to potential nesting habitat. In the Hill Campus, surveys would be conducted for new construction projects involving removal of trees and other natural vegetation. In the Campus Park, surveys would be conducted for construction projects involving removal of

mature trees within 100 feet of a Natural Area, Strawberry Creek, and the Hill Campus. If any of these species are found within the survey area, grading and construction in the area would not commence, or would continue only after the nests are protected by an adequate setback approved by a qualified biologist. To the full feasible extent, the nest location would be preserved, and alteration would only be allowed if a qualified biologist verifies that birds have either not begun egg-laying and incubation, or that the juveniles from those nests are foraging independently and capable of survival. A preconstruction survey is not required if construction activities commence during the non-nesting season (August through February).

Mitigation Measure BIO-1-b: UC Berkeley will, to the full feasible extent, avoid the remote potential for direct mortality of special-status bats and destruction of maternal roosts. A preconstruction roosting survey for special-status bat species, covering the project site and any affected buildings, would be conducted during the months of March through August prior to commencement of any project that may impact suitable maternal roosting habitat on the Campus Park and Hill Campus. The survey would be conducted by a qualified biologist no more than 30 days prior to initiation of disturbance to potential roosting habitat. In the Hill Campus, surveys would be conducted for new construction projects prior to grading, vegetation removal, and remodel or demolition of buildings with isolated attics and other suitable roosting habitat. In the Campus Park, surveys would be conducted for construction projects prior to remodel or demolition of buildings with isolated attics. If any maternal roosts are detected during the months of March through August, construction activities would not commence, or would continue only after the roost is protected by an adequate setback approved by a qualified biologist. To the full feasible extent, the maternal roost location would be preserved, and alteration would only be allowed if a qualified biologist verifies that bats have completed rearing young, that the juveniles are foraging independently and capable of survival, and bats have been subsequently passively excluded from the roost location. A pre-construction survey is not required if construction activities commence outside the maternal roosting season (September through February).

Mitigation Measure BIO-1-c: During planning and feasibility studies prior to development of specific projects or adoption of management plans in the Hill Campus, a habitat assessment would be conducted by a qualified biologist to assess any potential impacts on special-status species. Detailed surveys would be conducted during the appropriate season where necessary to confirm presence or absence of any special-status species. Where required to avoid a substantial adverse effect on such species, in consultation with the CDFG and the USFWS feasible changes to schedule, siting and design of projects or management plans would be developed and implemented.

Continuing Best Practice BIO-1-a: UC Berkeley will continue to implement the Campus Specimen Tree Program to reduce adverse effects to specimen trees and flora. Replacement landscaping will be provided where specimen resources are adversely affected, either through salvage and relocation of existing trees and shrubs or through new plantings of the same genetic strain, as directed by the Campus Landscape Architect.

Continuing Best Practice BIO-1-b: Implementation of the 2020 LRDP, particularly the Campus Park Guidelines, as well as the Landscape Master Plan and project-specific design guidelines, would provide for stewardship of existing landscaping, and use of replacement and expanded tree and shrub plantings to preserve and enhance the Campus Park landscape. Coast live oak and other native plantings would continue to be used in future landscaping, serving to partially replace any trees lost as a result of projects implemented under the 2020 LRDP.

Continuing Best Practice BIO-1-c: Because trees and other vegetation require routine maintenance, as trees age and become senescent, UC Berkeley would continue to undertake trimming, thinning, or removal, particularly if trees become a safety hazard. Vegetation in the Hill Campus requires continuing management for fire safety, habitat enhancement, and other objectives. This may include removal of mature trees such as native live oaks and non-native plantings of eucalyptus and pine.

FINDING: For the reasons stated in the Final EIR, The Regents finds that land management and other 2020 LRDP activities would have a less-than-significant effect on special-status species and unique vegetation elements that contribute to the campus character. Implementation of Mitigation Measures BIO-1-a, BIO-1-b and BIO-1-c and Continuing Best Practices BIO-1-a, BIO-1-b and BIO-1-c ensure that new construction, land management and other 2020 LRDP activities would continue to have a less-than-significant impact on special-status species and unique vegetation elements.

b) *Impact BIO-2: New construction, land management and other 2020 LRDP activities would be designed and implemented to avoid any substantial adverse effect on any riparian habitat or sensitive natural communities.*

Continuing Best Practice BIO-2-a: Implementation of the 2020 LRDP, including provisions that ensure proposed projects on the Campus Park will be designed to avoid Natural Preserves and provide for protection and enhancement of riparian habitat along Strawberry Creek as prescribed in the Campus Park Design Guidelines, will avoid substantial adverse effect on riparian habitat or sensitive natural communities. The Natural Preserves are comprised of two subzones: the riparian areas along the streamcourse, and other rustic woodlands adjacent to these riparian areas. The riparian areas are dominated by native and naturalized plants forming dense woodlands along the streamcourse: their width may vary in response to local conditions, but in general should be at least 100', centered on the streamcourse. Management of the Natural Preserves will be based on ecological principles, including replacing invasive exotic plants with native plants suited to this biotic zone, replacing unhealthy plants and plants at the ends of their natural lives, and preserving and enhancing the habitat value of the zone, as prescribed in the 2020 LRDP.

Continuing Best Practice BIO-2-b: The Strawberry Creek Management Plan will continue to be revised and implemented, in consultation with CDFG, to include recommendations for habitat restoration and enhancement along specific segments of the creek on both the Campus Park and Hill Campus. This will include minimum development setbacks, targets on invasive species

controls, appropriate native plantings, and in-channel habitat improvements such as retention of large woody debris and creation of a refugio and deep plunge pools where feasible.

Continuing Best Practice BIO-2-c: During planning and feasibility studies prior to development of specific projects or implementation of management plans in the Hill Campus, a habitat assessment will be conducted by a qualified biologist to identify and minimize potential impacts on riparian habitat, freshwater seeps, and native grassland sensitive natural communities. Detailed surveys will be conducted at appropriate times where necessary to confirm and map the extent of any sensitive natural communities. Where required to avoid a substantial adverse effect on such communities, in consultation with the CDFG, feasible changes to schedule, siting and design of projects or management plans will be developed and implemented.

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of Continuing Best Practices BIO-2-a, BIO-2-b and BIO-2-c would ensure that new construction, land management and other 2020 LRDP activities would be designed and implemented to avoid any substantial adverse impact on any riparian habitat or sensitive natural communities, and thus this impact is less than significant.

c) *Impact BIO-3: Construction, land management practices, and other 2020 LRDP activities would be designed and implemented to avoid any substantial adverse effect on jurisdictional wetlands.*

Continuing Best Practice BIO-3: Proposed projects on the Campus Park and Hill Campus will be designed to avoid designated jurisdictional wetlands and waters along the Strawberry Creek channel. As necessary, wetlands will be mapped and the extent of jurisdictional waters verified by the Corps during planning and feasibility studies prior to development of specific projects or implementation of management plans in the Hill Campus. When unavoidable, any modifications to Strawberry Creek and other jurisdictional waters will be coordinated with jurisdictional agencies, including the CDFG, Corps, and the RWQCB as necessary.

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of Continuing Best Practice BIO-3 would ensure that construction, land management practices, and other 2020 LRDP activities would be designed and implemented to avoid any substantial adverse effect on jurisdictional wetlands, and thus this impact is less than significant.

d) *Impact BIO-4: Construction, land management practices, and other 2020 LRDP activities would be designed and implemented to avoid any substantial interference with the movement of any native resident or migratory fish or wildlife species, or with established wildlife corridors or native wildlife nursery sites.*

Continuing Best Practice BIO-4-a: Proposed projects in the Hill Campus will be designed to avoid obstructing important established wildlife corridors to the full feasible extent. Before any new fencing is installed for security purposes, UC Berkeley will consider the effect of such

fencing on opportunities for wildlife movement, and will avoid new or expanded fencing which would obstruct important established movement corridors.

Continuing Best Practice BIO-4-b: During planning and feasibility studies prior to development of specific projects or implementation of management plans in the Hill Campus, a habitat assessment will be conducted by a qualified biologist to identify and minimize potential impacts on wildlife movement opportunities, including avoidance of new fencing across Strawberry Creek and tributary drainages.

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of Continuing Best Practice BIO-4-a and BIO-4-b would ensure that construction, land management practices and other 2020 LRDP activities would be designed and implemented to avoid any substantial interference with the movement of any native resident or migratory fish or wildlife species, or with established wildlife corridors or native wildlife nursery sites, and thus this impact would be less than significant.

e) *Impact BIO-5: Construction, land management and other 2020 LRDP activities would not result in a significant environmental effect upon biological resources due to conflict with local ordinances.*

FINDING: For the reasons stated in the Final EIR, The Regents finds that construction, land management and other LRDP activities would not result in a significant environmental effect upon biological resources due to conflict with local ordinances; therefore, no mitigation measures or continuing best practices are required.

f) *Cumulative Impact BIO-1: The 2020 LRDP, in combination with other reasonably foreseeable projects, would not have a substantial adverse affect upon special-status species. The cumulative impact would be* less than significant.

FINDING: For the reasons stated in the Final EIR, The Regents finds that the adverse effect upon special-status species resulting from implementation of the 2020 LRDP in conjunction with other development in the region is a less-than-significant impact; therefore, no further mitigation is required.

g) *Cumulative Impact BIO-2: The 2020 LRDP, in combination with other reasonably foreseeable projects, would not have a substantial adverse affect upon sensitive natural communities, jurisdictional wetlands, wildlife corridors and movement opportunities, and wildlife nursery sites. The cumulative impact would be* less than significant.

FINDING: For the reasons stated in the Final EIR, The Regents finds that the adverse effect upon sensitive natural communities, jurisdictional wetlands, wildlife corridors and movement opportunities and wildlife nursery sites resulting from implementation of the 2020 LRDP in conjunction with other development in the region is a less-than-significant impact; therefore, no further mitigation is required.

4. *Cultural Resources*

a) *Impact CUL-1: Construction activities under the 2020 LRDP could have the potential to destroy a unique paleontological resource, or site, or unique geologic feature, but campus best practices would ensure this impact is* less than significant.

Continuing Best Practice CUL-1: In the event that paleontological resource evidence or a unique geological feature is identified during project planning or construction, the work would stop immediately and the find would be protected until its significance can be determined by a qualified paleontologist or geologist. If the resource is determined to be a "unique resource," a mitigation plan would be formulated and implemented to appropriately protect the significance of the resource by preservation, documentation, and/or removal, prior to recommencing activities.

FINDING: For the reasons stated in the Final EIR, The Regents finds that construction activities under the 2020 LRDP could have the potential to destroy a unique paleontological resource, or site, or unique geological feature, but implementation of Continuing Best Practice CUL-1 would ensure this impact is less than significant.

b) *Impact CUL-2: Projects developed under the 2020 LRDP could cause adverse changes in the significance of historical resources. However, in general the provisions of the 2020 LRDP and the best practices would ensure this impact is* less than significant. *(See also LRDP Impact CUL-3.)*

Continuing Best Practice CUL-2-a: If a project could cause a substantial adverse change in features that convey the significance of a primary or secondary resource, an Historic Structures Assessment (HSA) would be prepared. Recommendations of the HSA made in accordance with the Secretary of the Interior's Standards would be implemented, in consultation with the UC Berkeley Design Review Committee and the State Historic Preservation Office, such that the integrity of the significant resource is preserved and protected. Copies of all reports would be filed in the University Archives/Bancroft Library.

Continuing Best Practice CUL-2-b: For projects with the potential to cause adverse changes in the significance of historical resources, UC Berkeley would make informational presentations of all major projects in the City Environs in Berkeley to the Berkeley Planning Commission and, if relevant, the Berkeley Landmarks Preservation Commission for comment prior to schematic design review by the UC Berkeley Design Review Committee. Such projects in the City Environs in Oakland would similarly be presented to the Oakland Planning Commission and, if relevant, to the Oakland Landmarks Preservation Advisory Board.

FINDING: For the reasons stated in the Final EIR, The Regents finds that projects developed under the 2020 LRDP could cause adverse changes in the significance of historical resources. Implementation of Continuing Best Practices CUL-2-a and CUL-2-b would reduce this potentially significant impact to a less-than-significant level.

c) *Impact CUL-3: Under certain circumstances warranted by public benefits in furtherance of the University's educational mission, projects developed under the 2020 LRDP could cause substantial adverse changes in the significance of historical resources. Under these circumstances, the University would follow the mitigation measure described, but the impact would remain* significant and unavoidable.

Mitigation Measure CUL-3: If, in furtherance of the educational mission of the University, a project would require the demolition of a primary or secondary resource, or the alteration of such a resource in a manner not in conformance with the Secretary of the Interior's Standards, the resource would be recorded to archival standards prior to its demolition or alteration.

FINDING: For the reasons stated in the Final EIR, The Regents finds that under certain circumstances warranted by public benefits in furtherance of the University's educational mission, projects developed under the 2020 LRDP could cause substantial adverse changes in the significance of historical resources. Implementation of Mitigation Measure CUL-3 will reduce such impacts to the extent feasible, but this impact would remain significant and unavoidable. The Regents finds this remaining significant impact to be acceptable because the benefits of the Project outweigh this and the other unavoidable environmental impacts of the Project for the reasons set forth in Section II.F of these Findings.

d) *Impact CUL-4: Projects developed under the 2020 LRDP could destroy significant prehistoric or historic archaeological resources. The mitigations would reduce this impact to* less than significant. *(See also LRDP Impact CUL-5.)*

Mitigation Measure CUL-4-a: UC Berkeley will create an internal document: a UCB Campus Archaeological Resources Sensitivity Map. The map will identify only the general locations of known and potential archaeological resources within the 2020 LRDP planning area. For the Hill Campus, the map will indicate the areas along drainages as being areas of high potential for the presence of archaeological resources. If any project would affect a resource, then either the project will be sited to avoid the location or, in consultation with a qualified archaeologist, UC Berkeley will determine the level of archaeological investigation that is appropriate for the project site and activity, prior to any construction or demolition activities.

Continuing Best Practice CUL-4-a: In the event resources are determined to be present at a project site, the following actions would be implemented as appropriate to the resource and the proposed disturbance:

- UC Berkeley shall retain a qualified archaeologist to conduct a subsurface investigation of the project site, to ascertain the extent of the deposit of any buried archaeological materials relative to the project's area of potential effects. The archaeologist would prepare a site record and file it with the California Historical Resource Information System. If the resource extends into the project's area of potential effects, the resource would be evaluated by a qualified archaeologist. UC Berkeley as lead agency would consider this evaluation in determining whether the resource qualifies as a historical

resource or a unique archaeological resource under the criteria of CEQA Guidelines Section 15064.5.

- If the resource does not qualify, or if no resource is present within the project area of potential effects, this would be noted in the environmental document and no further mitigation is required unless there is a discovery during construction (see Mitigation Measure CUL-4-b below).

- If a resource within the project area of potential effect is determined to qualify as an historical resource or a unique archaeological resource in accordance with CEQA, UC Berkeley shall consult with a qualified archaeologist to mitigate the effect through data recovery if appropriate to the resource, or to consider means of avoiding or reducing ground disturbance within the site boundaries, including minor modifications of building footprint, landscape modification, the placement of protective fill, the establishment of a preservation easement, or other means that would permit avoidance or substantial preservation in place of the resource. If further data recovery, avoidance or substantial preservation in place is not feasible, UC Berkeley shall implement LRDP Mitigation Measure CUL-5, outlined below.

- A written report of the results of investigations would be prepared by a qualified archaeologist and filed with the University Archives/ Bancroft Library and the Northwest Information Center.

Mitigation Measure CUL-4-b: If a resource is discovered during construction (whether or not an archaeologist is present), all soil disturbing work within 35 feet of the find shall cease. UC Berkeley shall contact a qualified archaeologist to provide and implement a plan for survey, subsurface investigation as needed to define the deposit, and assessment of the remainder of the site within the project area to determine whether the resource is significant and would be affected by the project, as outlined in Continuing Best Practice CUL-3-a. UC Berkeley would implement the recommendations of the archaeologist.

Continuing Best Practice CUL-4-b: In the event human or suspected human remains are discovered, UC Berkeley would notify the County Coroner who would determine whether the remains are subject to his or her authority. The Coroner would notify the Native American Heritage Commission if the remains are Native American. UC Berkeley would comply with the provisions of Public Resources Code Section 5097.98 and CEQA Guidelines Section 15064.5(d) regarding identification and involvement of the Native American Most Likely Descendant and with the provisions of the California Native American Graves Protection and Repatriation Act to ensure that the remains and any associated artifacts recovered are repatriated to the appropriate group, if requested.

Continuing Best Practice CUL-4-c: Prior to disturbing the soil, contractors shall be notified that they are required to watch for potential archaeological sites and artifacts and to notify UC Berkeley if any are found. In the event of a find, UC Berkeley shall implement LRDP

Mitigation Measure CUL-4-b.

FINDING: For the reasons stated in the Final EIR, The Regents finds that projects developed under the 2020 LRDP could destroy significant prehistoric or historic archaeological resources. Implementation of Mitigation Measures CUL-4-a and CUL-4-b and Continuing Best Practices CUL-4-a, CUL-4-b and CUL-4-c would reduce this potentially significant impact to a less-than-significant level.

e) *Impact CUL-5: Under certain circumstances warranted by public benefits in furtherance of the University's educational mission, projects developed under the 2020 LRDP could cause substantial adverse changes in the significance of archaeological resources. Under these circumstances, the University would follow the mitigation measure, but the impact would remain* significant and unavoidable.

Mitigation Measure CUL-5: If, in furtherance of the educational mission of the University, a project would require damage to or demolition of a significant archaeological resource, a qualified archaeologist shall, in consultation with UC Berkeley:

- Prepare a research design and archaeological data recovery plan that would attempt to capture those categories of data for which the site is significant, and implement the data recovery plan prior to or during development of the site.

- Perform appropriate technical analyses, prepare a full written report and file it with the appropriate information center and provide for the permanent curation of recovered materials.

FINDING: For the reasons stated in the Final EIR, The Regents finds that under certain circumstances warranted by public benefits in furtherance of the University's educational mission, projects developed under the 2020 LRDP could cause substantial adverse changes in the significance of archaeological resources. Implementation of Mitigation Measure CUL-5 will reduce this impact to the extent feasible, but this impact would remain significant and unavoidable. The Regents finds this remaining significant impact to be acceptable because the benefits of the Project outweigh this and the other unavoidable environmental impacts of the Project for the reasons set forth in Section II.F of these Findings.

f) *Cumulative Impact CUL-1: The 2020 LRDP, in combination with other reasonably foreseeable projects, could contribute to cumulative reduction and/or degradation of the resource base of historical or archaeological resources. The contribution of UC Berkeley projects to this impact would be minimized through the best practices and mitigations described above, but the impact would remain* significant and unavoidable.

FINDING: For the reasons stated in the Final EIR, The Regents finds that reduction and/or degradation of the resource base of historical and architectural resources resulting from implementation of the 2020 LRDP in conjunction with other development in the

region is a cumulatively considerable impact. Implementation of Continuing Best Practices CUL-1, CUL-2-a, CUL-2-b, CUL-4-a, CUL-4-b, CUL-4-c and LRDP Mitigation Measures CUL-3, CUL-4-a, CUL-4-b and CUL-5 would minimize the contribution of 2020 LRDP projects to this cumulative impact to the maximum extent feasible, however this impact would remain significant and unavoidable. The Regents finds this significant and unavoidable impact to be acceptable because the benefits of the Project outweigh this and other environmental impacts of the Project for the reasons set forth in Section II.F of these Findings.

5. ***Geology, Seismicity and Soils***

a) *Impact GEO-1: Implementation of the 2020 LRDP could expose people and/or structures to potential substantial adverse effects resulting from rupture of a known earthquake fault, strong seismic groundshaking, seismic-related ground failure and landsliding. Given continuing campus best practices, however, a significant increase in risk to people or the environment is not anticipated.*

Continuing Best Practice GEO-1-a: UC Berkeley will continue to comply with the California Building Code and the *University Policy on Seismic Safety.*

Continuing Best Practice GEO-1-b: Site-specific geotechnical studies will be conducted under the supervision of a California Registered Engineering Geologist or licensed geotechnical engineer and UC Berkeley will incorporate recommendations for geotechnical hazard prevention and abatement into project design.

Continuing Best Practice GEO-1-c: The Seismic Review Committee (SRC) shall continue to review all seismic and structural engineering design for new and renovated existing buildings on campus and ensure that it conforms to the California Building Code and the *University Policy on Seismic Safety.*

Continuing Best Practice GEO-1-d: UC Berkeley shall continue to use site-specific seismic ground motion specifications developed for analysis and design of campus projects. The information provides much greater detail than conventional codes and is used for performance-based analyses.

Continuing Best Practice GEO-1-e: UC Berkeley will continue to implement the SAFER Program. Through this program, UC Berkeley has already identified all existing buildings in need of upgrades and is currently performing seismic upgrades on several of these buildings.

Continuing Best Practice GEO-1-f: Through the Office of Emergency Preparedness, UC Berkeley will continue to implement programs and projects in emergency planning, training, response, and recovery. Each campus building housing Berkeley students, faculty and staff has a Building Coordinator who prepares building response plans and coordinates education and planning for all building occupants.

Continuing Best Practice GEO-1-g: As stipulated in the *University Policy on Seismic Safety*, the design parameters for specific site peak acceleration and structural reinforcement will be determined by the geotechnical and structural engineer for each new or rehabilitation project proposed under the 2020 LRDP. The acceptable level of actual damage that could be sustained by specific structures would be calculated based on geotechnical information obtained at the specific building site.

Continuing Best Practice GEO-1-h: Hill Campus dewatering would be carried out as needed and would be monitored and maintained by qualified engineers.

Continuing Best Practice GEO-1-i: The site-specific geotechnical studies conducted under Continuing Best Practice GEO-1-b will include an assessment of landslide hazard, including seismic vibration and other factors contributing to slope stability.

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of the 2020 LRDP could expose people and/or structures to potential substantial adverse effects resulting from rupture of a known earthquake fault, strong seismic groundshaking, seismic-related ground failure and landsliding. However, a significant increase in risk to people or the environment is not anticipated, and implementation of Continuing Best Practices GEO-1-a, GEO-1-b, GEO-1-c, GEO-1-d, GEO-1-e, GEO-1-f, GEO-1-g, GEO-1-h and GEO-1-i would ensure that this impact is less than significant.

b) *Impact GEO-2: Implementation of the 2020 LRDP, particularly in steep areas, could result in soil erosion. Given continuing campus best practices, however, a significant increase in erosion is not anticipated.*

Continuing Best Practice GEO-2: Campus construction projects with potential to cause erosion or sediment loss, or discharge of other pollutants, would include the campus Stormwater Pollution Prevention Specification. This specification includes by reference the "Manual of Standards for Erosion and Sediment Control" of the Association of Bay Area Governments and requires that each large and exterior project develop an Erosion Control Plan.

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of the 2020 LRDP, particularly in steep areas, could result in soil erosion. However, with the implementation of Continuing Best Practice GEO-2, a significant increase in erosion is not anticipated, an therefore this impact is less than significant.

c) *Impact GEO-3: Implementation of the 2020 LRDP would not result in a substantial loss of topsoil.*

Continuing Best Practice GEO-3: See Continuing Best Practices under Impacts GEO-1 and GEO-2 above.

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of the 2020 LRDP would not result in a substantial loss of topsoil. Implementation of

Continuing Best Practices GEO-1-a through GEO-1-i and GEO-2 would ensure that this impact remains less than significant.

d) *Impact GEO-4: Implementation of the 2020 LRDP could result in development located on a geologic unit or soil that is unstable and could potentially be subject to landslides, lateral spreading, subsidence, liquefaction or collapse. Given continuing campus best practices, however, a significant increase in risk to people or the environment is not anticipated.*

Continuing Best Practice GEO-4: See Continuing Best Practices under Impacts GEO-1 and GEO-2 above.

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of the 2020 LRDP could result in development located on a geologic unit or soil that is unstable and could potentially be subject to landslides, lateral spreading, subsidence, liquefaction or collapse. However, with implementation of Continuing Best Practices GEO-1-a through GEO-1-i and GEO-2, a significant increase in the risk to people or the environment is not anticipated, and thus this impact is less than significant.

e) *Impact GEO-5: Implementation of the 2020 LRDP could result in development located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property. Given continuing campus best practices, however, a significant increase in risk to people or the environment is not anticipated.*

Continuing Best Practice GEO-5: See Continuing Best Practices under Impacts GEO-1 and GEO-2 above.

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of the 2020 LRDP could result in development located on expansive soil, creating substantial risks to life or property. However, with implementation of Continuing Best Practices GEO-1-a through GEO-1-i and GEO-2, a significant increase in risk to people or the environment is not anticipated, and thus this impact is less than significant.

f) *Cumulative Impact GEO-1: The 2020 LRDP, in combination with other reasonably foreseeable projects, would not expose people or structures to substantial adverse impacts due to fault rupture, seismic ground shaking or ground failure, or landslides. The cumulative impact would be* less than significant.

FINDING: For the reasons stated in the Final EIR, The Regents finds that the exposure of people or structures to substantial adverse impacts due to fault rupture, seismic groundshaking or ground failure, or landslide resulting from implementation of the 2020 LRDP in conjunction with other development in the region is a less-than-significant impact; therefore, no further mitigation is required.

g) *Cumulative Impact GEO-2: The 2020 LRDP, in combination with other reasonably foreseeable projects, would not result in substantial soil erosion. The cumulative impact would be* less than significant.

FINDING: For the reasons stated in the Final EIR, The Regents finds that the substantial soil erosion resulting from the implementation of 2020 LRDP in conjunction with other development in the region is a less-than-significant impact. Implementation of Continuing Best Practice GEO-2 would ensure that this would remain a less-than-significant impact.

h) *Cumulative Impact GEO-3: The 2020 LRDP, in combination with other reasonably foreseeable projects, would not result in substantial risks to property or life as a result of projects being located on expansive soils or unstable soils or geologic units. The cumulative impact would be* less than significant.

FINDING: For the reasons stated in the Final EIR, The Regents finds that the risks to property or life as a result of projects located on expansive soils or unstable soils or geological units resulting from the implementation of the 2020 LRDP in conjunction with other development in the region is a less-than-significant impact; therefore, no further mitigation is required.

6. *Hazardous Materials*

a) *Impact HAZ-1: Implementation of the 2020 LRDP would increase the routine transport, use, disposal and storage of hazardous materials and waste (including chemical, radioactive, and biohazardous materials and waste), but given continuing campus best practices, this would not increase hazards to the public or the environment.*

Continuing Best Practice HAZ-1: UC Berkeley shall continue to implement the same (or equivalent) health and safety plans, programs, practices and procedures related to the use, storage, disposal, or transportation of hazardous materials and wastes (including chemical, radioactive, and biohazardous materials and waste) during the 2020 LRDP planning horizon. These include, but are not necessarily limited to, requirements for safe transportation of hazardous materials, EH&S training programs, the Hazard Communication Program, publication and promulgation of drain disposal guidelines, the requirement that laboratories have Chemical Hygiene Plans, the Chemical Inventory Database, the Toxic Use Reduction Program, the Aboveground Storage Tank Spill Prevention Control and Countermeasure Plan, monitoring of underground storage tanks, hazardous waste disposal policies, the Chemical Exchange Program, the Hazardous Waste Minimization Program, the Biosafety Program, the Medical Waste Management Program, and the Radiation Safety Program. These programs may be subject to modification as more stringent standards are developed or if the programs become obsolete through replacement by other programs that incorporate similar health and safety protection measures.

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of the 2020 LRDP would increase the routine transport, use, disposal and storage of

hazardous materials and waste (including chemical, radioactive and biohazardous materials and waste). However, with implementation of Continuing Best Practice HAZ-1, increased hazards to the public or the environment are not anticipated, and therefore this impact is less than significant.

b) *Impact HAZ-2: Implementation of the 2020 LRDP would increase the routine use of laboratory animals on campus by UC Berkeley laboratories, but given continuing campus best practices, this would not increase hazards to the public or the environment.*

Continuing Best Practice HAZ-2: UC Berkeley shall continue to implement the same (or equivalent) programs related to laboratory animal use during the 2020 LRDP planning horizon, including, but not necessarily limited to, compliance with U.S. Public Health Service Regulations, the National Research Council Guide for the Care and Use of Laboratory Animals, and Animal Welfare Act regulations. These programs may be subject to modification as more stringent standards are developed or if the programs become obsolete through replacement by other programs that incorporate similar health and safety protection measures.

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of the 2020 LRDP would increase the routine use of laboratory animals by UC Berkeley laboratories. However, with implementation of Continuing Best Practice HAZ-2, this would not increase hazards to the public or the environment, and therefore this impact is less than significant.

c) *Impact HAZ-3: Implementation of the 2020 LRDP would increase the use of transgenic organisms on campus by UC Berkeley laboratories, but given continuing campus best practices, this would not increase hazards to the public or the environment.*

Continuing Best Practice HAZ-3: UC Berkeley shall continue to implement the same (or equivalent) programs related to transgenic materials use during the 2020 LRDP planning horizon, including, but not necessarily limited to, compliance with the NIH Guidelines for Research Involving Recombinant DNA Molecules, USDA requirements for open field-based research involving transgenic plants, and requiring registration with EH&S for all research involving transgenic plants. These programs may be subject to modification as more stringent standards are developed or if the programs become obsolete through replacement by other programs that incorporate similar health and safety protection measures.

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of the 2020 LRDP would increase the use transgenic organisms on campus by UC Berkeley laboratories. However, with implementation of Continuing Best Practice HAZ-3, this would not increase hazards to the public or the environment, and therefore this impact is less than significant.

d) *Impact HAZ-4: Implementation of the 2020 LRDP could locate development on a hazardous materials site, exposing construction workers and campus occupants or the general*

public to contaminated soil or groundwater. Given campus continuing best practices, however, this would not increase the risks to workers, campus occupants or the general public.

Continuing Best Practice HAZ-4: UC Berkeley shall continue to perform site histories and due diligence assessments of all sites where ground-disturbing construction is proposed, to assess the potential for soil and groundwater contamination resulting from past or current site land uses at the site or in the vicinity. The investigation will include review of regulatory records, historical maps and other historical documents, and inspection of current site conditions. UC Berkeley would act to protect the health and safety of workers or others potentially exposed should hazardous site conditions be found.

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of the 2020 LRDP could locate development on a hazardous material site, exposing construction workers and campus occupants or the general public to contaminated soil or groundwater. However, with implementation of Continuing Best Practice HAZ-4, risks to workers, campus occupants and the general public would not increase, and therefore this impact is less than significant.

e) *Impact HAZ-5: Implementation of the 2020 LRDP could result in exposure to hazardous emissions or handling of contaminated building materials. This is a* less-than-significant *impact.*

Continuing Best Practice HAZ-5: UC Berkeley shall continue to perform hazardous materials surveys prior to capital projects in existing campus buildings. The campus shall continue to comply with federal, state, and local regulations governing the abatement and handling of hazardous building materials and each project shall address this requirement in all construction.

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of the 2020 LRDP could result in exposure to hazardous emissions or handling of contaminated building materials. With the implementation of Continuing Best Practice HAZ-5 this impact is less than significant.

f) *Impact HAZ-6: Implementation of the 2020 LRDP would increase the handling and transportation of hazardous materials. Given continuing campus best practices, this would not increase the risk of hazardous materials release into the environment through upset and accident conditions.*

Continuing Best Practice HAZ-6: See Continuing Best Practices for Impacts HAZ-1 through HAZ-3, above.

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of the 2020 LRDP would increase the handling and transportation of hazardous materials. However, with implementation of Continuing Best Practices HAZ-1, HAZ-2 and HAZ-3, the risk of hazardous materials released into the environment through upset and accident conditions would not increase, and thus this impact is less than significant.

g) *Impact HAZ-7: Implementation of the 2020 LRDP could result in hazardous emissions and the handling of hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. Given continuing campus best practices, however, such emissions or handling practices would not pose a health or safety hazard to students or employees at such schools.*

Continuing Best Practice HAZ-7: See Continuing Best Practices for Impact HAZ-1, above.

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of the 2020 LRDP could result in hazardous emissions and the handling of hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. However, with implementation of Continuing Best Practice HAZ-1, such emissions or handling practices would not pose a health or safety hazard to students or employees at such schools, and therefore this impact is less than significant.

h) *Impact HAZ-8: Implementation of the 2020 LRDP could expand research uses of non-ionizing radiation sources. This is a* less-than-significant *impact.*

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of the 2020 LRDP could expand research uses of non-ionizing radiation sources. This impact is less than significant and therefore no mitigation measures or continuing best practices are required.

i) *Cumulative Impact HAZ-1: The 2020 LRDP, in combination with other reasonably foreseeable projects, would result in increased use and transportation of hazardous materials, but would not significantly increase hazards to the public or the environment associated with the use and transport of hazardous materials and the generation of hazardous wastes.*

FINDING: **For the reasons stated in the Final EIR, The Regents finds that the increased use and transportation of hazardous materials resulting from implementation of the 2020 LRDP in conjunction with other development in the region is a less-than-significant impact. Implementation of Continuing Best Practices HAZ-1, HAZ-2, HAZ-3, HAZ-4 and HAZ-5 would ensure that this would remain a less-than-significant impact.**

7. *Hydrology and Water Quality*

a) *Impact HYD-1: Implementation of the 2020 LRDP would not violate existing water quality standards or wastewater discharge requirements, given the provisions of the 2020 LRDP and campus best practices.*

Continuing Best Practices HYD-1-a: During the plan check review process and construction phase monitoring, UC Berkeley (EH&S) will verify that the proposed project complies with all applicable requirements and BMPs.

Continuing Best Practice HYD-1-b: UC Berkeley shall continue implementing an urban runoff management program containing BMPs as published in the Strawberry Creek Management Plan, and as developed through the campus municipal Stormwater Management Plan completed for its pending Phase II MS4 NPDES permit. UC Berkeley will continue to comply with the NPDES stormwater permitting requirements by implementing construction and post construction control measures and BMPs required by project-specific SWPPPs and, upon its approval, by the Phase II SWMP to control pollution. Stormwater Pollution Prevention Plans would be prepared as required by the appropriate regulatory agencies including the Regional Water Quality Control Board and where applicable, according to the UC Berkeley Stormwater Pollution Prevention Specification to prevent discharge of pollutants and to minimize sedimentation resulting from construction and the transport of soils by construction vehicles.

Continuing Best Practice HYD-1-c: UC Berkeley shall maintain a campus-wide educational program regarding safe use and disposal of facilities maintenance chemicals and laboratory chemicals, to prevent discharge of these pollutants to Strawberry Creek and the campus storm drains.

Continuing Best Practices HYD-1-d: UC Berkeley shall continue to implement the campus Drain Disposal Policy and Drain Disposal Guidelines which provides inspection, training, and oversight on use of the drains for chemical disposal for academic and research laboratories as well as shops and physical plant operations, to prevent harm to the sanitary sewer system.

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of the 2020 LRDP would not violate existing water quality standards or wastewater discharge requirements. Implementation of Continuing Best Practices HYD-1-a, HYD-1-b, HYD-1-c and HYD-1-d would ensure that this impact remains less than significant.

b) *Impact HYD-2: Implementation of the 2020 LRDP, including associated construction activities, would not contribute substantial sedimentation or other pollutants in stormwater runoff that could cause sedimentation in local storm drains, and degrade the quality of receiving waters, given continuing campus best practices.*

Continuing Best Practice HYD-2-a: In addition to Hydrology Continuing Best Practices 1-a and 1-b above, UC Berkeley will continue to review each development project, to determine whether project runoff would increase pollutant loading. If it is determined that pollutant loading could lead to a violation of the Basin Plan, UC Berkeley would design and implement the necessary improvements to treat stormwater. Such improvements could include grassy swales, detention ponds, continuous centrifugal system units, catch basin oil filters, disconnected downspouts and stormwater planter boxes.

Continuing Best Practice HYD-2-b: Where feasible, parking would be built in covered parking structures and not exposed to rain to address potential stormwater runoff pollutant loads. See also HYD-2-a.

Continuing Best Practice HYD-2-c: Landscaped areas of development sites shall be designed to absorb runoff from rooftops and walkways. The Campus Landscape Architect shall ensure that open or porous paving systems be included in project designs wherever feasible, to minimize impervious surfaces and absorb runoff.

Continuing Best Practice HYD-2-d: UC Berkeley shall continue to develop and implement the recommendations of the Strawberry Creek Management Plan and its updates, and construct improvements as appropriate. These recommendations include, but shall not be limited to, minimization of the amount of land exposed at any one time during construction as feasible; use of temporary vegetation or mulch to stabilize critical areas where construction staging activities must be carried out prior to permanent cover of exposed lands; installation of permanent vegetation and erosion control structures as soon as practical; protection and retention of natural vegetation; and implementation of post-construction structural and non-structural water quality control techniques.

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of the 2020 LRDP, including associated construction activities, would not contribute substantial sedimentation or other pollutants in storm water runoff that could cause sedimentation in local storm drains and degrade the quality of receiving waters. Implementation of Continuing Best Practices HYD-2-a, HYD-2-b, HYD-2-c and HYD-2-d would ensure that this impact remains less than significant.

c) *Impact HYD-3: Implementation of the 2020 LRDP would not interfere with groundwater recharge or contribute to lowering of the local groundwater table, given the provisions of the 2020 LRDP and campus best practices.*

Continuing Best Practice HYD-3: In addition to Hydrology Continuing Best Practices 1-a, 1-b and 2-a and 2-c above, UC Berkeley will continue to review each development project, to determine whether rainwater infiltration to groundwater is affected. If it is determined that existing infiltration rates would be adversely affected, UC Berkeley would design and implement the necessary improvements to retain and infiltrate stormwater. Such improvements could include retention basins to collect and retain runoff, grassy swales, infiltration galleries, planter boxes, permeable pavement, or other retention methods. The goal of the improvement should be to ensure that there is no net decrease in the amount of water recharged to groundwater that serves as freshwater replenishment to Strawberry Creek. The improvement should maintain the volume of flows and times of concentration from any given site at pre-development conditions.

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of the 2020 LRDP would not interfere with groundwater recharge or contribute to lowering of the local groundwater table. Implementation of Continuing Best Practice HYD-3 would ensure that this impact remains less than significant.

d) *Impact HYD-4: At all sites outside the Hill Campus, implementation of the 2020 LRDP could alter drainage patterns in the project area and increase impervious surfaces, but would not exceed the capacity of stormwater drainage systems, result in localized flooding, contribute*

to off-site flooding, nor result in substantial siltation or erosion, given the provisions of the 2020 LRDP and campus best practices.

Continuing Best Practice HYD-4-a: In addition to Hydrology Continuing Best Practices 1-a, 1-b and 2-c, the campus storm drain system would be maintained and cleaned to accommodate existing runoff.

Continuing Best Practice HYD-4-b: For 2020 LRDP projects in the City Environs (excluding the Campus Park or Hill Campus) improvements would be coordinated with the City Public Works Department.

Continuing Best Practice HYD-4-c: Development that encroaches on creek channels and riparian zones would be prohibited. Creek channels would be preserved and enhanced, especially in the Campus Park area. An undisturbed buffer zone would be maintained between proposed 2020 LRDP projects and creek channels.

Continuing Best Practice HYD-4-d: UC Berkeley shall continue to develop and implement a maintenance program for Strawberry Creek, as described in the Strawberry Creek Management Plan and its updates. Actions shall include but not be limited to: clear trash racks, catch basins, channels, ponds, bridges and over-crossing structures of debris that could block flows and increase flooding potential in all campus creeks. Cleaning of debris shall be done during storm events and prior to the start of the rainy season as part of routine campus grounds maintenance.

Continuing Best Practice HYD-4-e: UC Berkeley shall continue to manage runoff into storm drain systems such that the aggregate effect of projects implementing the 2020 LRDP is no net increase in runoff over existing conditions.

FINDING: For the reasons stated in the Final EIR, The Regents finds that at all sites outside the Hill Campus, implementation of the 2020 LRDP could alter drainage patterns in the project area and increase impervious surfaces. However, with implementation of Continuing Best Practices HYD-4-a, HYD-4-b, HYD-4-c, HYD-4-d and HYD-4-e, implementation of the 2020 LRDP would not exceed the capacity of stormwater drainage systems, result in localized flooding, contribute to off-site flooding or result in substantial siltation or erosion, and therefore this impact is less than significant.

e) *Impact HYD-5: Projects implemented in the Hill Campus under the 2020 LRDP could alter drainage patterns and increase impervious surfaces, which could exceed the capacity of stormwater drainage systems, result in localized flooding, contribute to off-site flooding, and result in substantial siltation or erosion, but the mitigation would ensure this impact is* less than significant.

Mitigation Measure HYD-5: In addition to Hydrology Continuing Best Practices 1-a, 1-b, 2-c, 4-a, 4-c and 4-e, projects proposed with potential to alter drainage patterns in the Hill Campus would be accompanied by a hydrologic modification analysis, and would incorporate a plan to

prevent increases of flow from the newly developed site, preventing downstream flooding and substantial siltation and erosion.

FINDING: For the reasons stated in the Final EIR, The Regents finds that projects implemented in the Hill Campus under the 2020 LRDP could alter drainage patterns and increase impervious surfaces, which could exceed the capacity of stormwater drainage systems, result in localized flooding, contribute to off-site flooding and result in substantial siltation or erosion. However, implementation of Mitigation Measure HYD-5, in addition to Continuing Best Practices HYD-1-a, HYD-1-b, HYD-2-c, HYD-4-a, HYD-4-c and HYD-4-e, would reduce this potentially significant impact to a less-than-significant level.

f) *Impact HYD-6: Implementation of the 2020 LRDP could place structures which would impede or redirect flood flows within the 100-year flood hazard area, but the mitigation would ensure this impact is* less than significant.

Mitigation Measure HYD-6: In addition to implementation of LRDP Mitigation Measure HYD-5, prior to final design, UC Berkeley will review the plans for all structures to be constructed in the 100-year floodplain for compliance with FEMA requirements for nonresidential structures. This review will include a hydrologic study and recommendations to eliminate any potential impacts to the 100-year floodplain. For structures placed within the 100-year floodplain, flood control devices will be utilized in each development to direct flows toward areas where flood hazards will be minimal. These actions would ensure that the implementation of the 2020 LRDP would not impede or redirect flows in a manner that results in flooding.

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of the 2020 LRDP could place structures which would impede or redirect flood flows within the 100-year flood hazard area. However, implementation of Mitigation Measure HYD-6 would reduce this potentially significant impact to a less-than-significant level.

g) *Cumulative Impact HYD-1: The 2020 LRDP would not contribute to a cumulative increase in surface runoff and wastewater discharges, in combination with other reasonably foreseeable projects, and would not violate existing surface water quality standards or wastewater discharge requirements.*

FINDING: For the reasons stated in the Final EIR, The Regents finds that the increase in surface runoff and wastewater discharges resulting from implementation of the 2020 LRDP in conjunction with other development in the region would not violate existing surface water quality standards or wastewater discharge requirements; therefore this is a less-than-significant impact. Implementation of Continuing Best Practices HYD-1-a, HYD-1-b, HYD-1-c, HYD-1-d, HYD-2-a, HYD-2-b, HYD-2-c, and HYD-2-d- would ensure that this impact remains less than significant.

h) *Cumulative Impact HYD-2: The 2020 LRDP, in combination with other reasonably foreseeable projects, could interfere with groundwater recharge or contribute to lowering of the*

local groundwater table, but would not be expected to have a substantial impact on these resources.

FINDING: For the reasons stated in the Final EIR, The Regents finds that the interference with groundwater recharge or contribution to lowering of the local groundwater resulting from implementation of the 2020 LRDP in conjunction with other development in the region is a less-than-significant impact. Implementation of Continuing Best Practices HYD-1-a, HYD-1-b, HYD-2-a, HYD-2-b, HYD-2-c and HYD-3 would ensure that this impact remains less than significant.

i) *Cumulative Impact HYD-3: The 2020 LRDP, in combination with other reasonably foreseeable projects, could increase impervious surfaces, contributing additional sources of polluted stormwater runoff; also, construction activities of combined projects could contribute sediments or other pollutants in stormwater runoff; however, these contributions are not expected to be substantial.*

FINDING: For the reasons stated in the Final EIR, The Regents finds that the increase in impervious surfaces and contribution to additional sources of polluted stormwater runoff resulting from implementation of the 2020 LRDP in conjunction with other development in the region is a less-than-significant impact. Implementation of Continuing Best Practices HYd-2-a, HYD-2-b, HYD-2-c and HYD-2-d would ensure that this impact remains less than significant.

j) *Cumulative Impact HYD-4: The 2020 LRDP, in combination with other reasonably foreseeable projects, may alter drainage patterns and increase impervious surfaces to an extent that exceeds the capacity of stormwater drainage systems. However, the contribution of the 2020 LRDP to these impacts is not anticipated to be cumulatively considerable.*

FINDING: For the reasons stated in the Final EIR, The Regents finds that the alteration of drainage patterns and increase in impervious surfaces resulting from implementation of the 2020 LRDP in conjunction with other development in the region is a less-than-significant impact. Implementation of Continuing Best Practice HYD-4-e and LRDP Mitigation Measure HYD-5 would ensure that this impact remains less than significant.

k) *Cumulative Impact HYD-5: The 2020 LRDP could, in combination with other reasonably foreseeable projects, place structures which could impede or redirect flood flows within the 100-year flood hazard area. However, the contribution of the 2020 LRDP to this impact is not anticipated to be cumulatively considerable.*

FINDING: For the reasons stated in the Final EIR, The Regents finds that the placement of structures which could impede or redirect flood flows within the 100-year flood hazard area resulting from implementation of the 2020 LRDP in conjunction with other development in the region is a less-than-significant impact. Implementation of LRDP Mitigation Measure HYD-5 would ensure that this impact remains less than significant.

8. *Land Use*

a) *Impact LU-1: The 2020 LRDP would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project, adopted for the purpose of avoiding or mitigating an environmental effect.*

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of the 2020 LRDP would not conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project, adopted for the purpose of avoiding or mitigating an environmental effect. This impact is less than significant, therefore no mitigation measures or continuing best practices are required.

b) *Impact LU-2: The 2020 LRDP would not conflict with local land use regulations such that a significant incompatibility is created with adjacent land uses.*

Continuing Best Practice LU-2-a: New projects in the Campus Park would as a general rule conform to the Campus Park Guidelines. The Guidelines include specific provisions to ensure projects at the city interface create a graceful transition from campus to city.

Continuing Best Practice LU-2-b: UC Berkeley would make informational presentations of all major projects in the City Environs in Berkeley to the Berkeley Planning Commission and, if relevant, the Berkeley Landmarks Preservation Commission for comment prior to schematic design review by the UC Berkeley Design Review Committee. Major projects in the City Environs in Oakland would similarly be presented to the Oakland Planning Commission and, if relevant, to the Oakland Landmarks Preservation Advisory Board. Whenever a project in the City Environs is under consideration by the UC Berkeley Design Review Committee, a staff representative designated by the city in which it is located would be invited to attend and comment on the project.

Continuing Best Practice LU-2-c: Each individual project built in the City Environs under the 2020 LRDP would be assessed to determine whether it could pose potential significant land use impacts not anticipated in the 2020 LRDP, and if so, the project would be subject to further evaluation under CEQA. In general, a project in the City Environs would be assumed to have the potential for significant land use impacts if it:

- Includes a use that is not permitted within the city general plan designation for the project site, or

- Has a greater number of stories and/or lesser setback dimensions than could be permitted for a project under the relevant city zoning ordinance as of July 2003.

Continuing Best Practice LU-2-d: Assuming the City adopts the Southside Plan without substantive changes, the University would as a general rule use, as its guide for the location and design of University projects implemented under the 2020 LRDP within the area of the

Southside Plan, the design guidelines and standards prescribed in the Southside Plan, which would supersede provisions of the City's prior zoning policy.

Continuing Best Practice LU-2-e: To the extent feasible, University housing projects in the 2020 LRDP Housing Zone would not have a greater number of stories nor lesser setback dimensions than could be permitted for a project under the relevant city zoning ordinance as of July 2003.

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of the 2020 LRDP would not conflict with local land use regulations such that a significant incompatibility is created with adjacent land uses. Implementation of Continuing Best Practices LU-2-a, LU-2-b, LU-2-c, LU-2-d and LU-2-e would ensure that this impact remains less than significant.

c) *Cumulative Impact LU-1: The 2020 LRDP, in combination with other reasonably foreseeable projects, would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project, adopted for the purpose of avoiding or mitigating an environmental impact.*

FINDING: For the reasons stated in the Final EIR, The Regents finds that the conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the Project resulting from implementation of the 2020 LRDP in conjunction with other development in the region is a less-than-significant impact; therefore, no further mitigation is required.

d) *Cumulative Impact LU-2: The 2020 LRDP, in combination with other reasonably foreseeable projects, would not conflict with local land use regulations such that a significant cumulative incompatibility is created with adjacent land uses.*

FINDING: For the reasons stated in the Final EIR, The Regents finds that conflicts with local land use regulations resulting from implementation of the 2020 LRDP in conjunction with other development in the region is a less-than-significant impact; therefore, no further mitigation is required.

9. *Noise*

a) *Impact NOI-1: Implementation of the 2020 LRDP would increase vehicular traffic in the 2020 LRDP planning area, but would not result in a substantial permanent increase in ambient noise levels due to increased vehicular traffic on local roadways.*

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of the LRDP would increase vehicular traffic in the 2020 LRDP planning area, but would not result in a substantial permanent increase in ambient noise levels due to increased vehicular traffic on local roadways. This impact is less than significant and therefore no mitigation measures or continuing best practices are required.

b) *Impact NOI-2: Projects implementing the 2020 LRDP would not result in operational noise levels in excess of local standards.*

Continuing Best Practice NOI-2: Mechanical equipment selection and building design shielding would be used, as appropriate, so that noise levels from future building operations would not exceed the City of Berkeley Noise Ordinance limits for commercial areas or residential zones as measured on any commercial or residential property in the area surrounding a project proposed to implement the 2020 LRDP. Controls that would typically be incorporated to attain this outcome include selection of quiet equipment, sound attenuators on fans, sound attenuator packages for cooling towers and emergency generators, acoustical screen walls, and equipment enclosures.

FINDING: For the reasons stated in the Final EIR, The Regents finds that projects implemented under the 2020 LRDP would not result in operational noise levels in excess of local standards. Implementation of Continuing Best Practice NOI-2 would ensure that this impact remains less than significant.

c) *Impact NOI-3: University housing developed under the 2020 LRDP could expose residents to excessive noise levels. This impact is* significant and unavoidable.

Mitigation Measure NOI-3: The University would comply with building standards that reduce noise impacts to residents of University housing to the full feasible extent; additionally, any housing built in areas where noise exposure levels exceed 60 Ldn would incorporate design features to minimize noise exposures to occupants.

FINDING: For the reasons stated in the Final EIR, The Regents finds that the University housing developed under the 2020 LRDP would expose residents at some locations to excessive noise levels. Implementation of Mitigation Measure NOI-3 will reduce this impact to the extent feasible, but this impact will remain significant and unavoidable. The Regents finds this remaining significant impact to be acceptable because the benefits of the Project outweigh this and the other unavoidable environmental impacts of the Project for the reasons set forth in Section II.F of these Findings.

d) *Impact NOI-4: Noise resulting from demolition and construction activities necessary for implementation of the 2020 LRDP would, in some instances, cause a substantial temporary or periodic increase in noise levels, in excess of local standards prescribed in Section 13.40.070 of the City of Berkeley noise ordinance, at affected residential or commercial property lines. This is a significant and unavoidable impact.*

Continuing Best Practice NOI-4-a: The following measures would be included in all construction projects:

- Construction activities will be limited to a schedule that minimizes disruption to uses surrounding the project site as much as possible. Construction outside the Campus Park area will be scheduled within the allowable construction hours designated in the noise

ordinance of the local jurisdiction to the full feasible extent, and exceptions will be avoided except where necessary.

- As feasible, construction equipment will be required to be muffled or controlled.

- The intensity of potential noise sources will be reduced where feasible by selection of quieter equipment (e.g. gas or electric equipment instead of diesel powered, low noise air compressors).

- Functions such as concrete mixing and equipment repair will be performed off-site whenever possible.

For projects requiring pile driving:

- With approval of the project structural engineer, pile holes will be pre-drilled to minimize the number of impacts necessary to seat the pile.

- Pile driving will be scheduled to have the least impact on nearby sensitive receptors.

- Pile drivers with the best available noise control technology will be used. For example, pile driving noise control may be achieved by shrouding the pile hammer point of impact, by placing resilient padding directly on top of the pile cap, and/or by reducing exhaust noise with a sound-absorbing muffler.

- Alternatives to impact hammers, such as oscillating or rotating pile installation systems, will be used where possible.

Continuing Best Practice NOI-4-b: UC Berkeley will continue to precede all new construction projects with community outreach and notification, with the purpose of ensuring that the mutual needs of the particular construction project and of those impacted by construction noise are met, to the extent feasible.

Mitigation Measure NOI-4: UC Berkeley will develop a comprehensive construction noise control specification to implement additional noise controls, such as noise attenuation barriers, siting of construction laydown and vehicle staging areas, and the measures outlined in Continuing Best Practice NOI-4-a as appropriate to specific projects. The specification will include such information as general provisions, definitions, submittal requirements, construction limitations, requirements for noise and vibration monitoring and control plans, noise control materials and methods. This document will be modified as appropriate for a particular construction project and included within the construction specification.

FINDING: For the reasons stated in the Final EIR, The Regents finds that noise resulting from demolition and constructions activities necessary for implementation of the 2020 LRDP would, in some instances and at affected residential or commercial property lines, cause a substantial temporary or periodic increase in noise levels in excess of local

standards prescribed by the City of Berkeley. Implementation of Continuing Best Practices NOI-4-a and NOI-4-b and Mitigation Measure NOI-4 would reduce this impact to the extent feasible, but this impact will remain significant and unavoidable. The Regents finds this significant impact to be acceptable because the benefits of the Project outweigh this and the other unavoidable environmental impacts of the Project for the reasons set forth in Section II.F of these Findings.

e) *Impact NOI-5: Construction of campus facilities under the 2020 LRDP could expose nearby receptors to excessive groundborne vibration, but the mitigation measure would ensure this impact is* less than significant.

Mitigation Measure NOI-5: The following measures will be implemented to mitigate construction vibration:

- UC Berkeley will conduct a pre-construction survey prior to the start of pile driving. The survey will address susceptibility ratings of structures, proximity of sensitive receivers and equipment/operations, and surrounding soil conditions. This survey will document existing conditions as a baseline for determining changes subsequent to pile driving.

- UC Berkeley will establish a vibration checklist for determining whether or not vibration is an issue for a particular project.

Prior to conducting vibration-causing construction, UC Berkeley will evaluate whether alternative methods are available, such as:

- Using an alternative to impact pile driving such as vibratory pile drivers or oscillating or rotating pile installation methods.

- Jetting or partial jetting of piles into place using a water injection at the tip of the pile.

- If vibration monitoring is deemed necessary, the number, type, and location of vibration sensors would be determined by UC Berkeley.

FINDING: For the reasons stated in the Final EIR, The Regents finds that construction of campus facilities under the 2020 LRDP could expose nearby receptors to excessive groundborne vibration. However, implementation of Mitigation Measure NOI-5 would reduce this potentially significant impact to a less-than-significant level.

f) *Cumulative Impact NOI-1: The 2020 LRDP, in combination with other projects, is not anticipated to result in a substantial permanent increase in ambient noise levels.*

g) *Cumulative Impact NOI-2: The 2020 LRDP, in combination with other projects, is not anticipated to result in a substantial temporary or periodic increase in ambient noise levels.*

h) *Cumulative Impact NOI-3: The 2020 LRDP, in combination with other projects, would not expose people to or generate excessive ground-borne vibration or groundborne noise levels.*

FINDING: For the reasons stated in the Final EIR, The Regents finds that increased ambient noise levels and ground-borne vibration or ground-borne noise levels resulting from the implementation of the 2020 LRDP in conjunction with other development in the region is a less-than-significant impact; therefore, no further mitigation is required.

i) *Cumulative Impact NOI-4: The 2020 LRDP, in combination with other projects, would expose people to noise levels in excess of established standards. This is a* significant and unavoidable *impact.*

FINDING: For the reasons stated in the Final EIR, The Regents finds that noise levels in excess of established standards resulting from implementation of the 2020 LRDP in conjunction with other development in the region is a significant and unavoidable impact. Implementation of Continuing Best Practices NOI-4-a and NOI-4-b and LRDP Mitigation Measure NOI-4 would reduce this impact to the maximum extent feasible, but it would remain significant and unavoidable. The Regents finds this significant unavoidable impact to be acceptable because the benefits of the Project outweigh this and other environmental impacts of the Project for the reason set forth in Section II.F of these Findings.

10. *Population and Housing*

a) *Impact POP-1: Implementation of the 2020 LRDP would directly induce population growth in the Bay Region by increasing both enrollment and employment at UC Berkeley, but this growth would in general be accommodated in the Bay Region without significant adverse impacts.*

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of the 2020 LRDP would induce population growth in the Bay Region by increasing both enrollment and employment at UC Berkeley. However, this growth would in general be accommodated in the Bay Region without significant adverse impacts, and therefore no mitigation measures or continuing best practices are required.

b) *Cumulative Impact POP-1: The 2020 LRDP, in combination with other reasonably foreseeable projects, would directly induce population growth in the Bay Area, but the contribution of the 2020 LRDP would not be cumulatively considerable.*

FINDING: For the reasons stated in the Final EIR, The Regents finds that population growth in the Bay Area resulting from implementation of the 2020 LRDP in conjunction with other development in the region is a less-than-significant impact; therefore, no mitigation is required.

11. *Public Services*

a) *Impact PUB-1.1: Implementation of the 2020 LRDP could increase the demand for police services, but is not anticipated to result in construction of new or altered facilities.*

Continuing Best Practice PUB-1.1: UCPD would continue its partnership with the City of Berkeley police department to review service levels in the City Environs.

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of the 2020 LRDP could increase the demand for police services. However, this potential increase in demand is not anticipated to result in construction of new or altered facilities, and implementation of Continuing Best Practices PUB-1.1 would ensure that this impact remains less than significant.

b) *Impact PUB-2.1: Implementation of the 2020 LRDP would result in limited new development in the Hill Campus, but would not expose people or structures in the Hill Campus to a significant risk of loss, injury or death involving wildland fires.*

Continuing Best Practice PUB-2.1-a: UC Berkeley would continue to comply with Title 19 of the California Code of Regulations, which mandates firebreaks of up to 100 feet around buildings or structures in, upon or adjoining any mountainous, forested, brush- or grass-covered lands.

Continuing Best Practice PUB-2.1-b: UC Berkeley would continue on-going implementation of the Hill Area Fire Fuel Management program.

Continuing Best Practice PUB-2.1-c: UC Berkeley would continue to plan and implement programs to reduce risk of wildland fires, including plan review and construction inspection programs that ensure that campus projects incorporate fire prevention measures.

Continuing Best Practice PUB-2.1-d: UC Berkeley would continue to plan and collaborate with other agencies through participation in the Hills Emergency Forum.

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of the 2020 LRDP would result in limited new development in the Hill Campus, but would not expose people or structures in the Hill Campus to a significant risk of loss, injury or death involving wildland fires. Implementation of Continuing Best Practices PUB-2.1-a PUB-2.1-b, PUB-2.1-c, and PUB 2.1-d would ensure that this impact remains less than significant.

c) *Impact PUB-2.2: Implementation of the 2020 LRDP would not impair or interfere with an adopted emergency response plan or emergency evacuation plan.*

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of the 2020 LRDP would not impair or interfere with an adopted emergency response plan

or emergency evacuation plan; therefore, no mitigation measures or continuing best practices are required.

d) *Impact PUB-2.3: Implementation of the 2020 LRDP could increase the demand for fire and emergency services, but is not anticipated to result in construction of new or altered facilities.*

Continuing Best Practice PUB-2.3: UC Berkeley would continue its partnership with LBNL, ACFD, and the City of Berkeley to ensure adequate fire and emergency service levels to the campus and UC facilities. This partnership shall include consultation on the adequacy of emergency access routes to all new University buildings.

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of the 2020 LRDP could increase the demand for fire and emergency services. This potential increase in demand, however, is not anticipated to result in construction of new or altered facilities, and implementation of Continuing Best Practice PUB-2.3 would ensure that this impact remains less than significant.

e) *Impact PUB-2.4: Implementation of the 2020 LRDP could temporarily result in emergency access constraints, but the mitigations would reduce this impact to a* less-than-significant *level.*

Mitigation Measure PUB-2.4-a: In order to ensure adequate access for emergency vehicles when construction projects would result in temporary lane or roadway closures, campus project management staff would consult with the UCPD, campus EH&S, the BFD and ACFD to evaluate alternative travel routes and temporary lane or roadway closures prior to the start of construction activity. UC Berkeley will ensure the selected alternative travel routes are not impeded by UC Berkeley activities.

Mitigation Measure PUB-2.4-b: To the extent feasible, the University would maintain at least one unobstructed lane in both directions on campus roadways at all times, including during construction. At any time only a single lane is available due to construction-related road closures, the University would provide a temporary traffic signal, signal carriers (i.e. flagpersons), or other appropriate traffic controls to allow travel in both directions. If construction activities require the complete closure of a roadway, UC Berkeley would provide signage indicating alternative routes. In the case of Centennial Drive, any complete road closure would be limited to brief interruptions of traffic required by construction operations.

Continuing Best Practice PUB-2.4: To the extent feasible, for all projects in the City Environs, the University would include the undergrounding of surface utilities along project street frontages, in support of Berkeley General Plan Policy S-22.

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of 2020 LRDP could temporarily result in emergency access constraints. However,

implementation of Mitigation Measures PUB-2.4-a and PUB-2.4-b and Continuing Best Practice PUB 2.4 would reduce this potentially significant impact to less than significant.

f) *Impact PUB-3.1: Implementation of the 2020 LRDP could increase the demand for schools, but is not anticipated to create a need for new or altered facilities.*

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of 2020 LRDP could increase the demand for schools, but is not anticipated to create a need for new or altered facilities; therefore, no mitigation measures or continuing best practices are required.

g) *Impact PUB-4.1: Implementation of the 2020 LRDP would increase the campus population, but would not increase demand for recreation facilities to an extent that could result in substantial physical deterioration of parks and recreational facilities or the need for new or expanded facilities to maintain acceptable service ratios.*

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of the 2020 LRDP would increase the campus population, but would not increase demand for recreational facilities to an extent that could result in substantial physical deterioration of parks and recreational facilities or the need for newer or expanded facilities to maintain acceptable service ratios; therefore, no mitigation measures or continuing best practices are required.

h) *Impact PUB-4.2: Implementation of the 2020 LRDP is not anticipated to create a need for new or altered parks and recreational facilities.*

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of the 2020 LRDP is not anticipated to create a need for new or altered parks and recreational facilities; therefore no mitigation measures or continuing best practices are required.

i) *Impact PUB-4.3: Implementation of the 2020 LRDP could include construction or expansion of recreational facilities, but continuing best practices would ensure this impact is* less than significant.

Continuing Best Practice PUB-4.3: Any new UC Berkeley recreation facilities would be developed in accordance with design principles and guidelines established in the 2020 LRDP. All relevant 2020 LRDP mitigation measures and continuing best practices would be incorporated into the design and construction of new facilities. For each individual project, the University would evaluate potential environmental impacts and prepare all required documents in full accordance with CEQA.

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of the 2020 LRDP could include construction or expansion of recreational facilities.

However, implementation of Continuing Best Practice PUB-4.3 would ensure this impact remains less than significant.

j) *Impact PUB-4.4: Implementation of the 2020 LRDP could result in the unanticipated loss of some University owned recreational facilities, which could result in increased use leading to the physical deterioration of remaining facilities, but the mitigation measure would reduce this impact to* less than significant.

Mitigation Measure PUB-4.4: Before implementing any change to the use of any existing recreational facility, UC Berkeley will conduct a study to ensure that the loss of recreational use would not result in increased use at other facilities to the extent it would result in the physical deterioration of those facilities. If such deterioration is found to have the potential to occur, then the University will build replacement recreation facilities or take other measures to minimize overuse and deterioration of existing facilities in connection with removal of or reduction in use at the recreation facility in question. Any such facilities and/or measures would be reviewed in accordance with CEQA.

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of the 2020 LRDP could result in the unanticipated loss of some University-owned recreational facilities, which could result in increased use leading to the physical deterioration of remaining facilities. However, implementation of Mitigation Measure PUB-4.4 would reduce this potentially significant impact to a less-than-significant level.

k) *Cumulative Impact PUB-1: The 2020 LRDP, in combination with other reasonably foreseeable projects, may result in construction of new public service facilities, but these facilities are not anticipated to have significant environmental impacts.*

l) *Cumulative Impact PUB-2: The 2020 LRDP, in combination with other reasonably foreseeable projects, is not anticipated to increase the use of recreation facilities to an extent that could result in their substantial physical deterioration.*

FINDING: For the reasons stated in the Final EIR, The Regents finds that the construction of new public service facilities and increased use of recreational facilities resulting from implementation of the 2020 LRDP in conjunction with other development in the region is a less-than-significant impact; therefore, no further mitigation is required.

m) *Cumulative Impact PUB-3: The 2020 LRDP, in combination with other reasonably foreseeable projects, could expose people or structures in the East Bay Hills to a risk of loss, injury, or death involving wildland fires, but the current plans and practices of UC Berkeley and other jurisdictions would ensure this risk is* less than significant.

FINDING: For the reasons stated in the Final EIR, The Regents finds that impairment or interference with an adopted emergency response plan or emergency evacuation plan

resulting from implementation of the 2020 LRDP in conjunction with other development in the region is a less-than-significant impact; therefore, no further mitigation is required.

n) *Cumulative Impact PUB-4: The 2020 LRDP, in combination with other reasonably foreseeable projects, would not impair nor interfere with an adopted emergency response plan or emergency evacuation plan.*

FINDING: For the reasons stated in the Final EIR, The Regents finds that impairment or interference with an adopted emergency response plan or emergency evacuation plan resulting from implementation of the 2020 LRDP in conjunction with other development in the region is a less-than-significant impact; therefore, no further mitigation is required.

o) *Cumulative Impact PUB-5: The 2020 LRDP, in combination with other reasonably foreseeable projects, could temporarily result in emergency access constraints, but the ongoing implementation of mitigations described above, as well as of policies in the Berkeley General Plan, would ensure such constraints are* less than significant.

FINDING: For the reasons stated in the Final EIR, The Regents finds that temporary emergency access constraints resulting from implementation of the 2020 LRDP in conjunction with other development in the region is a less-than-significant impact. Implementation of LRDP Mitigation Measures PUB-2.4-a and PUB-2.4-b and Continuing Best Practice PUB-2.4 would ensure that this impact remains less than significant.

12. *Transportation and Traffic*

a) *Impact TRA-1: The 2020 LRDP would not increase hazards to bicyclists due to design features or incompatible uses, nor create unsafe conditions for bicyclists.*

Continuing Best Practice TRA-1-a: UC Berkeley will continue in partnership with the City of Berkeley to develop a City program to: (a) maintain the Southside area between College, Dana, Dwight and Bancroft in a clean and safe condition; and (b) provide needed public improvements to the area (e.g. traffic improvements, lighting, bicycle facilities, pedestrian amenities and landscaping).

Continuing Best Practice TRA-1-b: UC Berkeley will continue to do strategic bicycle access planning. Issues addressed include bicycle access, circulation and amenities with the goal of increasing bicycle commuting and safety. Planning considers issues such as bicycle access to the campus from adjacent streets and public transit; bicycle, vehicle, and pedestrian interaction; bicycle parking; bicycle safety; incentive programs; education and enforcement; campus bicycle routes; and amenities such as showers. The scoping and budgeting of individual projects will include consideration of improvements to bicycle access.

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of the 2020 LRDP would not increase hazards to bicyclists due to design features or incompatible uses, nor create unsafe conditions to bicyclists. Implementation of

Continuing Best Practices TRA-1-a and TRA-1-b would ensure that this impact remains less than significant.

b) *Impact TRA-2: University housing development in the 2020 LRDP Housing Zone could increase residential density, but given the provisions of the 2020 LRDP and continuing best practices, is not anticipated to result in inadequate parking capacity.*

Continuing Best Practice TRA-2: The following housing and transportation policies will be continued:

- Except for disabled students, students living in UC Berkeley housing would only be eligible for a daytime student fee lot permit or residence hall parking based upon demonstrated need, which could include medical, employment, academic and other criteria.

- An educational and informational program for students on commute alternatives would be expanded to include all new housing sites.

Mitigation Measure TRA-2: The planned parking supply for University housing projects under the 2020 LRDP would comply with the relevant municipal zoning ordinance as of July 2003. Where the planned parking supply included in a University housing project would make it ineligible for approval under the subject ordinance, UC Berkeley would conduct further review of parking demand and supply in accordance with CEQA.

FINDING: For the reasons stated in the Final EIR, The Regents finds that University housing development in the 2020 LRDP Housing Zone could increase residential density, though it is not anticipated to result in inadequate parking capacity. Implementation of Continuing Best Practice TRA-2 and Mitigation Measure TRA-2 would ensure that this impact remains less than significant.

c) *Impact TRA-3: Construction-related activity under the 2020 LRDP would not substantially increase traffic loads or substantially decrease roadway capacity over current conditions. The best practices would continue to be implemented.*

Continuing Best Practice TRA-3-a: Early in construction period planning UC Berkeley shall meet with the contractor for each construction project to describe and establish best practices for reducing construction-period impacts on circulation and parking in the vicinity of the project site.

Continuing Best Practice TRA-3-b: For each construction project, UC Berkeley will require the prime contractor to prepare a Construction Traffic Management Plan which will include the following elements:

- Proposed truck routes to be used, consistent with the City truck route map.

- Construction hours, including limits on the number of truck trips during the a.m. and p.m. peak traffic periods (7:00 – 9:00 a.m. and 4:00 – 6:00 p.m.), if conditions demonstrate the need.

- Proposed employee parking plan (number of spaces and planned locations).

- Proposed construction equipment and materials staging areas, demonstrating minimal conflicts with circulation patterns.

- Expected traffic detours needed, planned duration of each, and traffic control plans for each.

Continuing Best Practice TRA-3-c: UC Berkeley will manage project schedules to minimize the overlap of excavation or other heavy truck activity periods that have the potential to combine impacts on traffic loads and street system capacity, to the extent feasible.

Continuing Best Practice TRA-3-d: UC Berkeley will reimburse the City of Berkeley for its fair share of costs associated with damage to City streets from University construction activities, provided that the City adopts a policy for such reimbursements applicable to all development projects within Berkeley.

FINDING: For the reasons stated in the Final EIR, The Regents finds that construction related activity under the 2020 LRDP would not substantially increase traffic loads or substantially decrease roadway capacity over current conditions. Implementation of Continuing Best Practices TRA-3-a, TRA-3-b, TRA-3-c and TRA-3-d would ensure that this impact remains less than significant.

d) *Impact TRA-4: Construction-related parking demand associated with implementation of the 2020 LRDP would not be anticipated to exceed baseline levels.*

FINDING: For the reasons stated in the Final EIR, The Regents finds that construction related parking demand associated with implementation of the 2020 LRDP would not be anticipated to exceed baseline levels; therefore no mitigation measures or continuing best practices are required.

e) *Impact TRA-5: The 2020 LRDP is expected to generate new transit demand, or alter locations where local transit demand occurs. Given the provisions of the 2020 LRDP and campus best practices, however, significant service problems are not anticipated.*

Continuing Best Practice TRA-5: The University shall continue to work to coordinate local transit services as new academic buildings, parking facilities, and campus housing are completed, in order to accommodate changing demand locations or added demand.

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of the 2020 LRDP is expected to generate new transit demand or alter locations where local

transit demand occurs. However, with implementation of Continuing Best Practice TRA-5, significant service problems are not anticipated and this impact would remain less than significant.

f) *Impact TRA-6: The 2020 LRDP would increase vehicle trips and traffic congestion at the intersections listed below, leading to substantial degradation in level of service. The mitigations, if implemented with review and approval of the City Traffic Engineer, would reduce these impacts to a* less-than-significant *level.*

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of the 2020 LRDP would increase vehicle trips and traffic congestion at the intersections identified in Impacts TRA-6-a through TRA-6-g, leading to substantial degradation in level of service at those intersections. Mitigation Measures TRA-6-a through TRA-6-g, if implemented with review and approval of the City Traffic Engineer, would reduce these potentially significant impacts to less-than-significant levels. Because these mitigation measures are outside the jurisdiction of The Regents and could only be implemented at the discretion of the City of Berkeley, the impact remains potentially significant and unavoidable. The Regents finds this remaining significant impact to be acceptable because the benefits of the Project outweigh this and the other unavoidable environmental impacts of the Project for the reasons set forth in Section II.F. of these Findings.

g) *Impact TRA-6-a: The signalized Cedar Street/Oxford Street intersection, which would operate at LOS E during the AM peak hour regardless of the project, and degrade from LOS D to LOS E during the PM peak hour. The project would increase the intersection volume by 7 percent during the AM peak hour, and 7 percent during the PM peak hour.*

Mitigation Measure TRA-6-a: The University will work with the City of Berkeley to redesign and, on a fair share basis, implement changes to either the westbound or northbound approach of the Cedar Street/Oxford Street intersection to provide a left-turn lane and a through lane. The University will contribute fair share funding for a periodic (annual or biennial) traffic count to allow the City to determine when an intersection redesign is needed. With the implementation of this mitigation measure, the intersection will operate at LOS B during the AM peak hour and LOS D during the PM peak hour.

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of the 2020 LRDP would result in a degradation in level of service at the Cedar Street/ Oxford Street intersection. Implementation of Mitigation Measure TRA-6-a would reduce this potentially significant impact to a less-than-significant level. Because this mitigation measure is outside the jurisdiction of The Regents and could only be implemented at the discretion of the City of Berkeley, the impact remains potentially significant and unavoidable. The Regents finds this remaining significant impact to be acceptable because the benefits of the Project outweigh this and the other unavoidable environmental impacts of the Project for the reasons set forth in Section II.F. of these Findings.

h) *Impact TRA-6-b: The all-way stop-controlled Durant Avenue/Piedmont Avenue intersection, which would degrade from LOS D to LOS F during the AM peak hour. The project would increase the intersection volume by 10 percent during the AM peak hour.*

Mitigation Measure TRA-6-b: The University will work with the City of Berkeley to design and, on a fair share basis, install a signal at the Durant Avenue /Piedmont Avenue intersection, when a signal warrant analysis shows the signal is needed. The University will contribute fair share funding for a periodic (annual or biennial) signal warrant check at this and other impact intersections, to allow the City to determine when a signal is warranted. With the implementation of this mitigation measure, the intersection will operate at LOS B during both AM and PM peak hours.

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of the 2020 LRDP would result in a degradation in level of service at the Durant Avenue/ Piedmont Avenue intersection. Implementation of Mitigation Measure TRA-6-b would reduce this potentially significant impact to a less-than-significant level. Because this mitigation measure is outside the jurisdiction of The Regents and could only be implemented at the discretion of the City of Berkeley, the impact remains potentially significant and unavoidable. The Regents finds this remaining significant impact to be acceptable because the benefits of the Project outweigh this and the other unavoidable environmental impacts of the Project for the reasons set forth in Section II.F. of these Findings.

i) *Impact TRA-6-c: The all-way stop-controlled Derby Street/Warring Street intersection, which operates at LOS F during both AM and PM peak hours regardless of the project. The project would increase the intersection volume by 7 percent during the AM peak hour, and 6 percent during the PM peak hour.*

Mitigation Measure TRA-6-c: The University will work with the City of Berkeley to design and, on a fair share basis, install a signal at the Derby Street/Warring Street intersection, and provide an exclusive right-turn lane and an exclusive through lane on the westbound approach. The University will contribute fair share funding for a periodic (annual or biennial) signal warrant check at this and other impact intersections, to allow the City to determine when a signal and the associated capacity improvements are warranted. With the implementation of this mitigation measure, the intersection will operate at LOS A during the AM peak hour and LOS C during the PM peak hours.

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of the 2020 LRDP would result in a degradation of service at the Derby Street/Warring Street intersection. Implementation of Mitigation Measure TRA-6-c would reduce this potentially significant impact to a less-than-significant level. Because this mitigation measure is outside the jurisdiction of The Regents and could only be implemented at the discretion of the City of Berkeley, the impact remains potentially significant and unavoidable. The Regents finds this remaining significant impact to be acceptable because

the benefits of the Project outweigh this and the other unavoidable environmental impacts of the Project for the reasons set forth in Section II.F. of these Findings.

j) *Impact TRA-6-d: The eastbound approach of the side-street stop-controlled Addison Street/Oxford Street intersection from LOS A to LOS E during the AM peak hour and LOS C to LOS E during the PM peak hour. The project would increase the intersection volume by 12 percent during the AM peak hour, and 10 percent during the PM peak hour.*

Mitigation Measure TRA-6-d: The University will work with the City of Berkeley to design and, on a fair share basis, install a signal at the Addison Street/Oxford Street intersection, and provide the necessary provisions for coordination with adjacent signals along Oxford Street. The University will contribute fair share funding for a periodic (annual or biennial) signal warrant check at this and other impact intersections, to allow the City to determine when a signal and the associated coordination improvements are warranted. With the implementation of this mitigation measure, the intersection will operate at LOS A during both AM and PM peak hours.

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of the 2020 LRDP would result in a degradation of service at the Addison Street/Oxford Street intersection. Implementation of Mitigation Measure TRA-6-d would reduce this potentially significant impact to a less-than-significant level. Because this mitigation measure is outside the jurisdiction of The Regents and could only be implemented at the discretion of the City of Berkeley, the impact remains potentially significant and unavoidable. The Regents finds this remaining significant impact to be acceptable because the benefits of the Project outweigh this and the other unavoidable environmental impacts of the Project for the reasons set forth in Section II.F. of these Findings.

k) *Impact TRA-6-e: The eastbound approach of the side-street stop-controlled Allston Way/Oxford Street intersection would degrade from LOS D to LOS E during the AM peak hour. The intersection would continue to operate at LOS E during the PM peak hour. The project would increase the intersection volume by 11 percent during the AM peak hour, and 8 percent during the PM peak hour.*

Mitigation Measure TRA-6-e: The University will work with the City of Berkeley to design and, on a fair share basis, install a signal at Allston Way/Oxford Street intersection, and provide the necessary provisions for coordination with adjacent signals along Oxford Street. The University will contribute fair share funding for a periodic (annual or biennial) signal warrant check at this and other impact intersections, to allow the City to determine when a signal and the associated coordination improvements are warranted. With the implementation of this mitigation measure, the intersection will operate at LOS A during both AM and PM peak hours.

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of the 2020 LRDP would result in a degradation of service at the Allston Way/Oxford Street intersection. Implementation of Mitigation Measure TRA-6-e would reduce this potentially significant impact to a less-than-significant level. Because this mitigation measure is outside the jurisdiction of The Regents and could only be implemented at the

discretion of the City of Berkeley, the impact remains potentially significant and unavoidable. The Regents finds this remaining significant impact to be acceptable because the benefits of the Project outweigh this and the other unavoidable environmental impacts of the Project for the reasons set forth in Section II.F. of these Findings.

l) *Impact TRA-6-f: The eastbound approach of the side-street stop-controlled Kittredge Street/Oxford Street intersection from LOS C to LOS F during the AM peak hour. The intersection would continue to operate at LOS F during the PM peak hour. The project would increase the intersection volume by 14 percent during the AM peak hour, and 10 percent during the PM peak hour.*

Mitigation Measure TRA-6-f: The University will work with the City of Berkeley to design and, on a fair share basis, install a signal at the Kittredge Street/Oxford Street intersection, and provide the necessary provisions for coordination with adjacent signals along Oxford Street. The University will contribute fair share funding for a periodic (annual or biennial) signal warrant check at this and other impact intersections, to allow the City to determine when a signal and the associated coordination improvements are warranted. With the implementation of this mitigation measure, the intersection will operate at LOS A during both AM and PM peak hours.

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of the 2020 LRDP would result in a degradation of service at the Kittredge Street/Oxford Street intersection. Implementation of Mitigation Measure TRA-6-f would reduce this potentially significant impact to a less-than-significant level. Because this mitigation measure is outside the jurisdiction of The Regents and could only be implemented at the discretion of the City of Berkeley, the impact remains potentially significant and unavoidable. The Regents finds this remaining significant impact to be acceptable because the benefits of the Project outweigh this and the other unavoidable environmental impacts of the Project for the reasons set forth in Section II.F. of these Findings.

m) *Impact TRA-6-g: The northbound approach of the side-street stop-controlled Bancroft Way/Ellsworth Street intersection would degrade from LOS D to LOS E during the PM peak hour. The project would increase the intersection volume by 19 percent during the AM peak hour, and 10 percent during the PM peak hour.*

Mitigation Measure TRA-6-g: The University will work with the City of Berkeley to design and, on a fair share basis, install a signal at the Bancroft Way/Ellsworth Street intersection, and provide the necessary provisions for coordination with adjacent signals along Bancroft Way. The University will contribute fair share funding for a periodic (annual or biennial) signal warrant check at this and other impact intersections, to allow the City to determine when a signal and the associated coordination improvements are warranted. With the implementation of this mitigation measure, the intersection will operate at LOS B during both AM and PM peak hours.

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of the 2020 LRDP would result in a degradation of service at the Bancroft Way/Ellsworth Street intersection. Implementation of Mitigation Measure TRA-6-g would reduce this

potentially significant impact to a less-than-significant level. Because this mitigation measureis outside the jurisdiction of The Regents and could only be implemented at the discretion of the City of Berkeley, the impact remains potentially significant and unavoidable. The Regents finds this remaining significant impact to be acceptable because the benefits of the Project outweigh this and the other unavoidable environmental impacts of the Project for the reasons set forth in Section II.F. of these Findings.

n) *Impact TRA-7: Development under the 2020 LRDP would contribute to the projected unacceptable delay at the all-way stop-controlled Bancroft Way/Piedmont Avenue intersection, which is projected to operate at LOS F during both AM and PM peak hours regardless of the project. The project would increase the intersection volume by 11 percent during the AM peak hour, and 5 percent during the PM peak hour. The mitigation would, if implemented with review and approval of the City Traffic Engineer, reduce this impact to a* less-than-significant *level.*

Mitigation Measure TRA-7: The University will work with the City of Berkeley to design and, on a fair share basis, install a signal at the Bancroft Way/Piedmont Avenue intersection, and provide an exclusive left-turn lane and an exclusive through lane on the northbound approach. The University will contribute fair share funding for a periodic (annual or biennial) signal warrant check at this and other impact intersections, to allow the City to determine when a signal and the associated capacity improvements are warranted. With the implementation of this mitigation measure, the intersection would operate at LOS B during both AM and PM peak hours.

FINDING: For the reasons stated in the Final EIR, The Regents finds that development under the 2020 LRDP would contribute to the projected unacceptable delay at the all-way stop-controlled Bancroft Way/Piedmont Avenue intersection. Mitigation Measure TRA-7, if implemented with review and approval of the City Traffic Engineer, would reduce this potentially significant impact to a less-than-significant level. Because this mitigation measureis outside the jurisdiction of The Regents and could only be implemented at the discretion of the City of Berkeley, the impact remains potentially significant and unavoidable. The Regents finds this remaining significant impact to be acceptable because the benefits of the Project outweigh this and the other unavoidable environmental impacts of the Project for the reasons set forth in Section II.F. of these Findings.

o) *Impact TRA-8: The 2020 LRDP would increase vehicle trips and traffic congestion at the intersections listed below, leading to substantial degradation in level of service. These impacts are* significant and unavoidable.

- The signalized University Avenue/Sixth Street intersection is projected to operate at LOS F during both AM and PM peak hours regardless of the project. The project would increase the intersection volume by 7 percent during the AM peak hour, and 6 percent during the PM peak hour.

- The signalized University Avenue/San Pablo Avenue intersection is projected to operate at LOS F during both AM and PM peak hours regardless of the project. The project would increase the intersection volume by 8 percent during the AM peak hour, and 6 percent during the PM peak hour.

FINDING: For the reasons stated in the Final EIR, The Regents finds that development under the 2020 LRDP would increase vehicle trips and traffic congestion at the University Avenue/Sixth Street and University Avenue/San Pablo Avenue intersections, leading to substantial degradation in level of service at those intersections. Although the magnitude of this impact could be reduced through trip reduction measures, no feasible design measures exist to mitigate this impact, and it would remain a significant and unavoidable impact. The Regents finds this remaining significant impact to be acceptable because the benefits of the Project outweigh this and the other unavoidable environmental impacts of the Project for the reasons set forth in Section II.F of these Findings.

p) *Impact TRA-9: Housing projects in the 2020 LRDP Housing Zone could increase vehicle trips and traffic congestion in the vicinity of project sites, which could lead to substantial degradation in level of service. The mitigation would reduce this impact to a* less-than-significant level.

Mitigation Measure TRA-9: Prior to approving any development outside the City Environs, the University will conduct a traffic study to assess the localized traffic impacts of this development. Mitigations required to ensure that the housing project does not cause LOS deterioration exceeding the stated impact levels would be implemented, if necessary.

FINDING: For the reasons stated in the Final EIR, The Regents finds that housing projects in the 2020 LRDP Housing Zone could increase vehicle trips and traffic congestion in the vicinity of project sites, which could lead to substantial degradation in level of service. Implementation of Mitigation Measure TRA-9 would reduce this potentially significant impact to a less-than-significant level.

q) *Impact TRA-10: Development under the 2020 LRDP would cause the following Alameda County CMP Designated System and MTS roadways listed below to exceed the level of service standard established by the CMA. This impact is* significant and unavoidable.

- Ashby Avenue westbound, between Adeline Street and San Pablo Avenue;
- Ashby Avenue eastbound, Between College Avenue and Domingo Street;
- University Avenue westbound, between MLK Jr. Way and I-80;
- San Pablo Avenue northbound, between Gilman Street and Marin Avenue;
- Shattuck Avenue southbound, between Dwight Way and Adeline Street;
- Shattuck Avenue southbound, between Hearst Avenue and University Avenue (MTS only); and
- Dwight Way westbound, between MLK Jr. Way and Sixth Street (MTS only).

FINDING: For the reasons stated in the Final EIR, The Regents finds that development under the 2020 LRDP would cause certain Alameda County CMP Designated System and MTS designated roadways to exceed the level of service standard established by the CMA. The magnitude of this impact could be reduced through trip reduction measures, but no feasible design measures exist to mitigate this impact, and it is thus significant and unavoidable. The Regents finds this significant and unavoidable impact to be acceptable because the benefits of the Project outweigh this and the other environmental impacts of the Project for the reasons set forth in Section II.F of these Findings.

r) *Impact TRA-11: Implementation of the 2020 LRDP could induce a "mode shift" to driving by some commuters who currently take transit, bicycle or walk. This would be inconsistent with the intent of the 2020 LRDP. The mitigation would reduce this impact to a* less-than-significant level.

Mitigation Measure TRA-11: The University will implement the following measures to limit the shift to driving by existing and potential future non-auto commuters:

- Review the number of sold parking permits in relation to the number of campus parking spaces and demographic trends on a yearly basis, and establish limits on the total number of parking permits sold proportionate to the number of spaces, with the objective of reducing the ratio of permits to spaces over time as the number of spaces grows, thus ensuring that new supply improves the existing space-to-permit ratio without encouraging mode change to single occupant vehicles.

- As new parking becomes operational, assign a portion of the new or existing parking supply to short-term or visitor parking, thus targeting parkers who choose on-street parking now, and also effectively reserving part of the added supply for non-commuters.

- Expand the quantity of parking that is available only after 10:00 a.m., to avoid affecting the travel mode use patterns of the peak hour commuting population, as new parking inventory is added to the system.

- Review and consider reductions in attended parking as new parking inventory is added to the system and other impacts do not reduce parking supply.

Continuing Best Practice TRA-11: The University surveys the transportation practices of both students and employees at periodic intervals. In order to ensure that the parking objective of the 2020 LRDP takes into account future changes in drive-alone rates, transit service and parking demand, the University will conduct such surveys at least once every 3 years, will make the survey results available to the public, and will, if appropriate, reduce the 2020 LRDP parking objective in light of those results.

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of the 2020 LRDP could induce a "mode shift" to driving by some commuters who currently take transit, bicycle or walk. This would be inconsistent with the intent of the

2020 LRDP, and the implementation of Mitigation Measure TRA-11 and Continuing Best Practice TRA-11 would reduce this potentially significant impact to a less-than-significant level.

s) *Impact TRA-12: The level of pedestrian growth associated with the LRDP may require physical and operational modifications to the intersections and roadways in the immediate campus vicinity and on major pedestrian routes serving UC Berkeley, to ensure adequate capacity for pedestrian movement and adequate design to protect pedestrian safety. The mitigation would reduce this impact to a* less-than-significant *level.*

Mitigation Measure TRA-12: The University shall prepare a strategic pedestrian improvement plan that outlines the expected locations and types of pedestrian improvements that may be desirable to accommodate 2020 LRDP growth. The plan shall be flexible to respond to changing conditions as the LRDP builds out, and shall contain optional strategies and improvements that can be applied to specific problems that arise as the LRDP builds out. The University shall develop the Plan in consultation with the City of Berkeley, and work with the City to implement plan elements as needed during the life of the 2020 LRDP on a fair share basis.

FINDING: For the reasons stated in the Final EIR, The Regents finds that the level of pedestrian growth associated with implementation of the 2020 LRDP may require physical and operational modifications to the intersections and roadways in the immediate campus vicinity and on major pedestrian routes serving UC Berkeley. Implementation of Mitigation Measure TRA-12 would ensure adequate capacity for pedestrian movement and adequate design to protect pedestrian safety, and thus this potentially significant impact would be reduced to a less-than-significant level.

13. *Utilities and Service Systems*

a) *Impact USS-1.1: Implementation of the 2020 LRDP would increase water demand, but this increase is not anticipated to result in a significant impact on water entitlements and resources, nor result in construction of new or altered facilities.*

Continuing Best Practice USS-1.1: For campus development that increases water demand, UC Berkeley would continue to evaluate the size of existing distribution lines as well as pressure of the specific feed affected by development on a project-by-project basis, and necessary improvements would be incorporated into the scope of work for each project to maintain current service and performance levels. The design of the water distribution system, including fire flow, for new buildings would be coordinated among UC Berkeley staff, EBMUD, and the Berkeley Fire Department.

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of the 2020 LRDP would increase water demand. Such increase is not, however, anticipated to result in a significant impact on water entitlements and resources nor result in construction of new or altered facilities, and thus it is a less-than-significant impact.

Implementation of Continuing Best Practice USS-1.1 would ensure that this impact remains less than significant.

b) *Impact USS-2.1-a: Implementation of the 2020 LRDP may result in increased demand for wastewater treatment, but this increase is not anticipated to result in a significant impact on treatment capacity, nor result in construction of new or altered facilities.*

Continuing Best Practice USS-2.1-a: UC Berkeley will promote and expand the central energy management system (EMS), to tie building water meters into the system for flow monitoring.

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of the 2020 LRDP may result in increased demand for wastewater treatment. This increase is not, however, anticipated to result in a significant impact on treatment capacity, nor result in construction of new or altered facilities, and thus it is a less-than-significant impact. Implementation of continuing Best Practice USS-2.1-a would ensure that this impact remains less than significant.

c) *Impact USS-2.1-b: Implementation of the 2020 LRDP may result in increased demand on wastewater collection systems and the construction of new or altered facilities, but these are not anticipated to have significant environmental impacts.*

Continuing Best Practice USS-2.1-b: UC Berkeley will analyze water and sewer systems on a project-by-project basis to determine specific capacity considerations in the planning of any project proposed under the 2020 LRDP.

Continuing Best Practice USS-2.1-c: UC Berkeley will continue and expand programs retrofitting plumbing in high-occupancy buildings, and seek funding for these programs from EBMUD or other outside agencies as appropriate.

Continuing Best Practice USS-2.1-d: UC Berkeley will continue to incorporate specific water conservation measures into project design to reduce water consumption and wastewater generation. This could include the use of special air-flow aerators, water-saving shower heads, flush cycle reducers, low-volume toilets, weather-based or evapotranspiration irrigation controllers, drip irrigation systems, and the use of drought resistant plantings in landscaped areas, and collaboration with EBMUD to explore suitable uses of recycled water.

Continuing Best Practice USS-2.1-e: The current agreement under which UC Berkeley makes payments to the City of Berkeley to help fund sewer improvements terminates at the conclusion of academic year 2005-2006 or upon approval of the 2020 LRDP. Any future payments to service providers to help fund wastewater treatment or collection facilities would conform to Section 54999 of the California Government Code, including but not limited to the following provisions:

- Fees would be limited to the cost of capital construction or expansion.

- Fees would be imposed only after an agreement has been negotiated by the University and the service provider.

- The service provider must demonstrate the fee is nondiscriminatory: i.e. the fee must not exceed an amount determined on the basis of the same objective criteria and methodology applied to comparable nonpublic users, and is not in excess of the proportionate share of the cost of the facilities of benefit to the entity property being charged, based upon the proportionate share of use of those facilities.

- The service provider must demonstrate the amount of the fee does not exceed the amount necessary to provide capital facilities for which the fee is charged.

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of the 2020 LRDP may result in increased demand on wastewater collection systems and the construction of new or altered facilities. Such increased demand and construction of new or altered facilities is not, however, anticipated to have significant environmental impacts, and thus it is a less-than-significant impact. Implementation of Continuing Best Practices USS-2.1-b, USS-2.1-c, USS-2.1-d and USS-2.1-e would ensure that this impact remains less than significant.

d) *Impact USS-3.1: At all sites outside the Hill Campus, implementation of the 2020 LRDP could alter drainage patterns in the project area and increase impervious surfaces, but would not exceed the capacity of stormwater drainage systems.*

Continuing Best Practice USS-3.1: UC Berkeley shall continue to manage runoff into storm drain systems such that the aggregate effect of projects implementing the 2020 LRDP is no net increase in runoff over existing conditions.

FINDING: For the reasons stated in the Final EIR, The Regents finds that at all sites outside the Hill Campus, implementation of the 2020 LRDP could alter drainage patterns in the project area and increase impervious surfaces, but would not exceed the capacity of stormwater drainage systems, and thus it is a less-than-significant impact. Implementation of Continuing Best Practice USS-3.1 would ensure that this impact remains less than significant.

e) *Impact USS-3.2: Projects implemented in the Hill Campus under the 2020 LRDP could alter drainage patterns and increase impervious surfaces, which could exceed the capacity of stormwater drainage systems, but the mitigation would ensure this impact is* less than significant.

Mitigation Measure USS-3.2: In addition to Continuing Best Practice USS-3.1, projects proposed with potential to alter drainage patterns in the Hill Campus would be accompanied by a hydrologic modification analysis, and would incorporate a plan to prevent increases of flow from the newly developed site, preventing downstream flooding and substantial siltation and erosion.

FINDING: For the reasons stated in the Final EIR, The Regents finds that projects implemented in the Hill Campus under the 2020 LRDP could alter drainage patterns and increase impervious surfaces which could exceed the capacity of stormwater drainage systems. Implementation of Mitigation Measure USS-3.2 would reduce this potentially significant impact to a less-than-significant level.

f) *Impact USS-4.1: Implementation of the 2020 LRDP would increase demand for steam, but is not anticipated to result in a need for new or altered facilities.*

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of the 2020 LRDP would increase demand for steam, but is not anticipated to result in a need for a new or altered facility. This is a less-than-significant impact and no mitigation measures or continuing best practices are required.

g) *Impact USS-5.1: Implementation of the 2020 LRDP would not violate any applicable federal, state, and local statutes and regulations related to solid waste.*

Continuing Best Practice USS-5.1: UC Berkeley would continue to implement a solid waste reduction and recycling program designed to reduce the total quantity of campus solid waste that is disposed of in landfills during implementation of the 2020 LRDP.

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of the 2020 LRDP would not violate any applicable federal, state, and local statutes and regulations related to solid waste, and thus it is a less-than-significant impact. Implementation of Continuing Best Practice USS-5.1 would ensure that his impact remains less than significant.

h) *Impact USS-5.2: Implementation of the 2020 LRDP may result in increased generation of solid waste, but is not anticipated to exceed the capacity of permitted sites.*

Continuing Best Practice USS-5.2: In accordance with The Regents-adopted green building policy and the policies of the 2020 LRDP, the University would develop a method to quantify solid waste diversion. Contractors working for the University would be required under their contracts to report their solid waste diversion according to the University's waste management reporting requirements.

Mitigation Measure USS-5.2: Contractors on future UC Berkeley projects implemented under the 2020 LRDP will be required to recycle or salvage at least 50% of construction, demolition, or land-clearing waste. Calculations may be done by weight or volume, but must be consistent throughout.

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of the 2020 LRDP may result in increased generation of solid waste, but is not anticipated to exceed the capacity of permitted sites, and thus it is a less-than-significant impact.

Implementation of Continuing Best Practice USS-5.2 and Mitigation Measure USS-5.2 would ensure that this impact remains less than significant.

i) *Impact USS-6.1: Implementation of the 2020 LRDP would result in increased use of energy, but is not anticipated to result in the need for new or altered production and/or transmission facilities.*

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of the 2020 LRDP would result in increased use of energy, but is not anticipated to result in the need for new or altered production and/or transmission facilities. This impact is less than significant and no mitigation measures or continuing best practices are required.

j) *Impact USS-6.2: Implementation of the 2020 LRDP would not encourage the wasteful or inefficient use of energy.*

FINDING: For the reasons stated in the Final EIR, The Regents finds that implementation of the 2020 LRDP would not encourage the wasteful or inefficient use of energy. This is a less than significant impact and no mitigation measures or continuing best practices are required.

k) *Cumulative Impact USS-1: The 2020 LRDP, in combination with other reasonably foreseeable projects, would increase the demand for water, for wastewater treatment, for solid waste disposal, and for steam, electricity, and natural gas, but these are not anticipated to result in the need for new or altered facilities.*

l) *Cumulative Impact USS-2: The 2020 LRDP, in combination with other reasonably foreseeable projects, would increase the demand for wastewater and stormwater conveyance, and may result in the construction of new or altered facilities, but these are not anticipated to have significant environmental impacts.*

FINDING: For the reasons stated in the Final EIR, The Regents finds that the increased demand for water, wastewater treatment, solid waste disposal, for steam, electricity and natural gas, and for wastewater and stormwater conveyance facilities resulting from implementation of the 2020 LRDP in conjunction with other development in the region would be a less-than-significant impact. Implementation of Continuing Best Practice HYD-4-e would ensure that this impact remains less than significant.

14. *Effects Not Found to be Significant*

Certain environmental effects were determined to be "effects not found to be significant" based upon the analysis provided in the IS for the 2020 LRDP. These impacts are summarized in the IS and the Draft EIR. The Regents hereby adopts and incorporates by reference the reasons stated in the IS and Draft EIR as its grounds for concluding that further analysis of these impacts in the Draft EIR is not necessary or appropriate.

C. Other CEQA Considerations

1. *Growth-Inducing Impacts*

CEQA Guidelines Section 15126 requires consideration of the potential growth inducing impact of proposed projects, including the ways in which "the proposed project could foster economic and population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment…and the characteristic of some projects which may encourage or facilitate other activities that could significantly affect the environment, either individually or cumulatively."

The 2020 LRDP would induce population growth, as described in Chapter 4.10 of the Draft EIR. However, the increment due to the 2020 LRDP is not significant in relation to projected regional growth. Moreover, the growth under the 2020 LRDP would occur in an already urbanized area and would not itself result in the need for new roads or utilities, which could in turn induce further growth.

The Project would not require the urbanization of land in remote locations and would not encourage premature or unplanned growth. The 2020 LRDP would accommodate future growth in UC Berkeley campus programs by more intensive development on land on and adjacent to the Campus Park, and would provide substantial amounts of new student housing within convenient walking or transit distance of the Campus Park.

FINDING: For the reasons stated in the Final EIR, The Regents finds that the Project site has existing infrastructure, is located in an urbanized setting, would not result in a substantial extension of infrastructure, would not open up undeveloped areas to new development, and would not significantly contribute to housing or population growth in the region because it would accommodate future growth on or adjacent to the Campus Park. Therefore, The Regents hereby finds that growth-inducing impacts from the Project are less than significant and therefore no mitigation is required.

2. *Significant and Unavoidable Impacts*

CEQA Guidelines Section 15126.2(b) requires consideration and discussion of impacts that are significant and unavoidable, even with the implementation of feasible mitigation measures. The potentially significant and unavoidable impacts from the implementation of the 2020 LRDP are: operational emissions from implementation of the 2020 LRDP may hinder the attainment of the Clean Air Plan; the 2020 LRDP, in combination with other reasonably foreseeable projects, would result in a cumulatively considerable increase of non-attainment pollutants and thereby conflict with the most recent Clean Air Plan; the 2020 LRDP, in combination with other reasonably foreseeable projects, would contribute to a cumulatively considerable increase in toxic air contaminants from stationary and area sources; under certain circumstances warranted by public benefits in furtherance of the university's educational mission, projects developed under the 2020 LRDP could cause substantial adverse changes in the significance of historical resources or archaeological resources; the 2020 LRDP, in combination with other reasonably

foreseeable projects, could contribute to cumulative reduction and/or degradation of the resource base of historical or archaeological resources; University housing developed under the 2020 LRDP could expose residents to excessive noise levels; noise resulting from demolition and construction activities necessary for implementation of the 2020 LRDP would, in some instances, cause a substantial temporary or periodic increase in noise levels, in excess of local standards prescribed in Section 130.40.070 of the City of Berkeley noise ordinance, at affected residential or commercial property lines; the 2020 LRDP, in combination with other projects, would expose people to noise levels in excess of established standards; the 2020 LRDP would increase vehicle trips and traffic congestion at seven intersections to unacceptable levels, and exacerbate unacceptable conditions at an eighth; the 2020 LRDP would increase vehicle trips and traffic congestion at University Avenue/Sixth Street and at University Avenue/San Pablo Avenue; and development under the 2020 LRDP would cause the following Alameda County CMP Designated System roadways to exceed the level of service standard established by the CMA:

- Ashby Avenue eastbound, between College Avenue and Domingo Street;
- Ashby Avenue westbound, between Adeline Street and San Pablo Avenue;
- University Avenue westbound, between MLK Jr. Way and I-80;
- San Pablo Avenue northbound, between Gilman Street and Marin Avenue;
- Shattuck Avenue southbound, between Dwight Way and Adeline Street;
- Shattuck Avenue southbound, between Hearst Avenue and University Avenue (MTS only); and
- Dwight Way westbound, between MLK Jr. Way and Sixth Street (MTS only).

Sections 4.1 through 4.13 of the Draft EIR provide a comprehensive identification of potentially significant adverse environmental effects, any feasible mitigation measures, and the level of significance both before and after mitigation.

FINDING: For the reasons stated in the Final EIR, The Regents finds that even with the implementation of feasible mitigation measures, the following potentially significant and unavoidable impacts remain: operational emissions from implementation of the 2020 LRDP may hinder the attainment of the Clean Air Plan; the 2020 LRDP, in conjunction with other development in the region, would result in a cumulatively considerably increase of non-attainment pollutants and thereby conflict with the most recent Clean Air Plan; the 2020 LRDP, in conjunction with other development in the region, would contribute to a cumulatively considerable increase in toxic air contaminants from stationary and area sources; under certain circumstances warranted by public benefits in furtherance of the university's educational mission, projects developed under the 2020 LRDP could cause substantial adverse changes in the significance of historical resources or archaeological resources; the 2020 LRDP, in conjunction with other development in the region, could contribute to cumulative reduction and/or degradation of the resource base of historical or archaeological resources; University housing developed under the 2020 LRDP could expose residents to excessive noise levels; noise resulting from demolition and construction activities necessary for implementation of the 2020 LRDP would, in some instances, cause a

substantial temporary or periodic increase in noise levels, in excess of local standards prescribed in Section 130.40.070 of the City of Berkeley noise ordinance, at affected residential or commercial property lines; the 2020 LRDP, in conjunction with other development in the region, would expose people to noise levels in excess of established standards; the 2020 LRDP would increase vehicle trips and traffic congestion at seven intersections to unacceptable levels, and exacerbate unacceptable conditions at an eighth; the 2020 LRDP would increase vehicle trips and traffic congestion at University Avenue/Sixth Street and at University Avenue/San Pablo Avenue; and development under the 2020 LRDP would cause the following Alameda County CMP Designated System roadways to exceed the level of service standard established by the CMA:

- **Ashby Avenue eastbound, between College Avenue and Domingo Street;**
- **Ashby Avenue westbound, between Adeline Street and San Pablo Avenue;**
- **University Avenue westbound, between MLK Jr. Way and I-80;**
- **San Pablo Avenue northbound, between Gilman Street and Marin Avenue;**
- **Shattuck Avenue southbound, between Dwight Way and Adeline Street;**
- **Shattuck Avenue southbound, between Hearst Avenue and University Avenue (MTS only); and**
- **Dwight Way westbound, between MLK Jr. Way and Sixth Street (MTS only).**

3. *Significant Irreversible Environmental Effects*

CEQA Guidelines Section 15126.2(c) indicates that the "uses of nonrenewable resources during the initial and continued phases of a project may be irreversible since a large commitment of resources makes removal or non use thereafter unlikely."

Under the 2020 LRDP, the University would continue to commit University land and buildings to University-related uses, thereby precluding any other uses for at least the lifespan of the 2020 LRDP. Although the 2020 LRDP would continue and reinforce this commitment, through capital investment in renewing and expanding University facilities, it does not represent a change from existing conditions.

Project implementation and operation will require the consumption of resources such as water, natural gas, and electricity. However, the amount and rate of consumption of these resources would not be wasteful due to the University's current policies ensuring responsible resource conservation and recycling, and to 2020 LRDP objectives, policies and Continuing Best Practices and Mitigation Measures to minimize resource consumption. Nonetheless, construction under the 2020 LRDP would require the irretrievable commitment of nonrenewable energy resources such as construction materials and fuels for construction vehicles and equipment.

FINDING: As described in Chapter 4.6 of the Draft EIR, the UC Berkeley campus uses, stores and transports hazardous materials. The University complies with all applicable state and federal regulations addressing hazardous materials and has an extensive campus program in place for the safe use, handling and disposal of these materials. The

UC Berkeley campus' safety record indicates that current practices with respect to hazardous materials handling are adequate and thus the potential for the 2020 LRDP to cause irreversible environmental damage from a hazardous materials accident is less than significant.

Implementation of the 2020 LRDP would not result in the wasteful or unjustifiable use of energy or other resources. The UC Berkeley campus has implemented various water conservation and energy efficiency measures and best management practices. The campus has also implemented various reuse and recycling measures, such as a materials exchange program. Furthermore, the 2020 LRDP includes several policies that would improve current practices. The 2020 LRDP includes policies to develop new buildings to a LEED 2.1 equivalent standard; to design new buildings to outperform the required provisions of Title 24 by 20 percent; and to design future projects to minimize energy and water consumption and wastewater production.

D. Mitigation Monitoring and Reporting Program

Public Resources Code Section 21081.6 and CEQA Guidelines Section 15091(d) require the lead agency approving a project to adopt a Mitigation Monitoring and Reporting Program for the changes to the project which it has adopted or made a condition of project approval in order to ensure compliance during project implementation. The Mitigation Monitoring and Reporting Program adopted by The Regents requires the University to monitor Continuing Best Practices and Mitigation Measures designed to reduce or eliminate significant impacts, as well as those Continuing Best Practices and Mitigation Measures designed to reduce environmental impacts which are less than significant. The Mitigation Monitoring and Reporting Program includes all of the Continuing Best Practices and Mitigation Measures identified in the Final EIR and has been designed to ensure compliance with such Continuing Best Practices and Mitigation Measures during implementation of the 2020 LRDP. The Regents hereby adopts the Mitigation Monitoring and Reporting Program attached hereto and incorporated herein.

The Regents finds that the impacts of the 2020 LRDP have been mitigated to the extent feasible by the Continuing Best Practices and Mitigation Measures identified in the Final EIR and in the Mitigation Monitoring and Reporting Program. The Regents adopts the Mitigation Monitoring and Reporting Program for the 2020 LRDP that accompanies the Final EIR. The Mitigation Monitoring and Reporting Program designates responsibility and anticipated timing for the implementation of mitigation for impacts and conditions within the jurisdiction of the University. Implementation of the Continuing Best Practices and Mitigation Measures specified in the Final EIR and the Mitigation Monitoring and Reporting Program will be accomplished through administrative controls over Project planning and implementation, and monitoring and enforcement of these measures will be accomplished through inspection and documentation by appropriate University personnel. The University reserves the right to make amendments and/or substitutions of Continuing Best Practices and/or Mitigation Measures if, in the exercise of the discretion of the University, it is determined that the amended or substituted Continuing Best Practice or Mitigation Measure will mitigate the identified potential environmental impact to at

least the same degree as the original Continuing Best Practice or Mitigation Measure, or would attain an adopted performance standard for mitigation, and where the amendment or substitution would not result in a new significant impact on the environment which cannot be mitigated.

E. Alternatives

Volume 1 of the Draft EIR evaluated a range of reasonable potential alternatives to the 2020 LRDP, both on-site and off-site. In compliance with CEQA and the CEQA Guidelines, the alternatives analysis also included an analysis of a No Project Alternative and discussed the environmentally superior alternative. The analysis examined the feasibility of each alternative, the environmental impacts of each alternative, and the ability of each alternative to meet the project objectives identified in Section 3.1 of Volume 1 of the Draft EIR. Table 5.1-1 in the Draft EIR compares the environmental impacts of the proposed Project and each of the alternatives.

The Regents certifies that it has independently reviewed and considered the information on alternatives provided in the Final EIR and the administrative record, and finds that all the alternatives are infeasible or undesirable in comparison to the 2020 LRDP for the reasons set forth below.

1. *Project Objectives*

The Regents finds that the project objectives for the Project are as described in Section 3.1 of the Draft EIR. The overall guiding project objective is to set forth a framework for land use and capital investment undertaken in support of UC Berkeley's academic principles. The overarching objectives of the 2020 LRDP are as follows:

- Provide the space, technology and infrastructure UC Berkeley requires to excel in education, research, and public service.
- Provide the housing, access, and services UC Berkeley requires to support a vital intellectual community and promote full engagement in campus life.
- Stabilize enrollment at a level commensurate with UC Berkeley's academic standards and its land and capital resources.
- Build a campus that fosters intellectual synergy and collaborative endeavors both within and across disciplines.
- Plan every new project to represent the optimal investment of land and capital in the future of the campus.
- Plan every new project as a model of resource conservation and environmental stewardship.

- Maintain and enhance the image and experience of the campus, and preserve UC Berkeley's historic legacy of landscape and architecture.

- Plan every new project to respect and enhance the character, livability, and cultural vitality of UC Berkeley's city environs.

- Maintain the Hill Campus as a natural resources for research, education and recreation, with focused development on suitable sites.

2. *Alternatives to the 2020 LRDP*

The University evaluated four alternatives to the 2020 LRDP: Lower Enrollment and Employment Growth; No New Parking and More Transit Incentives; Diversion of Some Growth to Remote Sites; and No Project.

i. Lower Enrollment and Employment Growth Alternative

The 2020 LRDP estimates of demand for program spaces, housing, and parking are based on projections of growth in both enrollment and in sponsored research. Under the Lower Enrollment and Employment Growth Alternative, the future development of the campus would be planned to accommodate 32,500 students on campus, rather than the 33,450 students proposed under the 2020 LRDP, and external research funds would presumably increase at an average inflation-adjusted rate of 2.4 percent per year, rather than the 3.6 percent per year proposed under the 2020 LRDP. These lower rates of growth would result in reduction in both head count and program space to be constructed relative to the proposed 2020 LRDP. This alternative would therefore also include a lower number of new parking spaces, since the increment of new parking proposed in the 2020 LRDP is derived partly from the existing parking deficit and partly from projections of future demand based on growth in enrollment and employment. The number of visitors and vendors would also be lower because the lower amount of new program space would require fewer constructions workers and vendors. University housing is assumed to grow by the same amount as in the 2020 LRDP.

This alternative would result in impacts that would be roughly equal with or less significant than the Project as proposed. Impacts that would be significant under the proposed Project would generally be somewhat reduced by this alternative due to the smaller scale of development under this alternative, but most of these impacts would still be significant.

This alternative was rejected because it would not allow the campus to fully realize its goal of responding to the increased demand for higher education and sponsored research in California.

ii. No New Parking and More Transit Incentives Alternative

The No New Parking and More Transit Incentives Alternative assumes no new University parking would be constructed under the auspices of the 2020 LRDP. The Southside/Downtown TDM Study could guide development of new or expanded incentive programs, parking

management programs, or transit improvement programs, by UC Berkeley alone or in collaboration with the City of Berkeley. However, the changes in campus headcount through 2020 would be the same as in the 2020 LRDP, and therefore the figures for program space, as well as for housing, would also be the same as in the 2020 LRDP. Although reductions in vehicle trips might be achieved if headcount growth were reduced, the No New Parking and More Transit Incentives Alternative serves the purpose of isolating and maximizing the effects of less new parking.

This alternative would result in impacts that would be roughly equal to or less significant than the Project. Certain impacts that would be significant under the Project, such as air quality and transportation and traffic, would generally be somewhat reduced by this alternative. However, most of these impacts would still be significant. In addition, the increase in parking demand due to the growth in enrollment and employment, without any increase in the parking supply, would likely result in more UC Berkeley students and employees parking in the districts around campus, particularly unregulated residential districts. Commentors on the IS already perceive this as a serious problem, and it might be expected to worsen under this alternative.

This alternative was rejected because it would neither address the current parking deficit at UC Berkeley nor accommodate future campus growth. The objective of providing access and services required to support a vital campus community cannot be met if access to campus is increasingly constrained by the shortage of parking.

iii. Diversion of Some Growth to Remote Sites Alternative

The Diversion of Some Growth to Remote Sites Alternative assumes the same increases in enrollment, employment, program space and housing as are assumed in the 2020 LRDP. However, one-third of the projected growth in sponsored research would be housed at Richmond Field Station ("RFS"), roughly four miles north of the Campus Park and its environs. This alternative would result in a lower staff and visitor/vendor headcount at the Campus Park than in the 2020 LRDP, and thus would also allow for a smaller building program in the Campus Park and City Environs and a reduced amount of new parking.

New development at RFS is not within the scope of the 2020 LRDP. As of 2003, a master plan for development at RFS was in the initial stage of formulation but no parameters for this development had yet been established. As of 2001-2002 RFS contained 549,000 GSF of program space, or roughly four percent of the UC Berkeley inventory of built space.

This alternative would result in similar or lower impacts compared to the proposed Project. Impacts that would be significant under the proposed Project would generally be somewhat reduced by this alternative due to the smaller scale of development at the Campus Park, but most of these impacts would still be significant. In addition, this alternative may also entail as yet undetermined impacts at RFS. This alternative would meet the objective of providing the space, technology and infrastructure required for UC Berkeley to excel in education, research, and public service, although a third of the demand generated by growth and sponsored research would be located at RFS rather than on or around the Campus Park. This alternative would not,

however, meet the objective of retaining and reinforcing the contiguity of academic programs and fostering intellectual synergy and collaborative endeavors both within and across disciplines. This alternative was rejected because it could preclude a number of future research programs for which proximity to the Campus Park is essential.

iv. No Project Alternative

In accordance with CEQA and the CEQA Guidelines, the Final EIR evaluates the No Project Alternative, which compares the impact of approving the proposed Project with the impact of not approving it. Under the No Project Alternative, the current 1990-2005 LRDP would remain in place. While substantial capacity remains under the 1990-2005 LRDP to develop student housing and parking, virtually its entire allocation of 723,000 net additional GSF of program space, as well as an additional 324,430 GSF of program space approved in 2002 in connection with the LRDP Amendment for the Northeast Quadrant Science and Safety Projects, has already been constructed or is currently under construction. Regular term student headcount and total headcount have also both grown beyond the maxima prescribed under the current 1990-2005 LRDP.

The No Project Alternative, therefore, leaves the UC Berkeley campus with two options. The first option would be to stop developing new program space, and the second option would be to amend the 1990-2005 LRDP each time a new project is required. The first option is infeasible for several reasons, including: (i) in the face of dramatic growth in the number of college-age Californians, growth in student enrollment at UC Berkeley is an integral part of a University-wide strategy to continue to meet UC's obligations under the California Master Plan for Higher Education; (ii) to maintain the quality of education and research at UC Berkeley, this growth in enrollment requires a corresponding increase in faculty, academic and nonacademic staff, and therefore in campus facilities, as well as continued renewal of the aging facility inventory at UC Berkeley; and (iii) continued growth in research programs is desirable, not only because these programs pursue research of great public benefit, but also because participation in a vital and diverse research enterprise is crucial to the education experience of both graduate and undergraduate students.

The second option under the No Project Alternative would rely exclusively on amendments to an increasingly outdated LRDP. This approach would not be in the best interests of either campus or community as it would lead to an increasingly piecemeal approach to campus development. Under this interpretation of the No Project Alternative, the same amount of development would be expected to occur as under the 2020 LRDP, and the factors driving the projected increase in campus headcount and space requirements would not change. However, such development would not be analyzed under CEQA based on a comprehensive overview of the full scope of development from now through 2020, as in the 2020 LRDP, but rather on a project by project basis. Similarly, although Continuing Best Practices would serve to mitigate the environmental impacts of future projects in the same way as under the 2020 LRDP, Mitigation Measures would be prescribed on a project-by-project basis rather than based on a comprehensive overview of the full scope of development from now through 2020.

The No Project Alternative was rejected because the impacts are expected to be roughly the same as under the 2020 LRDP, except environmental stewardship would be undertaken on a project-by-project basis without the coherent design framework and comprehensive mitigation strategy of the 2020 LRDP.

v. Environmentally Superior Alternative

The Regents finds that the Lower Enrollment and Employment Growth Alternative is the environmentally superior alternative because it would partially achieve the 2020 LRDP objectives and its environmental impacts would not be worse than under the 2020 LRDP in any category, and would be reduced in several categories in proportion to the reduction in campus headcount and construction of new projects assumed under this alternative.

The amount of net new space under the Lower Enrollment and Employment Growth Alternative is based on the same factors and formulas used for the 2020 LRDP; the difference is due entirely to the lower rates of growth assumed for the Lower Enrollment and Employment Growth Alternative. However, UC Berkeley believes the lower projections of growth under the Lower Enrollment and Employment Growth Alternative do not adequately reflect long-term trends in sponsored research, nor do they meet University-wide targets for enrollment growth. UC Berkeley believes the rates of growth projected in the 2020 LRDP represent the best estimate of future space demand, and if this demand does materialize as expected, the amount of net new program space in the Lower Enrollment and Employment Growth Alternative would be inadequate, and would severely constrain the ability of UC Berkeley to maintain its standard of excellence.

Restricting future growth in headcount and building space to the levels in the Lower Enrollment and Employment Growth Alternative would not meet the objectives of the 2020 LRDP, and therefore, despite the potential environmental advantages of this alternative, the 2020 LRDP represents the best balance of institutional objectives and environmental stewardship.

F. Statement of Overriding Considerations

1. *Impacts that Remain Significant*

As discussed above, The Regents has found that the following impacts of the 2020 LRDP remain significant, either in whole or in part, following adoption and implementation of the Continuing Best Practices and Mitigation Measures described in the Final EIR:

Number	Impact
AIR-5	Operational emissions from implementation of the 2020 LRDP may hinder the attainment of the Clean Air Plan.
Cumulative AIR-1	The 2020 LRDP, in combination with other reasonably foreseeable projects, could result in a cumulatively considerable increase of non-attainment pollutants and thereby conflict with the most recent Clean Air Plan.
Cumulative AIR-4	The 2020 LRDP, in combination with other reasonably foreseeable projects, would contribute to a cumulatively considerable increase in toxic air contaminants from stationary and area sources.
CUL-3	Projects developed under the 2020 LRDP could, in some instance, cause substantial adverse changes in the significance of historical resources.
CUL-5	Projects developed under the 2020 LRDP could, in some instance, cause substantial adverse changes in the significance of archaeological resources.
Cumulative CUL-1	The 2020 LRDP, in combination with other reasonably foreseeable projects, could contribute to cumulative reduction and/or degradation of the resource base of historical or archaeological resources.
NOI-3	University housing developed under the 2020 LRDP could expose its residents to excessive noise levels.
NOI-4	Noise resulting from demolition and construction activities necessary for implementation of the 2020 LRDP could, in some instances, cause a substantial temporary or periodic increase in noise levels at property lines, in excess of standards prescribed in the City of Berkeley noise ordinance.
Cumulative NOI-4	The 2020 LRDP, in combination with other projects, would expose people to noise levels in excess of established standards.
TRA-6	The 2020 LRDP would increase vehicle trips and traffic congestion at the intersections listed below, leading to substantial degradation in level of service.
TRA-6-a	The signalized Cedar Street/Oxford Street intersection, which would operate at LOS E during the AM peak hour regardless of the project, and degrade from LOS D to LOS E during the PM peak hour.
TRA-6-b	The all-way stop-controlled Durant Avenue/Piedmont Avenue intersection, which would degrade from LOS D to LOS F during the AM peak hour. The project would increase the intersection volume by 10 percent during the AM peak hour.
TRA-6-c	The all-way stop-controlled Derby Street/Warring Street intersection, which operates at LOS F during both AM and PM peak hours regardless of the project. The project would increase the intersection volume by 7 percent

	during the AM peak hour, and 6 percent during the PM peak hour.
TRA-6-d	The eastbound approach of the side-street stop-controlled Addison Street/Oxford Street intersection from LOS A to LOS E during the AM peak hour and LOS C to LOS E during the PM peak hour. The project would increase the intersection volume by 12 percent during the AM peak hour, and 10 percent during the PM peak hour.
TRA-6-e	The eastbound approach of the side-street stop-controlled Allston Way/Oxford Street intersection would degrade from LOS D to LOS E during the AM peak hour. The intersection would continue to operate at LOS E during the PM peak hour. The project would increase the intersection volume by 11 percent during the AM peak hour, and 8 percent during the PM peak hour.
TRA-6-f	The eastbound approach of the side-street stop-controlled Kittredge Street/Oxford Street intersection from LOS C to LOS F during the AM peak hour. The intersection would continue to operate at LOS F during the PM peak hour. The project would increase the intersection volume by 14 percent during the AM peak hour, and 10 percent during the PM peak hour.
TRA-6-g	The northbound approach of the side-street stop-controlled Bancroft Way/Ellsworth Street intersection would degrade from LOS D to LOS E during the PM peak hour. The project would increase the intersection volume by 19 percent during the AM peak hour, and 10 percent during the PM peak hour.
TRA-7	Development under the 2020 LRDP would contribute to the projected unacceptable delay at the all-way stop-controlled Bancroft Way/Piedmont Avenue intersection, which is projected to operate at LOS F during both AM and PM peak hours regardless of the project. The project would increase the intersection volume by 11 percent during the AM peak hour, and 5 percent during the PM peak hour.
TRA-8	The 2020 LRDP would increase vehicle trips and traffic congestion at two intersections, leading to substantial degradation in level of service that cannot be mitigated.
TRA-10	The 2020 LRDP would increase vehicle trips and traffic congestion at seven intersections to unacceptable levels, and exacerbate unacceptable conditions at an eighth. (These impacts can be mitigated to less-than-significant levels, but implementation of the measures required is outside the jurisdiction of The Regents.)

2. *Overriding Considerations*

In accordance with CEQA Guidelines Section 15093, The Regents has, in determining whether or not to approve the Project, balanced the economic, social, technological and other benefits of

the Project against its unavoidable environmental risks, and has found that the benefits of the Project outweigh the significant adverse environmental effects that are not mitigated to less-than-significant levels, for the reasons set forth below. This statement of overriding considerations is based on The Regents' review of the Final EIR and other information in the administrative record, including but not limited to the 2020 LRDP.

A. The University is charged, under the California Master Plan for Higher Education, with providing the opportunity for undergraduate education to those Californians who graduate in the top one-eighth of their high school class. The University is also charged with admitting those students who complete coursework in the lower division transfer curriculum at community colleges and who meet minimum grade point average requirements. The University serves as the state's primary research agency and is the primary public institution in the state offering doctoral and certain professional degrees.

B. Current projections indicate that the number of students seeking admission to college in California will grow by approximately 30 percent by the year 2010. This increased demand will require the University to accommodate an additional 63,000+ students for the period 1998-99 to 2010-11. Accordingly, the 2020 LRDP will help provide the additional capacity necessary to accommodate the expected increase in student demand to 2010 and beyond.

C. The 2020 LRDP will advance California's economic, social and cultural development, which depends upon broad access to an educational system that prepares all of the state's inhabitants for responsible citizenship and meaningful careers.

D. The 2020 LRDP supports the campus in its objective of creating a physical framework to support the teaching, research, and public service mission of the campus, including a dynamic teaching environment, an accessible research environment, ease of interdisciplinary collaboration, and an interactive and welcoming public service environment.

E. The 2020 LRDP will provide housing for approximately 2,600 additional students, including up to 100 family-suitable units for faculty staff, or visiting scholars, enabling the campus to recruit, retain and support outstanding student and faculty candidates and provide opportunities for members of the campus community to live locally and participate fully in the life of the campus.

F. The 2020 LRDP will allow for the development of approximately 2.2 million gross square feet of academic and administrative facilities to remedy existing and future space shortages, correct deficiencies and technological obsolescence in existing facilities, accommodate planned program direction in instruction, research and public service functions, and provide capacity for future program requirements.

G. The 2020 LRDP will constitute a significant economic benefit to the Berkeley area. UC Berkeley has a significant economic impact on the area's economy. The total economic impact of UC Berkeley in the Berkeley area is much greater than the sum of the direct

expenditures made by UC Berkeley and its affiliated organizations and populations. Each dollar spent locally by UC Berkeley cycles through the area economy, generating additional income and employment.

H. UC Berkeley provides many direct services for both on-campus and off-campus users, including but not limited to: police protection and rescue services; library services; parks and recreation services; and other academic and support services. As the 2020 LRDP is implemented, the level of these services will grow.

I. UC Berkeley provides many indirect community contributions in the form of education, artistic, and cultural enrichment to residents of the Berkeley area through such functions as extension courses, performing arts events, art exhibits, sporting events, conferences and workshops.

J. The campus is the largest employer in the Berkeley area and one of the largest employers in the San Francisco Bay Area. This is particularly significant because of the quality and diversity of new jobs which are related to the implementation of the 2020 LRDP.

K. The increased economic activity resulting from campus growth is also expected to result in secondary growth in non-University businesses in the Berkeley area. Implementation of the 2020 LRDP will also provide construction employment as individual building projects are developed.

L. When compared to the alternatives analyzed in the Final EIR (including the No Project Alternative), the 2020 LRDP provides the best available balance between maximizing attainment of the Project objectives and minimizing significant environmental impacts.

G. RECORD OF PROCEEDINGS

Various documents and other materials constitute the record of proceedings upon which The Regents bases its findings and decisions contained herein. Most documents related to this project are located in the offices of the UC Berkeley campus, including, but not limited to: Physical and Environmental Planning, Residential and Student Services Programs, and Environmental Health and Safety. The custodian for these records of proceedings is the Environmental and Long Range Planning Office, Room 300, 1936 University Avenue, Berkeley, CA 94720.

H. SUMMARY

1. Based on the foregoing Findings and the information contained in the administrative record, The Regents has made one of more of the following Findings with respect to the significant environmental effects of the Project identified in the Final EIR:

a. Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects on the environment.

b. Those changes or alterations that are wholly or partially within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other public agency.

c. Specific economic, legal, social, technological, or other considerations, make infeasible the mitigation measures or alternatives identified in the Final EIR that would otherwise avoid or substantially lessen the identified significant environmental effects of the Project.

2. Based on the foregoing Findings and the information contained in the record, it is hereby determined that:

a. All significant effects on the environment due to approval of the Project have been eliminated or substantially lessened where feasible.

b. Any remaining significant effects on the environment found to be unavoidable are acceptable due to the factors described in the Statement of Overriding Considerations in Section II.F, above.

III. APPROVALS

The Regents hereby takes the following actions:

A. The Regents certifies the Final EIR for the UC Berkeley 2020 LRDP, as described in Section I, above.

B. The Regents hereby adopts as conditions of approval of the 2020 LRDP all Mitigation Measures and Continuing Best Practices within the responsibility and jurisdiction of the University set forth in Section II.B of the Findings, above.

C. The Regents hereby adopts the Mitigation Monitoring and Reporting Program for the Project accompanying the Final EIR and discussed in Section II.D of the Findings, above.

D. The Regents hereby adopts the Findings in their entirety as set forth in Section II, above, including the Statement of Overriding Considerations.

E. Having certified the Final EIR, independently reviewed and analyzed the Final EIR, incorporated Continuing Best Practices and Mitigation Measures into the Project, and adopted the foregoing Findings and Statement of Overriding

Considerations, The Regents hereby approves and adopts the 2020 Long Range Development Plan for the University of California, Berkeley campus.