

**CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS IN
CONNECTION WITH THE APPROVAL OF THE DESIGN OF THE CALIFORNIA
MEMORIAL STADIUM SEISMIC CORRECTIONS AND WEST PROGRAM
IMPROVEMENTS PROJECT, BERKELEY CAMPUS**

I. CONSIDERATION OF 2020 LRDP FEIR (1/05), IP FEIR AND ADDENDUM #2 TO THE IP FEIR

Pursuant to the California Environmental Quality Act, Public Resources Code Sections 21000 *et seq.* (“CEQA”) and the State CEQA Guidelines, Title 14, California Code of Regulations, Sections 15000 *et seq.* (“CEQA Guidelines”), the Board of Regents of the University of California (“the University”), or its delegate (collectively referred to herein as “the University”), has considered the Final Environmental Impact Report (FEIR), State Clearinghouse Number 2003082131, which was certified by the University in January 2005 for the University of California, Berkeley’s (“UC Berkeley” or “Berkeley campus”) 2020 Long Range Development Plan (2020 LRDP) as amended by the University in July 2009 to address climate change, which was analyzed in Addendum #5¹ to the FEIR for the LRDP (collectively referred to herein as the “2020 LRDP FEIR”), the Final Environmental Impact Report (IP FEIR), State Clearinghouse Number 2005112056, which was certified by the University in December 2006 for the Berkeley campus’ Southeast Campus Integrated Projects (“Integrated Projects” or “IP”), and Addendum #2 thereto, dated December 2009, for UC Berkeley’s California Memorial Stadium Seismic Corrections and West Program Improvements Project (“Addendum #2”). The University finds that the information contained in the 2020 LRDP FEIR, the IP FEIR and Addendum #2 reflects the independent judgment and analysis of the University, and that the 2020 LRDP FEIR, the IP FEIR and Addendum #2 have been completed in compliance with CEQA.

The 2020 LRDP FEIR, the IP FEIR and Addendum #2 contain the environmental analysis and information necessary to support approval of the California Memorial Stadium Seismic Corrections and West Program Improvements Project (the “Project”), as set forth in Section III, below.

II. FINDINGS

The following Findings are hereby adopted by the University as required by Public Resources Code Sections 21081, 21081.5 and 21081.6, and CEQA Guidelines Sections 15090, 15091, 15092, 15164, and 15168, in conjunction with the approval of the design of the Project, which is set forth in Section III, below.

A. Environmental Review Process

In January 2005, The University certified the FEIR for the 2020 LRDP in accordance with CEQA, the CEQA Guidelines and the University of California Procedures for

¹ Specific development projects were analyzed in earlier addenda. Only Addendum #5, because it supports an amendment to the 2020 LRDP itself to address climate change and includes 2020 LRDP FEIR updates to address climate change, has relevance for subsequent project approvals.

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Implementation of CEQA, and adopted the 2020 LRDP. Both the 2020 LRDP and the FEIR for the 2020 LRDP analyzed the scope and nature of development proposed to meet the goals of the University through academic year 2020-2021, including projects of growth in both campus headcount and campus space during this timeframe. The 2020 LRDP anticipated up to 1 million net new gross square feet (gsf) of academic and support space on the Campus Park and over 2.2 million net new gsf within the entire area governed by the 2020 LRDP. The Project is located in the area referred to as the Adjacent Blocks South in the 2020 LRDP, which anticipated that up to 400,000 net new gsf of academic and support spaces and up to 600 net new parking spaces would be developed in this area. The FEIR for the 2020 LRDP identified measures to mitigate, to the extent feasible, the significant adverse project and cumulative impacts associated with growth of UC Berkeley under the 2020 LRDP.

In December 2006, the University certified the IP FEIR for the Integrated Projects. The IP FEIR provides a project-specific analysis of seven proposed projects and is tiered from the 2020 LRDP FEIR. The seven projects that constitute the Integrated Projects are 1) California Memorial Stadium (“CMS”) Seismic Corrections and Program Improvements; 2) Parking Structure and Sports Field at Maxwell Family Field; 3) Law and Business Connection Building; 4) Southeast Campus and Piedmont Avenue Landscape Improvements; 5) School of Law Program Improvements; 6) Haas School of Business Program Improvements; and 7) Renovation and Restoration of the houses at 2222 to 2240 Piedmont Avenue. In December 2006, the University also approved the design of the first phase of the CMS Project, the Student Athlete High Performance Center (SAHPC), which is currently under construction to the west of CMS.

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

The amendment to the 2020 LRDP was approved by the University based on Addendum #5 to the certified FEIR for the 2020 LRDP. Addendum #5 was published in advance of consideration of the 2020 LRDP Amendment, and the 2020 LRDP Amendment was approved in July 2009 by the University, following review and consideration of comments from community members. Addendum #5 described existing climate change conditions and evaluated the potential for development under the 2020 LRDP, with minor amendments to reflect current campus policy, to affect climate change. Addendum #5 provided a summary of the current regulatory framework applicable to climate change, discussing the applicable federal, state,

regional, and local agencies that regulate, monitor, and control greenhouse gases (GHG) emissions. Addendum #5 discussed the existing global, national, and statewide conditions for GHG and global climate change and evaluates the potential impacts on global climate from the implementation of the 2020 LRDP as amended to document existing UC Berkeley climate action strategies. Addendum #5 concluded that the proposed amendment to the 2020 LRDP Sustainable Campus chapter did not trigger a need to prepare a subsequent EIR or supplement to the 2020 LRDP FEIR. The Project complies with University policies on sustainable practices. See <http://tinyurl.com/UCBClimate> for documents and information.

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

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

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

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

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

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

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the

project, but the project proponents decline to adopt the mitigation measure or alternative; or

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

Under CEQA Guidelines Section 15163, the lead agency may choose to prepare a supplement to an EIR rather than a subsequent EIR if any of the conditions described in CEQA Guidelines Section 15162 would require the preparation of a subsequent EIR, and only minor additions or changes would be necessary to make the previous EIR adequately apply to the Project in the changed situation. Pursuant to CEQA Guidelines Section 15164, the lead agency “shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.”

Addendum #2 was prepared in compliance with CEQA Section 21166 and CEQA Guidelines Sections 15162 and 15164 to examine the potential environmental impacts of approving the Project since certification of the IP EIR. Addendum #2 includes a detailed description of the Project and analyzes the impacts of implementation of the Project. Readers should review this document in conjunction with the 2020 LRDP FEIR and the IP EIR, which contain a full analysis of all of the potential environmental impacts of implementing, respectively, the 2020 LRDP and the Integrated Projects, including the Project.

The University must consider the 2020 LRDP FEIR, the IP FEIR and Addendum #2 prior to making a decision on the Project.

The legal criteria for preparation of an addendum to the IP FEIR are met here. None of the conditions or circumstances that would require preparation of a subsequent EIR or supplement to the IP FEIR pursuant to Public Resources Code Section 21166 and CEQA Guidelines Sections 15162 and 15163 exists in connection with the Project. No substantial changes have been proposed to the Project described in the IP FEIR that require major revisions to the IP FEIR. There have not been any substantial changes with respect to the circumstances under which implementation of the Integrated Projects would be undertaken that would require major revisions to the previously certified IP FEIR. In addition, there is no new information of substantial importance, which was not known and could not have been known at the time that the IP FEIR was certified showing that new or more severe environmental impacts not addressed in

the IP FEIR would occur, that mitigation measures or alternatives found infeasible in the IP FEIR would in fact be feasible, or that different mitigation measures or alternatives from those analyzed in the IP FEIR would substantially reduce one or more significant impacts.

Addendum #2 analyzes and summarizes the potential impacts of the Project in relation to the environmental analysis in the IP FEIR with regard to the following environmental topic areas: Aesthetics; Air Quality; Biological Resources; Cultural Resources; Geology, Seismicity and Soils; Greenhouse Gas Emissions; Hazardous Materials; Hydrology and Water Quality; Land Use; Noise; Population; Public Services; Transportation; and Utilities and Service Systems. It also identifies mitigation measures and continuing best practices adopted as part of the 2020 LRDP FEIR and the IP FEIR, including updates documented in Addendum #5 to the 2020 LRDP FEIR, relevant to the Project that have been incorporated into and must be implemented as part of the Project. All mitigation measures and continuing best practices in the 2020 LRDP FEIR and IP FEIR relevant to the Project, as well as all components of the Project described in Addendum #2, are included in the Approval and are made conditions of the Project. The Project will not result in any new impacts or increase the severity of any significant impact identified in the 2020 LRDP FEIR or the IP FEIR. No Project revisions or specific mitigation measures were identified in Addendum #2 that would further reduce the impacts of implementation of the 2020 LRDP and Integrated Projects.

B. Relation of the Project to the 2020 LRDP FEIR and the IP FEIR

The Project implements a portion of the 2020 LRDP. The Project would be located in the area designated in the 2020 LRDP as the City Environs (2020 LRDP EIR Vol 3a, 3.1-5). The 2020 LRDP anticipated an increase of up to 400,000 gsf of new academic and support space in the area designated Adjacent Blocks South in the 2020 LRDP, the area in which the Project would be located. The Project would add approximately 118,000 new gsf of academic and support space and in combination with the adjacent SAHPC currently under construction, would add approximately 260,000 net new gsf to this area. The Project therefore falls within the scope of the total program analyzed in the 2020 LRDP FEIR and IP FEIR, as set forth at page 3, and at pages 18 to 19 of Addendum #2.

C. Impacts of the Project

As described in greater detail below and in Addendum #2, the Project, with the implementation of relevant 2020 LRDP FEIR and IP FEIR mitigation measures and continuing best practices, will incrementally contribute to impacts previously identified in the 2020 LRDP FEIR and IP FEIR, but will not result in any new significant impacts, increase the severity of significant impacts previously identified in the 2020 LRDP FEIR or the IP FEIR, or cause any environmental effects not previously examined in the 2020 LRDP FEIR or the IP FEIR. All significant impacts to which the Project would contribute are identified in Addendum #2, and

were analyzed in the 2020 LRDP FEIR or the IP FEIR and in the 2020 LRDP Findings, the IP Findings, and the Findings for Addendum #5 adopted by The University. The Project does not involve new information of substantial importance which would require mitigation measures or alternatives that are considerably different from those analyzed in the 2020 LRDP FEIR or the IP FEIR. No additional mitigation measures are feasible to substantially lessen any significant and unavoidable impacts previously identified in the 2020 LRDP FEIR or the IP FEIR.

While the Project will incrementally contribute to cumulative impacts previously identified in the 2020 LRDP FEIR associated with full 2020 LRDP implementation and in the IP FEIR associated with full implementation of the Integrated Projects, it will not result in any new significant cumulative impacts, increase the severity of significant cumulative impacts previously identified in the 2020 LRDP FEIR or the IP FEIR, or cause any environmental effects not previously examined in the 2020 LRDP FEIR or the IP FEIR. All significant cumulative impacts to which the Project would contribute have been discussed in Addendum #2.

Each of the impacts of the Project is discussed separately below.

1. Aesthetics

Based on the analysis in Addendum #2, pages 27 to 31, incorporated herein by reference, the University finds that the Project will not result in any new, significant aesthetic impacts that were not examined in the 2020 LRDP FEIR or the IP EIR, that aesthetic impacts associated with implementation of the 2020 LRDP as modified and the Integrated Projects would remain as identified in the 2020 LRDP FEIR or the IP EIR, that the standards for preparation of an addendum under CEQA are met for the Project, and that none of the circumstances that would require preparation of a subsequent or supplemental EIR under CEQA exists.

2. Air Quality

Air quality was scoped out of the IP FEIR, which relied on the analysis in the 2020 LRDP FEIR. Based on the analysis in Addendum #2, pages 31 to 37, incorporated herein by reference, the University finds that the Project will not result in any new, significant air quality impacts that were not examined in the 2020 LRDP FEIR, that air quality impacts associated with implementation of the 2020 LRDP as modified would remain as identified in the 2020 LRDP FEIR, that the standards for preparation of an addendum under CEQA are met for the Project, and that none of the circumstances that would require preparation of a subsequent or supplemental EIR under CEQA exists.

In the winter 2009/10, the Bay Area Air Quality Management District (BAAQMD) is promulgating new criteria pollutant thresholds for project construction. The proposed regulations address all aspects of construction activities, including demolition, excavation and

grading, new construction, coating and paving. Although the proposed regulations will not be adopted before January 2010 and will not become effective until 90-120 days after adoption, the University has modeled the construction related emissions for the Project under the proposed regulations. The modeling indicated that construction emissions from the Project are below the proposed BAAQMD thresholds of significance.

3. Biological Resources

Biological resources were scoped out of the IP FEIR, which relied on the analysis in the 2020 LRDP FEIR. Based on the analysis in Addendum #2, pages 38 to 42, incorporated herein by reference, the University finds that the Project will not result in any new, significant biological resource impacts that were not examined in the 2020 LRDP FEIR, that biological resource impacts associated with implementation of the 2020 LRDP as modified would remain as identified in the 2020 LRDP FEIR, that the standards for preparation of an addendum under CEQA are met for the Project, and that none of the circumstances that would require preparation of a subsequent or supplemental EIR under CEQA exists.

4. Cultural Resources

Based on the analysis in Addendum #2, pages 42 to 47, incorporated herein by reference, the University finds that the Project will not result in any new, significant cultural resource impacts that were not examined in the 2020 LRDP FEIR or the IP FEIR, that cultural resource impacts associated with implementation of the 2020 LRDP as modified and the Integrated Projects would remain as identified in the 2020 LRDP FEIR or the IP FEIR, that the standards for preparation of an addendum under CEQA are met for the Project, and that none of the circumstances that would require preparation of a subsequent or supplemental EIR under CEQA exists. As indicated in Addendum #2, UC Berkeley proposes to relocate or demolish the College Avenue houses to possibly accommodate Project-related construction activities, but this potentially significant impact was fully analyzed in the IP FEIR and IP Findings. The Project may incrementally contribute to significant cultural resources and cumulative impacts previously identified in the 2020 LRDP FEIR and the IP FEIR, but will not result in those impacts being more severe than as described in the 2020 LRDP FEIR and the IP FEIR.

5. Geology, Seismicity and Soils

Based on the analysis in Addendum #2, pages 47 to 52, incorporated herein by reference, the University finds that the Project will not result in any new, significant geology, seismicity and soils impacts that were not examined in the 2020 LRDP FEIR or the IP FEIR, that geology, seismicity and soils impacts associated with implementation of the 2020 LRDP as modified and the Integrated Projects would remain as identified in the 2020 LRDP FEIR or the IP FEIR, that the standards for preparation of an addendum under CEQA are met for the Project, and that none

of the circumstances that would require preparation of a subsequent or supplemental EIR under CEQA exists.

6. Greenhouse Gas Emissions

Based on the analysis in Addendum #2, pages 52 to 60, incorporated herein by reference, the University finds that the Project will not result in any new, significant climate change impacts that were not examined in the 2020 LRDP FEIR, that climate change impacts associated with implementation of the 2020 LRDP as modified and the Integrated Projects would remain as identified in the 2020 LRDP FEIR, that the standards for preparation of an addendum under CEQA are met for the Project, and that none of the circumstances that would require preparation of a subsequent or supplemental EIR under CEQA exists.

7. Hazardous Materials

Hazardous materials were scoped out of the IP FEIR, which relied on the analysis in the 2020 LRDP FEIR. Based on the analysis in Addendum #2, pages 60 to 63, incorporated herein by reference, the University finds that the Project will not result in any new, significant hazardous materials impacts that were not examined in the 2020 LRDP FEIR, that hazardous materials impacts associated with implementation of the 2020 LRDP as modified would remain as identified in the 2020 LRDP FEIR, that the standards for preparation of an addendum under CEQA are met for the Project, and that none of the circumstances that would require preparation of a subsequent or supplemental EIR under CEQA exists.

8. Hydrology and Water Quality

Based on the analysis in Addendum #2, pages 63 to 69, incorporated herein by reference, the University finds that the Project will not result in any new, significant hydrology and water quality impacts that were not examined in the 2020 LRDP FEIR or the IP FEIR, that hydrology and water quality impacts associated with implementation of the 2020 LRDP as modified and the Integrated Projects would remain as identified in the 2020 LRDP FEIR or the IP FEIR, that the standards for preparation of an addendum under CEQA are met for the Project, and that none of the circumstances that would require preparation of a subsequent or supplemental EIR under CEQA exists.

9. Land Use

Based on the analysis in Addendum #2, pages 69 to 72, incorporated herein by reference, the University finds that the Project will not result in any new, significant land use impacts that were not examined in the 2020 LRDP FEIR or the IP FEIR, that land use impacts associated with implementation of the 2020 LRDP as modified and the Integrated Projects would remain as

identified in the 2020 LRDP FEIR or the IP FEIR, that the standards for preparation of an addendum under CEQA are met for the Project, and that none of the circumstances that would require preparation of a subsequent or supplemental EIR under CEQA exists.

10. Noise

Based on the analysis in Addendum #2, pages 72 to 78, incorporated herein by reference, the University finds that the Project will not result in any new, significant noise impacts that were not examined in the 2020 LRDP FEIR or the IP FEIR, that noise impacts associated with implementation of the 2020 LRDP as modified and the Integrated Projects would remain as identified in the 2020 LRDP FEIR or the IP FEIR, that the standards for preparation of an addendum under CEQA are met for the Project, and that none of the circumstances that would require preparation of a subsequent or supplemental EIR under CEQA exists. The Project may incrementally contribute to significant noise impacts previously identified in the 2020 LRDP FEIR and the IP FEIR, but will not result in those impacts being more severe than as described in the 2020 LRDP FEIR and the IP FEIR.

11. Population

Population and housing were scoped out of the IP FEIR, which relied on the analysis in the 2020 LRDP FEIR. Based on the analysis in Addendum #2, pages 78 to 79, incorporated herein by reference, the University finds that the Project will not result in any new, significant population and housing impacts that were not examined in the 2020 LRDP FEIR, that population and housing impacts associated with implementation of the 2020 LRDP as modified would remain as identified in the 2020 LRDP FEIR, that the standards for preparation of an addendum under CEQA are met for the Project, and that none of the circumstances that would require preparation of a subsequent or supplemental EIR under CEQA exists.

12. Public Services

Based on the analysis in Addendum #2, pages 80 to 85, incorporated herein by reference, the University finds that the Project will not result in any new, significant public services impacts that were not examined in the 2020 LRDP FEIR or the IP FEIR, that public services impacts associated with implementation of the 2020 LRDP as modified and the Integrated Projects would remain as identified in the 2020 LRDP FEIR or the IP FEIR, that the standards for preparation of an addendum under CEQA are met for the Project, and that none of the circumstances that would require preparation of a subsequent or supplemental EIR under CEQA exists.

13. Transportation

Based on the analysis in Addendum #2, pages 85 to 90, incorporated herein by reference, the University finds that the Project will not result in any new, significant transportation impacts that were not examined in the 2020 LRDP FEIR or the IP FEIR, that transportation impacts associated with implementation of the 2020 LRDP as modified and the Integrated Projects would remain as identified in the 2020 LRDP FEIR or the IP FEIR, that the standards for preparation of an addendum under CEQA are met for the Project, and that none of the circumstances that would require preparation of a subsequent or supplemental EIR under CEQA exists. The Project may incrementally contribute to significant transportation impacts previously identified in the 2020 LRDP FEIR and the IP FEIR, but will not result in those impacts being more severe than as described in the 2020 LRDP FEIR and the IP FEIR.

14. Utilities and Service Systems

Based on the analysis in Addendum #2, pages 91 to 97, incorporated herein by reference, the University finds that the Project will not result in any new, significant utilities and service systems impacts that were not examined in the 2020 LRDP FEIR or the IP FEIR, that utilities and service systems impacts associated with implementation of the 2020 LRDP as modified and the Integrated Projects would remain as identified in the 2020 LRDP FEIR or the IP FEIR, that the standards for preparation of an addendum under CEQA are met for the Project, and that none of the circumstances that would require preparation of a subsequent or supplemental EIR under CEQA exists.

15. Cumulative Impacts

The University finds that the Project does not require new findings of significant impact, nor does it contribute to new significant regional or area wide cumulative impacts due to the implementation of the 2020 LRDP and the Integrated Projects, as addressed at page 98 of Addendum #2, incorporated herein by reference. Although the Project may incidentally contribute to significant cultural resources, noise and transportation cumulative impacts analyzed in the 2020 LRDP FEIR or the IP FEIR, it will not result in those impacts being more severe than as described in the 2020 LRDP FEIR or the IP FEIR. The University finds that the standards for preparation of an addendum under CEQA are met for the Project, and that none of the circumstances that would require preparation of a subsequent or supplemental EIR under CEQA exists.

D. Additional Findings

1. Adequacy of Prior Environmental Reviews

All of the environmental effects of implementation of the 2020 LRDP, including the Integrated Projects, have been adequately addressed in the 2020 LRDP FEIR, Addenda thereto and EIRs tiered therefrom in that those impacts, including the IP FEIR: (1) have been mitigated or avoided as a result of the prior CEQA documentation and findings adopted in connection with prior environmental reports, (2) have been examined at a sufficient level of detail in the prior CEQA documentation to enable those effects to be mitigated or avoided by site specific revisions, the imposition of conditions, or by other means in connection with the approval of the Project, or (3) cannot be mitigated to avoid or substantially lessen the significant impacts despite the University's willingness to accept all feasible mitigation measures, and the only purpose of including analysis of such effects in another environmental impact report would be to put the agency in a position to adopt a statement of overriding considerations with respect to the effects.

The Project is in every way consistent with the original intent and goals of the 2020 LRDP, including the Integrated Projects. The Project meets the criteria for tiering defined in Guidelines Section 15152(e). These Findings incorporate and reaffirm the 2020 LRDP Findings and related Findings for Addendum #5, and the Findings for the IP FEIR to address cumulative impacts consistent with Guidelines Section 15130(d).

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

The Project is within the scope of the 2020 LRDP as modified by Amendment #1 to address climate change, analyzed by the 2020 LRDP FEIR and the Integrated Projects analyzed in the IP FEIR, and does not implicate any of the conditions set forth in Section 21166 of the CEQA or CEQA Guidelines Section 15162 requiring the preparation of a subsequent EIR or supplement to the IP FEIR. No new significant environmental impacts have been identified in connection with the Project that were not considered in the 2020 LRDP FEIR or the IP FEIR. As a result, no new environmental impacts are anticipated to occur and no new mitigation measures will be required other than as addressed in the 2020 LRDP FEIR or the IP FEIR. The potential environment effects of the implementation of the 2020 LRDP, including the Integrated Projects (including any project's contribution to significant/mitigated and significant/ unavoidable impacts), have been fully addressed by the 2020 LRDP FEIR, the 2020 LRDP Findings, related Findings for Addendum #5, the IP FEIR and related Findings for the IP FEIR.

2. Criteria for an Addendum

Addendum #2 concludes that none of the conditions or circumstances that would require preparation of a subsequent or supplemental EIR pursuant to Public Resources Code Section 21166 exists in connection with the Project. No substantial changes have been proposed to the project described in the IP FEIR that require major revisions to the IP FEIR. The project described in the IP FEIR includes development of the Project, and the IP FEIR analyzes the environmental impacts that could result from the Project. As described in Addendum #2, page 3 and pages 18-19 the Project implements the 2020 LRDP and the Integrated Projects and does not alter the projections of development anticipated under the 2020 LRDP and the Integrated Projects.

Addendum #2 also indicates that there have not been any substantial changes with respect to the circumstances under which implementation of the 2020 LRDP and Integrated Projects would occur that would require major revisions to the IP FEIR.

Addendum #2 also concludes that no new information of substantial importance, which was not known and could not have been known at the time that the IP FEIR was certified as complete, shows that the Project would cause or substantially worsen environmental impacts discussed in the IP FEIR, that mitigation measures or alternatives found infeasible in the IP FEIR would in fact be feasible, or that different mitigation measures or alternatives from those analyzed in the IP FEIR would substantially reduce one or more significant environmental impacts found in the IP FEIR.

For the reasons described above, the University hereby finds that preparation of Addendum #2 to the IP FEIR to further describe and analyze the environmental consequences of implementing the Project is appropriate under CEQA.

3. Incorporation by Reference

These Findings incorporate by reference in their entirety the text of Addendum #2 prepared for the Project, the 2020 LRDP FEIR as updated by Addendum #5, the 2020 LRDP Findings, Addendum #5 Findings, the IP FEIR and the Findings for the IP FEIR previously certified or adopted by the University. Without limitation, this incorporation is intended to elaborate on the scope and nature of the Project, potential environmental impacts that could result from the Project and the basis for determining the significance of the Project's impacts.

4. Mitigation Monitoring

CEQA requires the Lead Agency approving a project to adopt a monitoring program for changes to the project that it adopts or makes a condition of project approval, including

mitigation measures intended to eliminate or reduce potentially significant impacts of the project, in order to ensure compliance during project implementation. No new mitigation measures are required as part of the Project, which incorporates relevant and previously adopted 2020 LRDP FEIR and IP FEIR mitigation measures and continuing best practices that will be monitored pursuant to the existing 2020 LRDP FEIR and IP FEIR monitoring programs previously adopted by the University in connection with its respective approvals of the 2020 LRDP and the Integrated Projects.

5. Record of Proceedings

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

E. Summary

Based on the foregoing Findings and the information and continuing best practices contained in the record, the University has made one or more of the following Findings with respect to the Project:

- 1.** The Project will incrementally contribute to, but will not increase the severity of, significant environmental impacts previously identified in the 2020 LRDP FEIR and the IP FEIR.
- 2.** All 2020 LRDP FEIR and IP FEIR mitigation measures and continuing best practices relevant to the Project, as identified in Addendum #2, as well as all components of the Project described in Addendum #2, are made a condition of the Project's approval.
- 3.** All significant effects on the environment due to the implementation of the Project have been eliminated or substantially lessened where feasible through 2020 LRDP FEIR and IP FEIR mitigation measures and continuing best practices adopted in connection with the University's approval of the 2020 LRDP FEIR and the IP FEIR and incorporated as part of the Project. Some of those mitigation measures are within the responsibility and jurisdiction of another public agency that has adopted, or can and should adopt such changes, and the University lacks concurrent jurisdiction to adopt or implement such mitigation measures.
- 4.** The Project will not result in environmental effects that were not adequately examined in the 2020 LRDP FEIR, as supplemented by Addendum #5, and the IP FEIR.

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

III. APPROVALS

The University hereby takes the following actions:

A. The University has reviewed and considered the 2020 LRDP FEIR as modified by the program-wide update addressed in Addendum #5, the IP FEIR and Addendum #2 for the Project as described in Section I, above.

B. The University reaffirms the Findings and Statement of Overriding Considerations adopted for the LRDP FEIR in January 2005 and Addendum #5 Findings adopted in July 2009, and the Findings for the IP FEIR adopted in December 2006.

C. The University hereby approves and makes a condition of the Project all elements of the Project and relevant 2020 LRDP FEIR and the IP FEIR mitigation measures and continuing best practices identified in Addendum #2.

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

E. Having independently reviewed and considered the 2020 LRDP FEIR, the IP FEIR and Addendum #2, conditioned the Project as described above, and adopted the Findings, the University hereby approves the design of the California Memorial Stadium Seismic Corrections and West Program Improvements, Berkeley campus.