CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS OF FACT REGARDING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE NEW HOSPITAL BUILDING AT BENIOFF CHILDREN'S HOSPITAL, OAKLAND CAMPUS State Clearinghouse No. 2023050540

I. <u>CERTIFICATION</u>

The University of California ("University" or the "Regents") hereby certifies the Final Environmental Impact Report ("Final EIR" or "EIR") for the University of California, San Francisco ("UCSF") New Hospital Building at the Benioff Children's Hospital Oakland (the "NHB"), which consists of the Draft Environmental Impact Report ("Draft EIR"), comment letters, responses to comments, text changes to the Draft EIR, and the Mitigation Monitoring and Reporting Plan ("MMRP"). In accordance with California Environmental Quality Act ("CEQA") Guidelines § 15090, the University, as Lead Agency for the Project, certifies that:

- (1) The Final EIR has been completed in compliance with CEQA;
- (2) The Final EIR was presented to the University, and the University has received, reviewed, and considered the information contained in the Final EIR and in the administrative record prior to approving the Project;
- (3) The Final EIR reflects the University's independent judgment and analysis.

The University has exercised its independent judgment in accordance with Public Resources Code § 21082.1(c) in retaining its own environmental consultant and directing the consultant in preparation of the EIR, as well as reviewing, analyzing and revising material prepared by the consultant.

In accordance with Public Resources Code § 21081 and CEQA Guidelines § 15091 and 15093, the University has made one or more specific written findings regarding significant impacts associated with the NHB. Those findings are presented below, along with the rationale behind each of the findings. Concurrent with the adoption of these findings, the University adopts the MMRP and the Statement of Overriding Considerations.

The documents and other materials that constitute the record of proceedings on which the Project findings are based are located at UCSF Real Estate – Campus Planning, 654 Minnesota Street, San Francisco, CA 94143-0287. The custodian for these documents is Diane Wong, Environmental Coordinator, UCSF Real Estate -- Campus Planning, 654 Minnesota Street, San Francisco, CA 94143-0287. This information is provided in compliance with Public Resources Code § 21081.6(a)(2) and CEQA Guidelines § 15091(e).

II. PROJECT BACKGROUND

A. **PROJECT DESCRIPTION SUMMARY**

The NHB project (or the "Project") consists of the proposed New Hospital Building at Benioff Children's Hospital Oakland ("BCH Oakland") and related improvements. The NHB Project would address seismic safety requirements, other regulatory requirements, and industry standards for contemporary hospitals; increase inpatient beds; accommodate modern technologies; and enhance functionality and efficiency at the campus site.

The New Hospital is critical to address the seismic improvement need for acute inpatient care and outdated clinical facilities that lack the capacity to accommodate the immense need for pediatric care. The Project proposes to address seismic safety requirements; other regulatory requirements and industry standards for contemporary hospitals; provide additional inpatient beds; accommodate modern technologies; and enhance functionality and efficiency at the campus site. The Project, which is identified as the Project Variant in the EIR, would include the construction of an approximate 282,000 gross square foot (gsf) new hospital building; a 103,180 gsf, 270-stall parking structure with a rooftop helistop; a utility yard adjacent to the parking structure; a 5,000 gsf site support structure; renovation and/or structural retrofitting of existing buildings within the Project site; and a variety of transportation, infrastructure, and landscape improvements. The Project would also involve demolition of 109,632 gsf of existing buildings, relocation of the 1,065 gsf MRI trailer on the Project site or on another portion of the campus site, and renovation of approximately 11,800 gsf of existing building space. Construction of the Project, including site and make-ready work, would begin in mid-2025. The project would be completed and operational by early 2031, with the exception of renovations to existing buildings which would extend to early 2033.

The Project also includes an amendment to the UC San Francsico 2014 Long Range Development Plan (2014 LRDP) to add BCH Oakland to the LRDP. The LRDP Amendment would include a new chapter for the Benioff Children's Hospital Oakland campus site with site-specific objectives to 1) modernize the campus to ensure compliance with regulatory requirements and improve the level of services to patients and their families, 2) address seismically compromised and obsolete buildings, and 3) develop new facilities to accommodate programmatic needs. The new chapter would include functional zones for the campus site consistent with the NHB project. In addition, several smaller off-site locations that are part of BCH Oakland would be added to the Smaller Owned Sites chapter of the LRDP, the existing and proposed space program of the LRDP would be revised to reflect BCH Oakland and the proposed NHB project, and other necessary conforming changes would be made to the LRDP.

In 2014, UCSF entered into an affiliation agreement with Children's Hospital & Research Center Oakland (CHRCO) to align the two institutions. At that time, a Campus Master Plan (CMP) for the 11-acre campus, which provided for the development of new and replacement facilities within the existing campus, was already under review by the City of Oakland, which maintained land use jurisdiction and CEQA lead agency status for the campus as CHRCO was then a solely private institution.

In 2015, the City of Oakland certified the Children's Hospital and Research Center Oakland Campus Master Plan Project Final EIR (CHRCO CMP Project FEIR) and approved the CMP. The entitlements for the CMP included, among other things, a Planned Unit Development (PUD) permit. CMP Phase 2 included certain development on the NHB Project site, including a new Acute Care Patient Pavilion, a Link Building with a helipad on the roof, expansion of the central utility plant, a new parking structure, and demolition of several buildings. A Preliminary Development Plan (PDP) for Phase 2 was approved in 2015.

Following the 2014 agreement between CHRCO and UCSF, the hospital was renamed UCSF BCH Oakland. As the UCSF BCH Oakland campus site is now controlled by the University, UCSF has revised its approach to the modernization of the campus site. The proposed NHB Project represents the next stage of campus modernization. Although the proposed Project is conceptually the same as the Phase 2 development analyzed in the CHRCO CMP Project FEIR for the portion of the campus site south of 52nd Street, there are some differences in the proposed improvements. As such, the University, acting as the lead agency under CEQA, determined that it will prepare a project EIR that analyzes and discloses the environmental impacts of the proposed NHB Project.

The NHB Project EIR is a stand-alone project EIR. As such, while the NHB Project EIR draws from the CHRCO CMP Project FEIR for relevant background information where appropriate, it assesses all environmental topics required under CEQA without scoping out any issues, discloses all project and cumulative impacts, and identifies project-specific mitigation measures to reduce or avoid significant impacts.

B. PROJECT OBJECTIVES

The fundamental objectives for the proposed NHB are as follows:

- Modernize the aging UCSF BCH Oakland campus to maintain and enhance its place as a premier children's hospital, educational, research, and clinical institution.
- Modernize the aging UCSF BCH Oakland campus to maintain and enhance its place as nationally recognized teaching hospital, providing accredited residency education in general pediatrics and fellowship education to pediatricians seeking subspecialty training.
- Modernize the UCSF BCH Oakland campus to address challenges that affect the long-term viability of the institution, such as aged, functionally obsolete, undersized and inefficient facilities.
- Meet seismic requirements of California Senate Bill 1953 by redeveloping a new, seismicallysound, state-of-the-art and sustainable inpatient facility.
- Maintain UCSF BCH Oakland's designation as the Bay Area's Level I pediatric trauma center with continued emergency service access via helicopter.
- Address the existing shortage of capacity and access to pediatric care by increasing the number of inpatient beds at UCSF BCH Oakland.
- Address the current unmet need for adolescent mental health care and services by providing behavioral health inpatient beds that meet code requirements, including required outdoor space, at UCSF BCH Oakland and providing such services.

- Address the current unmet need for ED patient services by increasing the size of the ED.
- Site and develop a new inpatient facility in a way that optimizes operational activities and maintains critical adjacencies with other clinical facilities on the site, such as the existing Patient Tower, the Ford D&T Center and Cardiac Catheterization Lab, and critical support functions.
- Develop a new inpatient facility that is optimized in its spatial layout for functionality in terms of workflow and wayfinding, and efficiency so as to not increase operational costs.
- Develop a new inpatient facility that is optimized in its spatial layout to enhance functionality and efficiency.
- Develop spaces for clinical and translational research and learning in or adjacent to clinical areas where patients are located.

The development objectives of the NHB are as follows:

- Develop a new inpatient facility that has sufficient space to accommodate modern regulatory requirements and industry standards of contemporary hospitals, such as construction codes, sizes of operating rooms, ratio of operating rooms to pre-and post-recovery areas, space for privacy and infection control issues.
- Develop a new inpatient facility that has sufficient space to accommodate patient satisfaction
- Develop a new inpatient facility that has sufficient space to accommodate modern technology, including telemedicine, and new diagnostic, imaging, testing, treatment, surgery and laboratory equipment, all requiring substantial infrastructure and space.
- Optimize the existing Patient Tower by making non-structural performance improvements and renovating it to continue to provide inpatient beds and necessary clinical and support functions.
- Develop a parking structure to meet the needs of essential healthcare providers and other staff, at a location that provides quick and safe access to patient facilities.
- Develop parking facilities to address patient parking needs, in particular ED patient parking.
- Maintain existing hospital operations throughout construction.

C. PROCEDURAL COMPLIANCE WITH CEQA

The CEQA environmental review process for the NHB started on May 22, 2023, with UCSF's issuance of a Notice of Preparation ("NOP") of an EIR. A 30-day public comment period for the NOP ended on June 21, 2023. A scoping meeting was held on June 6, 2023 via Zoom to accept public input on environmental topics to be analyzed in the EIR and approaches to the impact analyses. A copy of the NOP is also included as Appendix A to the Draft EIR. Written comments received on the NOP and a transcript of the scoping meeting are included as Appendix B to the Draft EIR.

The Draft EIR for the NHB was published on January 16, 2024, and was made available for a 45day public review and comment period that ended on March 1, 2024. A Draft EIR Public Hearing was held virtually on February 15, 2024 via the Zoom video conferencing platform, to receive input from agencies and the public. The Draft EIR was posted online on the UCSF website, and

hard copies were provided on request.

Comment letters received on the Draft EIR and a transcript of the oral testimony provided at the virtual public hearing are provided in their entirety in Section 8.5.2, Draft EIR Public Hearing Transcript, in the Final EIR.

UCSF received a total of eight comment letters, which included three from governmental agencies, two from organizations, and three from individuals. In addition, three members of the public spoke at the virtual public hearing on the Draft EIR. Comments, among others, were made regarding cultural resources, construction noise, and transportation impacts.

The Final EIR was completed and published on July 3, 2024. The Final EIR consists of two documents: the previously published Draft EIR and associated appendices and the Final EIR document and associated appendices, which includes comments received during the public review period for the Draft EIR and provides responses to those comments. The Final EIR also contains revisions to the Draft EIR to clarify, amplify, or correct information in the Draft EIR, and associated appendices.

D. ENVIRONMENTAL IMPACTS AND FINDINGS

Pursuant to Public Resources Code § 21081 and CEQA Guidelines §15091, no public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant effects on the environment that would occur if the project is approved or carried out unless the public agency makes one or more of the following findings with respect to each significant impact:

- 1. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.
- 2. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.
- 3. Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the EIR.

The University has made one or more of these specific written findings regarding each significant impact associated with the Project. Those findings are presented below, along with a presentation of facts in support of the findings.

These findings summarize the determinations of the Final EIR with respect to the Project's impacts before and after mitigation and do not attempt to describe the full analysis of each environmental impact considered in the Final EIR. Instead, the findings provide a summary description of each impact, describe the applicable mitigation measures, if any, identified in the Final EIR and adopted by the University for the Project, and state the University's findings regarding the significance of each impact with the adopted mitigation measures. The Final EIR contains a full explanation of

each impact, mitigation measure, and the analysis that led the University to its conclusions on those impacts. These findings hereby incorporate by reference the discussion and analysis in the Final EIR, which support the Final EIR's determinations regarding the Project's environmental impacts and mitigation measures. In making these findings, the University ratifies, adopts, and incorporates by reference the Final EIR's analysis, determinations, and conclusions relating to environmental impacts and mitigation measures, except to the extent that any such determinations and conclusions are specifically and expressly modified by these findings.

In adopting the mitigation measures described below, the University intends to adopt each of the mitigation measures recommended in the Final EIR related to the Project. Accordingly, in the event that a mitigation measure recommended in the Final EIR has been inadvertently omitted from these findings, that mitigation measure is hereby adopted and incorporated by reference in the findings. Additionally, in the event that the description of mitigation measures set forth below fails accurately to capture the substance of a given mitigation measure due to a clerical error (as distinct from specific and express modification by the University through these findings), the language of the mitigation measure as set forth in the Final EIR shall govern.

The EIR evaluation included a detailed analysis of impacts in fourteen environmental disciplines or issues, analyzing the Project and alternatives to the Project, including a No Project Alternative. The EIR discloses the environmental impacts expected to result from the construction and operation of the Project. Where possible, mitigation measures were identified to avoid or minimize significant environmental effects. In addition, the University committed to implementing measures in order to reduce the direct and indirect impacts that will result from Project activities. The mitigation measures identified in the EIR are measures proposed by the lead agency, responsible or trustee agencies or other persons that were not included in the Project, but could reasonably be expected to reduce adverse impacts if required as conditions of approving the Project, as required by CEQA Guidelines § 15126.4(a)(1)(A).

1. <u>Findings on Less than Significant Impacts</u>

FINDING: Based on the issue area assessment in the EIR, the University has determined that the Project will have no impact or less than significant impacts for several issues as summarized in Table 1 below. The rationale for the conclusion that no significant impact would occur in each of the issue areas in Table 1 below is based on the discussion of these impacts in the detailed issue area and cumulative impacts analyses in Sections 4.1 (Air Quality), 4.2 (Biological Resources), 4.3 (Cultural Resources and Tribal Cultural Resources), 4.4 (Energy), 4.5 (Geology and Soils), 4.6 (Greenhouse Gas Emissions), 4.7 (Hazards and Hazardous Materials), 4.8 (Hydrology and Water Quality), 4.9 (Land Use and Planning), 4.10 (Noise and Vibration), 4.11 (Transportation), and 4.12 (Utilities and Service Systems) of the EIR that were found to have no impact or less than significant impacts. were addressed in Section 4.0.2 of the EIR. Effects Found Not to Be Significant and are summarized below. As described in Section 21099(d) because the Project is an employment center on an infill site and located within ½ mile of a Major Transit Stop pursuant to CEQA Section 21064.3 . Agriculture and Forestry Resources, Mineral Resources, Population and Housing, Public Services, and Wildfire were addressed in Section 4.13 of the EIR: Effects Found Not to Be

Significant, and are summarized below:

The Project would have less than significant impact on Agriculture and Forestry Resources, addressed in Section 4.13.1 of the EIR, because the Project site is designated for urban uses and no agricultural uses are located on the site. As a result, no land on the Project site is designated as Important Farmland. Thus, the Project would have no impact related to conversion of Important Farmland to a nonagricultural use. In addition, no portion of the Project site is zoned for agricultural use; as a result, the Project would not conflict with any zoning for agricultural use, and there would be no impact in this regard. Further, the Project site and its vicinity are not under any Williamson Act contracts or within any agricultural preserve. With respect to forestry resources, no forest land or existing timber harvest uses are located on or in the vicinity of the Project site. No areas of the Project site are zoned for timberland. As such, the Project would not result in the loss of forest land or conversion of forest land to non-forest uses, or conflict with existing zoning for timberland, and therefore would have no impact on forest land or timberland.

The Project would have less than significant impacts on Mineral Resources, addressed in Section 4.13.2 of the EIR, because the Project is located on land classified by the DOC Division of Mines and Geology as Mineral Resource Zone 1 (MRZ-1), an area where adequate geologic information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence. This zone is applied where well developed lines of reasoning indicate that the likelihood for occurrence of significant mineral deposits is nil or slight. There are no known significant mineral resources in the Project site or in the vicinity of the Project site. Additionally, there are no areas designated or zoned as mineral resource zones by the City's General Plan. Further, no mineral extraction activities currently occur or have historically occurred on the Project site and mineral extraction is not included in the Project's design. The Project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state; and would not result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan. As a result, approval of the Project would not interfere with any mineral extraction operations and would not result in the loss of land designated for mineral resources. Therefore, no impact to mineral resources would occur.

The Project would have less than significant impacts on Population and Housing, addressed in Section 4.13.3 of the EIR, because the proposed Project would not include new homes or businesses and would not result in the extension of new roads or other major infrastructure, such that direct population growth would result due to the Project. The proposed Project would add an estimated 135 staff, vendors and volunteers, 32 faculty, and 16 students and fellows to the UCSF BCH Oakland campus site by 2032. The Association of Bay Area Governments (ABAG) projects that total population and job growth within Oakland will increase by 35.5 percent (or 170,355 residents) and 8.1 percent (or 19,930 jobs), respectively, between 2020 and 2035. The Proposed Project's employment would represent less than one percent of this growth at Project completion. The growth in employment at the Project site would not represent significant unplanned growth because as noted above, the increase in Project employment would be within the projections for population and employment growth identified by ABAG. While it is likely that some of the new employees would already be living in the Bay Area at the time that they are hired by UCSF BCH Oakland, some of the new employees potentially could be new to the area and may move into the

Bay Area communities to work at the campus site. As the number of employees added by the proposed Project is small and housing is distributed throughout the Bay Area communities, the population associated with the proposed Project would be served by the existing and planned housing supply. Furthermore, as there are no residential units located on the Project site, the proposed Project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere. For these reasons, the proposed Project's impacts on population and housing would be less than significant.

The Project would have less than significant impacts on Public Services, addressed in Section 4.13.4 of the EIR, because:

- Fire Services: While development under the proposed Project would result in an increase ٠ in on-site population and building space and an incremental increase in demand for fire protection services at the Project site, the population increase associated with the proposed Project would be small in comparison to the population served by the existing fire stations near the campus site. In addition, the increase in calls for fire protection would not be substantial considering the existing demand and capacity for fire protection in the City. The Project site is in an urban area and would not extend demand for the Oakland Fire Department (OFD) beyond the current limits of its service area. Finally, the OFD has indicated that it can provide fire protection services to the proposed Project. For these reasons, the anticipated population and building space increase associated with the proposed Project would not adversely affect OFD service standards nor require an increase in OFD staff and/or equipment that would require the construction of new fire protection facilities. Furthermore, the proposed Project would be designed and constructed to comply with building and fire codes and include appropriate fire safety measures and equipment, including but not limited to, use of fire-retardant building materials, inclusion of emergency water infrastructure (e.g., fire hydrants and sprinkler systems), installation of smoke detectors and fire extinguishers, emergency response notification systems, and provision of adequate emergency access ways for emergency vehicles. As such, the existing fire stations in the vicinity of the campus site would be adequate to meet the increases in demand for fire protection services associated with the proposed Project, and no additional new or physically altered facilities would be necessary. Therefore, implementation of the proposed Project would have a less than significant impact regarding the construction of new or physically altered fire protection facilities.
- Police Protection: The UC Police Department (UCPD) provides police protection services to the UCSF BCH Oakland campus site, including the Project site. The UCPD is headquartered at 654 Minnesota Street in San Francisco, approximately 8.5 miles from the Project site. The UCPD also operates a patrol station at the UCSF BCH Oakland campus site. In addition, the Oakland Police Department (OPD) provides police protection services in the vicinity of the UCSF BCH Oakland campus site. The OPD is headquartered at 455 7th Street, approximately 2.6 miles south of the campus site. The increase in daily population associated with the proposed Project could increase demand for UCPD and OPD services. It is both UCPD's and OPD's practice to review staffing levels and to provide necessary staffing to meet standard response times (less than 3 minutes for emergency/in-progress calls and less than 5 minutes for normal service). Due to the small

increase in campus site daily population, it is unlikely that a substantial number of additional police officers and/or other UCPD and OPD staff would be needed. Furthermore, the increase in UCPD and OPD staff would be accommodated in existing facilities. In summary, population growth due to the proposed Project is not anticipated to substantially increase demand for UCPD and OPD services, and no new facilities would be required, the construction of which could result in significant environmental impacts. For these reasons, impacts to police protection services would be less than significant.

- Schools: The proposed Project does not include housing, and therefore, would not result in new school age children. As a result, the proposed Project would have no impact on schools.
- Parks and Recreation: The area near the campus site, including the Project site, is served • by two community parks, three neighborhood parks, one active mini-park, one passive mini-park, two linear parks, and one swimming pool/arts studio complex. Dover Street Park, an approximately one-acre park that includes a play structure, community garden, benches, and lawn areas, is located about five blocks to the north of the campus site. In addition, Helen McGregor Plaza Park is located immediately northwest of the campus site, across Martin Luther King Jr. Way. This approximately quarter-acre park consists of a plaza with concrete seating areas utilized by people waiting for the bus, and landscaped trees. The proposed Project does not include any housing and would therefore not increase residential population in the project area that could increase the use of local parks. New employees at the Project site could incrementally increase the use of these parks as they access the facilities on their breaks or before or after their shifts; however, the increase in employment on the site is minor, and the additional Project employment would not be expected to increase the use of these facilities such that physical deterioration would occur or be accelerated, and this impact is less than significant. Other than a small play area for patients, the proposed Project does not include any recreational facilities. As a result, it does not include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment, and no impact would occur.
- Other Facilities: The proposed project does not include housing, and therefore, would not result in an increase in residential population. As a result, the proposed Project would have no impact on other facilities, such as libraries and community centers.

The Project would have less than significant Wildfire impacts, addressed in Section 4.13.5 of the EIR, because the UCSF BCH Oakland campus site, including the Project site, is in a Local Responsibility Area (LRA) and a non-Fire Hazard Severity Zone. As such, the Project is not located in or near an SRA or lands classified as very high fire severity zones and is not susceptible to wildfires. The Project site is not immediately upstream of notably sloped or hillside areas, and thus would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, because of runoff, post-fire slope instability, or drainage changes. For these reasons, no impact would occur with respect to wildfire.

Table 1: Summary of Less Than Significant Impacts for the NHB

Environmental Impacts

EIR Section 4.1: Air Quality

Impact AIR-1: Implementation of the NHB Project would not conflict with or obstruct implementation of the 2017 Clean Air Plan.

Impact AIR-2: Implementation of the NHB Project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard.

Impact AIR-3: Implementation of the NHB Project would not expose sensitive receptors to substantial pollutant concentrations.

EIR Section 4.2 Biological Resources

Impact BIO-3: Implementation of the NHB Project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or exceed the LRDP EIR standard of significance by damaging or removing heritage or landmark trees or native oak trees of a diameter specified in a local ordinance.

EIR Section 4.4: Cultural Resources and Tribal Cultural Resources

Impact CUL-2: Implementation of the NHB Project would not result in significant impacts to the 55th and Dover Residential District.

EIR Section 4.5: Energy

Impact ENE-1: Implementation of the NHB Project would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.

Impact ENE-2: Implementation of the NHB Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

Impact C-ENE-1: The NHB Project, combined with cumulative development in the BCH Oakland campus site vicinity and citywide, would not result in significant cumulative energy impacts.

EIR Section 4.5: Geology and Soils

Impact GEO-1: Construction and operation of the NHB Project would not directly or indirectly cause substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking.

Impact GEO-2: Construction and operation of the NHB Project would not directly or indirectly cause substantial adverse effects, including the risk of loss, injury, or death involving strong seismic related ground failure, including liquefaction.

Impact GEO-3: Construction and operation of the NHB Project would not have the potential to result in substantial erosion or the loss of topsoil.

Impact GEO-4: The NHB Project would not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in onor off-site landslide, lateral spreading, subsidence, liquefaction or collapse.

Impact GEO-5: The NHB Project would be located on expansive soils, but would not cause substantial direct or indirect risks to life or property.

Impact C-GEO-1: Implementation of the NHB Project, in combination with past, present and reasonably foreseeable future projects, would not result in significant cumulative impacts related to geology and soils.

EIR Section 4.6: Greenhouse Gas Emissions

Impact GHG-1: Construction and operation of the NHB Project would not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

Impact GHG-2: Construction and operation of the NHB Project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

EIR Section 4.7: Hazards and Hazardous Materials

Impact HAZ-1: Construction and operation of the NHB Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

Impact HAZ-2: Construction and operation of the NHB Project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

Impact HAZ-3: Construction and operation of the NHB Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within onequarter mile of an existing or proposed school.

Impact C-HAZ-1: Construction and operation of the NHB Project, in conjunction with other cumulative development within the City of Oakland, would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials or from risk of upset and accident conditions involving hazardous materials.

EIR Section 4.8: Hydrology and Water Quality

Impact HYD-2: Implementation of the NHB Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.

Impact HYD-3: Construction and operation of the NHB Project would not substantially alter the existing drainage patterns of the site or area, in a manner that has the potential to result in substantial erosion or siltation on- or off- site; would not substantially increase the rate or amount of surface runoff in a manner that would result in flooding on or off site; and would not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or impede or redirect flow.

Impact HYD-4: Implementation of the Project would not create a risk of release of pollutants due to project inundation in flood hazard, tsunami, or seiche zones.

Impact C-HYD-2: Construction and operation of the NHB Project, in conjunction with other cumulative development, would not cumulatively alter the drainage pattern of the site or area, through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on or off site; would not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site; would not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or impede or redirect flow.

EIR Section 4.9: Land Use and Planning

Impact LU-1: Implementation of the proposed NHB Project would not cause a significant environmental impact due to a conflict with land use plans, policies and regulations adopted for the purpose of avoiding or mitigating an environmental effect.

Impact LU-2: Development under the proposed NHB would not conflict with local land use regulations such that a significant incompatibility with adjacent land uses is created.

Impact C-LU-1: The proposed NHB Project, in combination with past, present, and reasonably foreseeable future projects, would not result in a conflict with land use plans, policies, and regulations adopted for the purpose of avoiding or mitigating an environmental effect or a conflict with local land use regulations such that a significant incompatibility with adjacent land uses is created.

EIR Section 4.10: Noise and Vibration

Impact NOI-2: Implementation of the NHB Project would not generate a substantial permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

Impact NOI-4: Operation of the NHB Project would not exceed an LRDP EIR operational standard of significance by contributing to an increase in average daily noise levels (Ldn) of 3 dB(A) or more at property lines, where ambient noise levels already exceed local noise levels set forth in local general plans or ordinances for such areas based on their use.

Impact C-NOI-2: Implementation of the NHB Project, combined with cumulative development in the project area, would not generate substantial permanent increases in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

Impact C-NOI-4: Implementation of the NHB Project, combined with cumulative development in the project area, would not exceed an LRDP EIR operational standard of significance by contributing to an increase in average daily noise levels (Ldn) of 3 dB(A) or more at property lines, if ambient noise levels in areas adjacent to proposed development already exceed local noise levels set forth in local general plans or ordinances for such areas based on their use. *EIR Section 4.11: Transportation*

Impact TRANS-1: Implementation of the NHB Project would not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.

Impact TRANS-2: Implementation of the NHB Project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b).

Impact TRANS-3: Implementation of the NHB Project would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).

Impact TRANS-4: Implementation of the NHB Project would not result in inadequate emergency access.

Impact C-TRANS-1: Implementation of the NHB Project, in combination with past, present, and reasonably foreseeable future projects, would not result in a cumulatively considerable contribution to significant transportation impacts.

EIR Section 4.12: Utilities and Service Systems

Impact UTIL-1: Implementation of the proposed NHB Project would require or result in the construction of new or expanded water, wastewater treatment or storm water drainage, electric power, or telecommunications facilities, the construction or relocation of which would not cause significant environmental effects.

Impact UTIL-2: Sufficient water supply would be available from the EBMUD to serve the NHB Project and reasonably foreseeable future development under normal, dry and multi-dry years. EBMUD would address the anticipated shortfalls through rationing and conservation programs and/or develop new or expanded water supply facilities to address shortfalls during multiple dry years.

Impact UTIL-3: The wastewater treatment provider would have adequate wastewater treatment capacity to serve the NHB Project.

Impact UTIL-4: The NHB Project would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.

Impact UTIL-5: The NHB Project would comply with applicable management and reduction statutes and regulations related to solid waste.

Impact C-UTIL-1: The proposed NHB Project, in combination with past, present, and reasonably foreseeable future projects in the vicinity of the UCSF BCH Oakland campus site, would not result in significant cumulative impacts related to utilities and service systems.

2. <u>Findings on Significant Environmental Impacts That Can Be Reduced</u> to a Less Than Significant Level

FINDING: The University finds that the following environmental impacts can and will be mitigated to below a level of significance based upon the implementation of the mitigation measures in the EIR. These findings are based on the discussion of impacts in the detailed issue area and cumulative impact analyses in Sections 4.1 (Air Quality), 4.2 (Biological Resources), 4.3 (Cultural Resources and Tribal Cultural Resources), 4.5 (Geology and Soils), 4.7 (Hazards and Hazardous Materials), 4.8 (Hydrology and Water Quality), 4.10 (Noise and Vibration), and 4.11 (Transportation) of the EIR. An explanation of the rationale for each finding is presented below.

(a) *Biological Resources*

(i) Impact BIO-1: Implementation of the NHB Project could have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

FINDING: For the reasons stated in the Draft EIR at page 4.2-9 to 4.2-11, the University finds that changes or alterations have been incorporated into the NHB which mitigate significant effects on the environment from Impact BIO-1. Specifically, NHB Mitigation Measure BIO-1a and BIO-1b are feasible and are hereby adopted and incorporated into the NHB to mitigate significant effects from Impact BIO-1 to a less than significant level.

Mitigation Measure BIO-1a: Protection of Nesting Birds

- To the extent feasible, removal of any tree and/or other vegetation suitable for nesting of birds shall not occur during the bird breeding season of February 1 to August 15. If tree removal must occur during the bird breeding season, all trees to be removed shall be surveyed by a qualified biologist to verify the presence or absence of nesting raptors or other birds. Pre-removal surveys shall be conducted within 15 days prior to the start of work and shall be submitted to UCSF for review and approval.
- If the survey indicates the potential presence of nesting raptors or other birds, the biologist shall determine an appropriately sized buffer around the nest in which no work will be allowed until the young have successfully fledged. The size of the nest buffer will be determined by the biologist in consultation with the California Department of Fish and Wildlife, and will be based to a large extent on the nesting species and its sensitivity to disturbance. In general, buffer sizes of 200 feet for raptors and 50 feet for other birds should suffice to prevent disturbance to birds nesting in the urban environment, but these buffers may be increased or decreased, as appropriate, depending on the bird species and the level of disturbance anticipated near the nest.

Mitigation Measure BIO-1b: Protection of Roosting Bats

- Prior to project construction, a qualified bat biologist shall conduct a pre-construction survey for roosting bats in trees to be removed or pruned and structures to be demolished within the work area and within a 50-foot radius of the work area. If no roosting bats are found, no further action is required.
- If a non-maternal roost of bats is found in a tree or structure to be removed or demolished as part of project construction, the individuals shall be safely evicted, under the direction of a qualified bat biologist, by opening the roosting area to allow airflow through the cavity. Removal or demolition should occur no sooner than at least two nights after the initial minor site modification (to alter airflow). This action allows bats to leave during darkness, thus increasing their chance of finding new roosts with a minimum of disturbance. Departure of the bats from the construction area shall be confirmed with a follow-up survey by a qualified bat biologist prior to start of construction.
- If active maternity roosts are found in trees or structures that will be removed or demolished as part of project construction, tree removal or demolition of that tree or structure shall commence and be completed before maternity roosting colonies form (generally before March 1), or shall not commence until after young are flying (generally after July 31). Active maternity roosts shall not be disturbed between March 1 and July 31.

Rationale for Finding: Implementation of NHB Mitigation Measures BIO-1a and BIO-1b would require preconstruction nesting bird surveys and avoidance of active nests and pre-construction and pre-demolition roosting bat surveys, followed by bat-safe removal if suitable bat habitat is identified in a tree or structure to be removed. Implementation of these measures would reduce the impact on nesting bird and bat species to a less-than-significant level.

(ii) *Impact BIO-2:* Implementation of the NHB Project could interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

FINDING: For the reasons stated in the Draft EIR at page 4.2-11 to 4.2-13, the University finds that changes or alterations have been incorporated into the NHB which mitigate significant effects on the environment from Impact BIO-2. Specifically, NHB Mitigation Measure BIO-2 is feasible, and is hereby adopted and incorporated into the NHB to mitigate significant effects from Impact BIO-2 to a less than significant level.

Mitigation Measure BIO-2: Bird Collision Reduction Measures.

Bird safe measures would be developed in consultation with a qualified expert based on sitespecific conditions. Preliminary construction and operational bird safe measures may include, but not limited to, the following:

• Construction areas requiring lights shall implement the following measures to the extent feasible:

- Construction-related lighting shall be fully shielded and focused down to ensure no significant illumination passes beyond the immediate work area.
- Yellow or orange light shall be used where possible.
- Construction personnel shall reduce the amount of lighting to the minimum necessary to safely accomplish the work.

Building design shall:

- Avoid installation of lighting in areas where not required for public safety.
- Consider alternatives to all-night, floor-wide lighting when interior lights would be visible from the exterior or when exterior lights must be left on at night, including:
 - Installing motion-sensitive lighting
 - Installing task lighting
 - Installing programmable timers
- Installing lower-wattage, sodium, and yellow-red spectrum lighting fixtures (if compatible with personnel safety requirements)
- Use fully shielded exterior safety lights to contain and direct light away from the sky.
- Employ glazing options, such as use of either fritted glass, Dichroic glass, etched glass, translucent glass, or glass that reflects ultraviolet light in appropriate portions of the building façades.

Rationale for Finding: Implementation of Mitigation Measure BIO-2 would be refined in consultation with a qualified expert based on site-specific conditions. Implementation of these measures would reduce the potential adverse effect on resident and migrating birds to a less-than-significant level by reducing injuries associated with night lighting during construction and operation and requiring design features in new structures to make buildings more visible to birds.

(iii) *Impact C-BIO-1:* Implementation of the NHB Project could result in cumulatively considerable impacts on biological resources, in combination with past, present and reasonably foreseeable future projects in the vicinity of the Project site.

FINDING: For the reasons stated in the Draft EIR at page 4.2-14, the University finds that changes or alterations have been incorporated into the NHB which mitigate significant effects on the environment from Impact C-BIO-1. Specifically, Mitigation Measures BIO-1a and 1b and BIO-2 are feasible and are hereby adopted and incorporated into the NHB to mitigate significant effects from Impact C-BIO-1 to a less than significant level.

Mitigation BIO-1a: See discussion above. Mitigation BIO-1b: See discussion above. Mitigation BIO-2: See discussion above.

Rationale for Finding: As discussed above, the Project would result in minimal direct impacts on sensitive biological resources and would mitigate all direct and indirect impacts to special-status species with Mitigation Measures BIO-1a, BIO-1b, and BIO-2. Therefore, with mitigation, the development of the Project would not result in a cumulatively considerable contribution to cumulative impacts on biological resources. Thus, the project's cumulative impact on biological

resources would be less than significant.

(b) Cultural Resources and Tribal Cultural Resources

(i) *Impact CUL-3: Implementation of the NHB Project could cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5.*

FINDING: For the reasons stated in the Draft EIR at page 4.3-19 to 4.3-20, the University finds that changes or alterations have been incorporated into the NHB which mitigate significant effects on the environment from Impact CUL-3. Specifically, NHB Mitigation Measure CUL-3 is feasible and is hereby adopted and incorporated into the NHB to mitigate significant effects from Impact CUL-3 to a less than significant level.

Mitigation Measure CUL-3: Inadvertent Discovery of Archaeological Resources and Tribal Cultural Resources

Prior to commencement of construction activities, all on-site personnel shall attend a mandatory pre-project training to outline the general archaeological and tribal cultural sensitivity of the project area. The training will include a description of the types of resources that could be encountered and the procedures to follow in the event of an inadvertent discovery of resources.

If pre-contact or historic-era cultural materials are encountered by construction personnel during ground-disturbing activities, all construction activities within 100 feet shall halt and the contractor shall notify the UCSF Environmental Coordinator (EC). The UCSF EC shall retain a qualified archaeologist who meets the Secretary of the Interior's Professional Qualification Standards to inspect the find within 24 hours of discovery. If it is determined that the project could damage a historical resource or a unique archaeologist until a mitigation plan has been prepared and implemented [*CEQA Guidelines* 15064.5(b)(4)]. If the find is a potential tribal cultural resource, the UCSF EC shall contact a Native American representative or representatives (as provided by the Native American Heritage Commission) [PRC 21074(2)(c)]. The qualified archaeologist, in consultation with the UCSF EC and the Native American representative(s), shall determine when construction can resume.

If the resource is determined to be a historical resource or a unique archaeological resource, the preferred mitigation shall be preservation in place. In accordance with PRC Section 21083.2(b), preservation in place shall be accomplished through: (1) modifying the construction plan to avoid the resource; (2) incorporating the resource within open space; (3) capping and covering the resource; or (4) deeding the resource site into a permanent conservation easement. If preservation in place is not feasible, the qualified archaeologist, in consultation with the UCSF EC and the Native American representative(s) (if the resource is pre-contact), shall prepare and implement a detailed treatment plan. In all cases treatment will be carried out with dignity and respect (including protecting the cultural character, traditional use, and confidentiality of the resource). For pre-contact Native American resources, the

Native American representative(s) will be consulted on the research approach, methods, and whether burial or data recovery or alternative mitigation is appropriate for the find. Treatment for most resources could consist of (but shall not be limited to) sample excavation, site documentation, and historical research, as appropriate to the discovered resource. The treatment plan shall include provisions for analysis of data in a regional context as appropriate to the discovered resource, reporting of results within a timely manner, and dissemination of reports to local and state repositories, libraries, and interested professionals.

Rationale for Finding: While the Project site has a long history of post-contact settlement and development, the Project site has undergone several phases of construction-related disturbances, and the potential for encountering intact historic-era resources is low. Nevertheless, the potential for uncovering pre-contact and historic-era archaeological resources cannot be entirely discounted. In the unlikely event that archaeological materials are discovered during Project construction (including grading, excavation and other earthmoving activities), implementation of Mitigation Measure CUL-3 would ensure that the Project will have a less-than-significant impact on previously unknown archaeological resources.

(ii) *Impact CUL-4: Implementation of the NHB Project could disturb human remains, including those interred outside of dedicated cemeteries.*

FINDING: For the reasons stated in the Draft EIR at page 4.3-20 to 4.3-21, the University finds that changes or alterations have been incorporated into the NHB which mitigate significant effects on the environment from Impact CUL-4. Specifically, NHB Mitigation Measure CUL-4 is feasible, and is hereby adopted and incorporated into the NHB to mitigate significant effects from Impact CUL-4 to a less than significant level.

Mitigation Measure CUL-4: Inadvertent Discovery of Human Remains

In the event of discovery or recognition of any human remains during ground-disturbing activities, treatment shall comply with all applicable state and federal laws. All construction activities within 100 feet shall halt and the contractor shall notify the UCSF Environmental Coordinator (EC). In accordance with PRC 5097.98, the UCSF EC shall contact the Alameda County Coroner to determine that no investigation of the cause of death is required. The County Coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours if it is determined that the remains are Native American. The NAHC will then identify the person or persons it believes to be the most likely descendant (MLD) from the deceased Native American. Within 48 hours, the MLD shall make recommendations to the UCSF EC of the appropriate means of treating the human remains and any grave goods. Whenever the NAHC is unable to identify an MLD, the MLD fails to make a recommendation, or the parties are unable to agree on the appropriate treatment measures, the human remains shall be reinterred with appropriate dignity on the property in a location not subject to further and future subsurface disturbance.

Rationale for Finding: There are no known human remains, including those interred outside of dedicated cemeteries, located within the Project site. There still exists, however, the potential that

ground disturbance under the Project could impact previously undiscovered human remains. In the event that Project construction activities disturb unknown human remains, any inadvertent damage to human remains could be considered a significant impact. With implementation of Mitigation Measure CUL-4, development would have a less-than-significant impact on previously unknown human remains.

(iii) *Impact CUL-5:* Implementation of the NHB Project could cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe.

FINDING: For the reasons stated in the Draft EIR page 4.3-21 to 4.3-22, the University finds that changes or alterations have been incorporated into the NHB which mitigate significant effects on the environment from Impact CUL-5. Specifically, NHB Mitigation Measures CUL-5a and CUL-5b are feasible and are hereby adopted and incorporated into the NHB to mitigate significant effects from Impact CUL-5 to a less than significant level.

Mitigation Measure CUL-5a: Cultural Resources Awareness Training

UCSF shall provide a cultural resources and tribal cultural resources sensitivity and awareness training program for all personnel involved in project construction, including field consultants and construction workers. UCSF shall invite affiliated Native American tribal representatives to participate. The training program shall include relevant information regarding sensitive cultural resources and tribal cultural resources, including applicable regulations, protocols for avoidance, and consequences of violating State laws and regulations. The training program shall also describe appropriate avoidance and minimization measures for resources that have the potential to be located in the Project site and shall outline what to do and who to contact if any potential cultural resources or tribal cultural resources are encountered. The training program shall emphasize the requirement for confidentiality and culturally appropriate treatment of any discovery of significance to Native Americans.

Mitigation Measure CUL-5b: Cultural Resources Monitoring Plan

Prior to authorization to proceed, a Secretary of the Interior-qualified archaeologist shall prepare a cultural resources monitoring plan. The plan shall be reviewed by the affiliated Native American tribe(s) and UCSF. The plan shall include (but not be limited to) the following components:

- Monitoring locations and circumstances based on soil types, geology, distance to known sites, and other factors;
- Person(s) responsible for conducting monitoring activities, including a request to the culturally-affiliated Native American tribe(s) for a tribal monitor;
- Person(s) responsible for overseeing and directing the monitors;
- How the monitoring shall be conducted and the required format and content of

monitoring reports;

- Schedule for submittal of monitoring reports and person(s) responsible for review and approval of monitoring reports;
- Protocol for notifications in case of encountering cultural resources, as well as methods of dealing with the encountered resources (e.g., collection, identification, curation);
- Methods to ensure security of cultural resources if identified;
- Protocol for notifying local authorities (i.e. Sheriff, Police) should site looting and other illegal activities occur during construction.

During the course of the monitoring, the archaeologist and tribal monitor may adjust the frequency—from continuous to intermittent—of the monitoring based on the conditions and professional judgment regarding the potential to impact resources.

Rationale for Finding: Based on the background research and environmental context, there are no known tribal cultural resources in areas proposed for ground disturbance or other improvements within the Project site. While unlikely, there remains the potential that ground disturbance could impact previously undiscovered or buried cultural materials that could also be considered tribal cultural resources. Impacts to tribal cultural resources could be potentially significant. Based on the recommendations from the Tribe and with implementation of Mitigation Measure CUL-5a and Mitigation Measure CUL-5b, the Project would have a less-than-significant impact on previously unknown tribal cultural resources. Therefore, this impact would be less than significant with mitigation.

(iv) *Impact C-CUL-1*: *Implementation of the NHB Project could result in cumulatively considerable impacts on cultural and/or tribal cultural resources, in combination with past, present and reasonably foreseeable future projects.*

FINDING: For the reasons stated in the Draft EIR page 4.3-23, the University finds that changes or alterations have been incorporated into the NHB which mitigate significant effects on the environment from Impact C-CUL-1. Specifically, NHB Mitigation Measures CUL-3 and CUL-4 are feasible and are hereby adopted and incorporated into the NHB to mitigate significant effects from Impact C-CUL-1 to a less than significant level.

Mitigation Measure CUL-3: See above.

Mitigation Measure CUL-4: See above.

Rationale for Finding: The geographic scope for cumulative effects on archaeological resources, human remains, and tribal cultural resources includes the immediate vicinity of the Project site where the proposed Project could cause disturbance to archaeological resources, human remains, and/or tribal cultural resources. Cumulative projects in the vicinity could have a significant impact on previously undiscovered archaeological resources, including human remains interred outside of formal cemeteries, during ground-disturbing activities. The potential impacts of the project when considered together with similar impacts from other probable future projects in the vicinity could resources or human remains.

However, implementation of Mitigation Measures CUL-3 and CUL-4 would require that work halt in the vicinity of a find until it is evaluated by a qualified archaeologist who meets the Secretary of the Interior's Professional Qualification Standards, and in the case of human remains the County Coroner. In addition, cumulative projects undergoing CEQA review would have similar types of inadvertent discovery measures. Therefore, with implementation of Mitigation Measures CUL-3 and CUL-4, the proposed Project's contribution to cumulative impacts would not be considerable, and the impact would be less than significant with mitigation.

- (c) Geology and Soils
 - (i) *Impact GEO-6:* The NHB Project could directly or indirectly destroy a unique paleontological resource or site or unique geological feature.

FINDING: For the reasons stated in the Draft EIR at page 4.5-18 to 4.5-19, the University finds that changes or alterations have been incorporated into the related improvements for the NHB which mitigate significant effects on the environment from Impact GEO-6. Specifically, NHB Mitigation Measure GEO-6 is feasible, and is hereby adopted and incorporated into the NHB to mitigate significant effects from Impact GEO-6 to a less than significant level.

Mitigation Measure GEO-6: Prior to commencement of construction activities, all on- site personnel shall attend a mandatory pre-project training to outline the general paleontological sensitivity of the project area. The training will include a description of the types of resources that could be encountered and the procedures to follow in the event of an inadvertent discovery of resources.

If paleontological resources, such as fossilized bone, teeth, shell, tracks, trails, casts, molds, or impressions are discovered during ground-disturbing activities, work shall stop in that area and within 100 feet of the find until a qualified paleontologist meeting the Society of Vertebrate Paleontology (SVP) Standards can assess the nature and importance of the find and, if necessary, develop appropriate salvage measures in conformance with SVP standards (2010). If the discovery can be avoided and no further impacts will occur, no further effort shall be required. If the resource cannot be avoided and may be subject to further impact, a qualified paleontologist shall evaluate the resource and determine whether it is "unique" under CEQA.

Any discovered paleontological resources that are determined by the qualified paleontologist to be "unique" in accordance with CEQA shall be subjected to appropriate salvage measures in conformance with SVP standards (2010).

Rationale for Finding: The proposed Project would have a significant effect on the environment if it directly or indirectly destroys a unique paleontological resource or site or unique geologic feature. There are no recorded paleontological resources (fossils) within the Project site nor does the Project site area contain a unique geological feature. The Project would include excavation to a maximum of up to 28 feet below grade for the new hospital building, which would be deep enough to encounter the older deposits that may contain paleontological resources. Should

paleontological resources be encountered during ground-disturbing activities, this would be a potentially significant impact. To reduce impacts on paleontological resources, implementation of Mitigation Measure GEO-6 would be required.

- (d) Hazards and Hazardous Materials
 - (i) Impact HAZ-4: The UCSF BCH Oakland campus site is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Contamination at the NHB Project site could be encountered during construction and could have the potential to create a significant hazard to the public or the environment.

FINDING: For the reasons stated in the Final EIR (Draft EIR at page 4.7-27 to 4.7-29; Final EIR at page 8.5-10 to 8.5-25), the University finds that changes or alterations have been incorporated into the NHB which mitigate significant effects on the environment from Impact HAZ-4. Specifically, NHB Mitigation Measures HAZ-4a and HAZ-4b are feasible and are hereby adopted and incorporated into the NHB to mitigate significant effects from Impact HAZ-4 to a less than significant level.

Mitigation Measure HAZ-4a, Soil and Groundwater Management Plan (SGMP): Prior to development on the campus site, a SGMP shall be prepared by a qualified environmental consulting firm to reflect current regulatory requirements and risk management protocols that are in accordance with ACDEH oversight. The SGMP shall include measures to address protocols for identifying, handling, and characterizing suspect contaminated soils and/or groundwater, if encountered, as summarized below:

- Site description, including the hazardous materials that may be encountered.
- Roles and responsibilities of onsite workers, supervisors, and the regulatory agency (ACDEH). Onsite personnel shall attend mandatory pre-project training regarding the SGMP.
- Training for construction workers focused on the recognition of and response to encountering hazardous materials.
- Protocols for the materials (soil and/or dewatering effluent) testing, handling, removing, transporting, and disposing of all excavated materials and dewatering effluent in a safe, appropriate, and lawful manner.
- Specified personal protective equipment and decontamination procedures, if needed.
- A requirement specifying that any construction worker who identifies hazardous materials has the authority to stop work and notify the site supervisor.
- Procedures to follow if evidence of potential soil and/or groundwater contamination is encountered (such as soil staining, unusual odors, debris or buried storage containers). These procedures shall be followed in accordance with hazardous waste operations regulations and specifically include, but not

be limited to, immediately stopping work in the vicinity of the unknown hazardous materials release; notifying the ACDEH; and retaining a qualified environmental firm to perform sampling and remediation.

Notification and sampling requirements for adequate characterization shall be in accordance with ACDEH requirements and any required removal or remediation work shall be completed to the overseeing agency's standards prior to occupancy of the new structure.

Mitigation Measure HAZ-4b: Vapor Mitigation: To mitigate exceedances of indoor air standards, the Project shall incorporate at least one or more of the vapor mitigation methods listed below in areas determined to have soil gas concentrations above soil gas screening levels. The proposed work-specific vapor mitigation must be in accordance with vapor mitigation guidance provided by the Department of Toxic Substances Control (DTSC), which provides vapor guidance information at https://dtsc.ca.gov/vapor- intrusion.

- Excavate and remove contaminated materials (soil and, if needed, groundwater), to levels where subsequent testing verifies that soil gas levels are below screening levels.
- Install a physical vapor barrier beneath the structure foundation that prevents soil gas from seeping into breathing spaces inside the structure, or
- Install a passive or powered vapor mitigation system that draws soil gas out of the under-foundation base rock and directs that soil gas to a treatment system to prevent people from being exposed outdoors to the extracted soil gas.

Upon completion, UCSF BCH Oakland shall prepare a report documenting the testing results and installed vapor mitigation method and submit the report to the regulatory agency with jurisdiction (i.e., DTSC). A copy of the report shall be provided to the UCSF Mitigation Monitor to inform them of compliance with this requirement. The implemented mitigation measure shall result in indoor air concentrations that do not exceed the screening levels provided in the DTSC Human Health Risk Assessment (HHRA) Note Number 3.

Rationale for Finding: Due to historical contamination at the Project site and on neighboring parcels, there is some risk that residual levels of PCE and TCE could be present in groundwater at the Project site and that lead and dieldrin may be present in the soil on the Caltrans Parcel (as defined in the Final EIR). Construction workers may encounter contaminated soil and groundwater. While unlikely, future occupants of the Project site could be exposed to PCE and TCE vapors migrating from groundwater up into breathing spaces of structures. Construction activities may also encounter previously unidentified contamination. If not identified and managed appropriately, construction workers, campus employees, and the public could be exposed to contaminants through direct contact (construction workers) or through soil vapor intrusion. Implementation of Mitigation Measures HAZ-4a, Soil and Groundwater Management Plan (SGMP) and HAZ-4b, Vapor Mitigation would ensure that any risk associated with potential contamination is mitigated to a less than significant level.

- (e) *Hydrology and Water Quality*
 - (i) *Impact HYD-1: Implementation of the NHB Project would*

> have the potential to violate water quality standards or waste discharge requirements, or otherwise substantially degrade surface or groundwater quality.

FINDING: For the reasons stated in the Draft EIR at page 4.8-11 to 4.8-14, the University finds that changes or alterations have been incorporated into the NHB which mitigate significant effects on the environment from Impact HYD-1. Specifically, NHB Mitigation Measures HAZ-4 is feasible, and is hereby adopted and incorporated into the NHB to mitigate significant effects from Impact HYD-1 to a less than significant level.

Mitigation Measure HAZ-4: See above.

Rationale for Finding: As explained in Impact HAZ-4 in Section 4.7, Hazards and Hazardous Materials, although there is no recorded history of subsurface contaminants on the Project site, there were two cases of subsurface contamination identified elsewhere within the campus site in proximity to the Project site; furthermore, the possibility exists for construction activities to encounter previously unidentified contamination on the Project site. In addition, since the proposed Project includes the excavation of soil during construction (in places up to 28 feet below grade), and existing groundwater levels have previously been estimated at variable depths ranging from 7.5 to 20 feet below grade, it is expected that dewatering would be required during construction. Excavation and dewatering activities could expose construction workers and the environment to hazardous materials if not managed appropriately. To reduce the potential significant impact to construction workers and the environment during excavation and dewatering activities, Mitigation Measure HAZ-4, Construction Soil and Groundwater Management Plan, is identified to be implemented prior to construction. The implementation of this mitigation measure would reduce potential water quality impacts associated with the discharge of contaminated groundwater extracted during site dewatering to a less than significant level. Furthermore, as applicable, any off-site improvements that would be constructed outside the campus site boundary would be subject to construction site runoff requirements in accordance with the City of Oakland's Creek Protection, Stormwater Management, and Discharge Control Ordinance. As such, any off-site construction impacts to water quality would similarly be less than significant.

(ii) *Impact HYD-5:* Implementation of the NHB Project could conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

FINDING: For the reasons stated in the Draft EIR at page 4.8-17 to 4.8-18, the University finds that changes or alterations have been incorporated into the NHB which mitigate significant effects on the environment from Impact HYD-5. Specifically, NHB Mitigation Measure HAZ-4 is feasible, and is hereby adopted and incorporated into the NHB to mitigate significant effects from Impact HYD-5 to a less than significant level.

Mitigation Measure HAZ-4: See above.

Rationale for Finding: To reduce the potential significant impact to construction workers and the environment during the excavation and dewatering activities, Mitigation Measure HAZ-4, Construction Soil and Groundwater Management Plan shall be implemented which would reduce impacts associated with potential releases of hazardous materials to surface and groundwater to a less than significant level. Compliance with the NPDES CGP regulations, and implementation of Mitigation Measure HAZ-4 identified in Section 4.7, would ensure Project construction would not result in substantial degradation of water quality, and thus, ensure that the Project would not conflict with or obstruct implementation of the Basin Plan, and the impact would be less than significant. The Project would include installation of surface water treatment project design features (e.g., bioretention areas), which would assist in ensuring that flows from the Project site would be properly treated and would not violate water quality standards or waste discharge requirements. Implementation of these Project design features would improve water quality, as these features are not part of the existing conditions at the Project site. Therefore, the proposed Project operations would be consistent with the Basin Plan, and the impact would be less than significant.

(iii) *Impact C-HYD-1:* Construction and operation of the NHB Project, in conjunction with other cumulative development, could cumulatively violate water quality standards or waste discharge requirements, or otherwise substantially degrade water quality.

FINDING: For the reasons stated in the Draft EIR at page 4.8-19 to 4.8-20, the University finds that changes or alterations have been incorporated into the NHB which mitigate significant effects on the environment from Impact C-HYD-1. Specifically, NHB Mitigation Measure HAZ-4 is feasible, and is hereby adopted and incorporated into the New Hospital and Renovation of Moffitt and Long Hospitals to mitigate significant effects from Impact C-HYD-1 to a less than significant level.

Mitigation Measure HAZ-4: See above.

Rationale for Finding: Compliance with the NPDES CGP requirements and implementation of Mitigation Measure HAZ-4 identified in Section 4.7 would prevent substantial degradation in water quality during construction of the NHB Project, and would be effective in ensuring that construction activities would result in a less than significant impact to water quality. Similarly, as demonstrated in Impacts HYD-1 through HYD-3 and Impact HYD-5, with the implementation of post-development BMP requirements, including LID measures, contained within the MRP, operation of the Project would not violate water quality standards or waste discharge requirements, or otherwise degrade surface or groundwater quality.

UCSF-proposed cumulative projects that would occur on or adjacent to the Project site include the BCH Oakland Infrastructure Improvements project, replacement of the existing fuel oil underground storage tank (UST) with an above ground fuel oil tank, and construction of the Administrative Support Building and related improvements. These cumulative projects could contribute construction related discharges of pollutants, and/or operational increases stormwater

flows to the City and ACFCWD stormwater systems. These projects would similarly implement construction-phase controls and long-term stormwater management controls to ensure they would not result in a violation of water quality standards or waste discharge requirements, or otherwise degrade surface or groundwater quality.

Other reasonably foreseeable cumulative development within the Temescal Creek watershed would also contribute construction and/or operational pollutant discharges in stormwater flows to the City and ACFCWD stormwater systems. Similar to the Project, cumulative projects would be required to implement project-specific BMPs and comply with federal, State, as well as local regulations related to stormwater water quality. These regulations include, but are not limited to, the NPDES CGP and the City's Stormwater Management Ordinance. All cumulative projects that disturb more than one acre would include preparation and implementation of a SWPPP to reduce pollutants in stormwater and other non-point source runoff during construction. Cumulative projects that create or replace 5,000 square feet or more of impervious surfaces and have existing impervious surfaces greater than 50 percent must decrease the stormwater runoff rate and volume in accordance with the standards in the City's stormwater management requirements. These regulatory requirements also include LID design measures which must be implemented as part of each cumulative project design and are intended to minimize off-site discharges of stormwater and reduce pollutant loading.

With adherence to these existing regulatory requirements and implementation by UCSF of the proposed stormwater improvements under the Project, the Project's contribution to the potential cumulative impact related to a violation of water quality standards or waste discharge requirements would not be considerable.

(f) Noise and Vibration

(i) *Impact NOI-3:* Construction activities for the NHB Project and related improvements could result in generation of excessive groundborne vibration or groundborne noise levels.

FINDING: For the reasons stated in the Draft EIR at page 4.10-43 to 4.10-46, the University finds that changes or alterations have been incorporated into the NHB which mitigate significant effects on the environment from Impact NOI-3. Specifically, Mitigation Measure NOI-3 is feasible, and is hereby adopted and incorporated into the NHB to mitigate significant effects from Impact NOI-3 to a less than significant level.

Mitigation Measure NOI-3: Assessment and Relocation/Retrofitting of Vibration-Sensitive Equipment

UCSF shall evaluate the presence of vibration-sensitive equipment within 150 feet of construction and demolition areas. Any sensitive equipment shall be evaluated for the existing extent of vibration isolation and relocated, or vibration isolation shall be further embellished, as warranted. Based on available guidance (FTA, 2018), a performance standard of 65 VdB shall be implemented in lieu of any other available equipment-specific criterion.

Rationale for Finding: The potential for human annoyance and sleep disturbance due to vibration are primarily a concern when substantial construction activities are proposed during the nighttime hours, which would not occur with implementation of Mitigation Measure NOI-1b: Construction Hours, above. Therefore, with mitigation, human annoyance and sleep disturbance impacts from vibration would be less than significant.

UCSF also operates vibration sensitive equipment in some of its existing buildings, such as magnetic resonance imaging (MRI) machines and electron microscopes and such equipment may be located within the campus site. Construction activities in close proximity to such equipment could generate vibration levels of 65 VdB or greater that could affect these operations, depending on the degree of vibration isolation designed into their systems. Therefore, there is a potential for a significant impact to vibration-sensitive equipment and Mitigation Measure NOI-3 would reduce such an impact to a less-than-significant level.

(ii) Impact C-NOI-1: Implementation of the NHB Project, combined with other concurrent construction projects in the project area, could generate a substantial temporary increase in ambient noise levels from construction activity in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

FINDING: For the reasons stated in the Draft EIR at page 4.10-47 to 4.10-48, the University finds that changes or alterations have been incorporated into the NHB which mitigate significant effects on the environment from Impact C-NOI-1. Specifically, Mitigation Measures NOI-1a, NOI-1b, and TRANS-5 are feasible and are hereby adopted and incorporated into the NHB to mitigate significant effects from Impact C-NOI-1 to a less than significant level.

Mitigation Measure NOI-1a: See below. Mitigation Measure NOI-1b: See below. Mitigation Measure TRANS-5: See below.

Rationale for Finding: There is one reasonably foreseeable off-site cumulative construction project in the Project vicinity: the City of Oakland's MLK Jr. Way Roadway Improvement Plan. This project would reduce the number of travel lanes from 3 to 2 in each direction and add protected bike lanes as well as repave MLK Jr. Way. Since the earliest this City roadway improvement project would start would be 2025, construction activities associated with this cumulative project could potentially overlap with Project construction. As indicated in Table 4.10-9, construction equipment associated with paving can generate noise levels of 77 to 85 dBA at 50 feet.

Construction activities for this project would be subject to the City of Oakland's Standard Conditions of Approval (SCA). Specifically, SCA 67 establishes limits on the hours and days of construction. SCA 68 requires project applicants to implement noise reduction measures to reduce

noise impacts due to construction.

Other UCSF-planned cumulative projects within and/or or adjacent to the campus site include the Administrative Support Building (ASB) Project, BCH Infrastructure Improvement Project, and the replacement of an underground storage tank. All of these projects would be subject to applicable SCAs identified in the CHRCO CMP Project FEIR and compliance with existing regulations. Consistent with the SCAs, during all construction activities, a 15-foot-high temporary noise barrier will be placed between the proposed construction site and receptor locations.

Implementation of the required City of Oakland SCAs and/or mitigation measures for the cumulative projects either within the campus site or Project vicinity would reduce noise from the individual projects. However, if construction activities for these other cumulative projects would require work during nighttime hours to avoid traffic impacts, most notably the City of Oakland's MLK Jr. Way Roadway Improvement Plan, then such a cumulative contribution could further exacerbate the significant and unavoidable impact of the Project with respect to work during extended or nighttime hours. However, Mitigation Measure TRANS-5, Construction Coordination and Monitoring Measures contains a measure that requires coordination with the City of Oakland Department of Transportation to ensure that the construction of the NHB Project and the City's MLK Jr. Way Complete Streets Paving Project, which are expected to overlap, do not conflict with each other, and minimize the potential combined effects of these construction projects on circulation for various travel modes. Hence, while the potential exists for cumulative projects to combine with the noise from the construction of the Project, mitigation measures would be in place to ensure that there would not be conflicts and would eliminate the potential for cumulative contributions to nighttime noise. Therefore, implementation of Mitigation Measures NOI-1a, NOI-1b and TRANS-5 would serve to reduce the cumulative construction noise contributions to a less than significant level.

> (iii) *Impact C-NOI-3: Implementation of the NHB Project, combined with cumulative construction in the project area, could result in generation of excessive groundborne vibration or groundborne noise levels.*

FINDING: For the reasons stated in the Draft EIR at page 4.10-48 to 4.10-49, the University finds that changes or alterations have been incorporated into the NHB which mitigate significant effects on the environment from Impact C-NOI-3. Specifically, Mitigation Measure NOI-3 is feasible, and is hereby adopted and incorporated into the NHB to mitigate significant effects from Impact C-NOI-3 to a less than significant level.

NHPH Mitigation Measure NOI-3: See discussion above.

Rationale for Finding: Potential cumulative construction vibration impacts would be limited to other planned UCSF construction projects within the campus site. Architectural damage impacts to buildings in proximity to the Project site are not a concern in the cumulative scenario because the proposed Project is sufficiently distant from these cumulative projects so as to not cumulatively combine to result in architectural damage impacts. Consequently, cumulative vibration impacts of

the Project would be similar to those analyzed above in Impact NOI-3 and would be less than significant with implementation of Mitigation Measure NOI-3.

- (i) **Transportation**
 - (i) *Impact TRANS-5:* Construction of the NHB Project could temporarily impact travel conditions along sidewalks and roadways serving the campus site.

FINDING: For the reasons stated in the Draft EIR at page 4.11-30 to 4.11-32, the University finds that changes or alterations have been incorporated into the NHB which mitigate significant effects on the environment from Impact TRANS-5. Specifically, Mitigation Measure TRANS-5 is feasible, and is hereby adopted and incorporated into the New Hospital to mitigate significant effects from Impact TRANS-5 to a less than significant level.

Mitigation Measure TRANS-5: Construction Coordination and Monitoring Measures In order to reduce potential conflicts between construction activities and pedestrians, bikes, buses, and autos during construction activities at the NHB Project site, UCSF shall require construction contractor(s) to coordinate with the relevant City of Oakland agencies to prepare Construction Transportation Management Plan to address the following during the major phases of project construction (e.g., demolition, construction of new building, or renovation of existing buildings):

- Construction Traffic Control Plan to identify construction truck routes, coordinate feasible measures to reduce traffic congestion, reduce potential traffic, bicycle, and transit disruption and pedestrian circulation effects, potential detours for motor vehicles, bicycles, and pedestrians if necessary, and location of off-site construction staging areas for materials and equipment if necessary.
- Construction Worker Parking and Travel Management Plan to minimize parking demand and motor vehicle trips generated by construction workers and ensure that construction workers do not use the on-street parking in the nearby residential neighborhood. If parking demand for construction workers cannot be accommodated on-site, the Plan shall identify off-site parking facilities and if necessary, provide a shuttle service between the parking facility and the construction site.
- Notification procedures for nearby residences and businesses and public safety personnel regarding construction activities, peak construction vehicle activities (e.g., concrete pours, excavation), and travel lane closures, via a newsletter, website, and/or regular construction update meetings with neighbors.
- Coordination with the City of Oakland Department of Transportation to ensure that the final design and construction of the NHB Project and the City's MLK Jr. Way Complete Streets Paving Project, which are expected to overlap, do not conflict with each other, and minimize the potential combined effects of the two construction projects on circulation for various travel modes.

• If necessary, make repair to damages to the public right-of way, including streets and sidewalks, caused by project construction within one week of the occurrence of the damage (or excessive wear), unless further damage/excessive wear may continue; in such case, repair shall occur prior to the completion of construction.

Rationale for Finding: The primary potential sources for transportation impacts related to construction activity are the closure of facilities (e.g., parking lane or lot) to provide construction staging, closures of travel lanes and/or sidewalks, truck trips associated with the delivery of construction materials, the off haul of demolition debris, excavated soil and construction wastes, and vehicle trips to and from the site by construction workers. These trips would have the potential to cause temporary disruptions to nearby streets, transit services, and pedestrian and bicycle facilities. Although construction activities for the NHB would be temporary, construction impacts would be considered potentially significant given the magnitude and duration of the construction and need for on-going coordination and monitoring. Implementation of Mitigation Measure TRANS-5 would reduce this impact to a less-than-significant level.

3. <u>Findings on Significant Environmental Impacts that Cannot Be</u> <u>Avoided or Reduced to a Less than Significant Level</u>

FINDING: Based on the issue area assessment in the EIR, the University has determined that the Project will have significant impacts in the resource areas discussed below, and that these impacts cannot be avoided or reduced despite the incorporation of all feasible mitigation measures. These findings are based on the discussion of impacts in the detailed issue impacts as set forth in Sections 4.1 (Aesthetics, Wind and Shadow) and 4.11 (Noise and Vibration) of the Draft EIR. For each significant and unavoidable impact identified below, the University has made a finding(s) pursuant to Public Resources Code § 21081. An explanation of the rationale for each finding is also presented below. The University finds these remaining significant impacts to be acceptable because the benefits of the Project outweigh the significant and unavoidable environmental impacts of these Project for the reasons set forth in the "Statement of Overriding Considerations" in Section III, below.

(a) *Air Quality*

(i) *Impact C-AIR-1:* The health risk from the NHB Project combined with health risk impacts from other sources in the Project vicinity would result in significant cumulative health risk impacts.

FINDING: For the reasons stated in the Final EIR (Draft EIR at page 4.1-45 to 4.1-48), the University finds that changes or alterations have been incorporated into the NHB which mitigate significant effects on the environment from Impact C-AIR-1. Specifically, NHB Mitigation Measure C-AIR-1is feasible, and is hereby adopted and incorporated into the NHB to mitigate significant effects from Impact C-AIR-1. However, even with implementation of this mitigation measure, significant unavoidable impacts will occur as described above. Therefore, the University

finds that specific economic, legal, social, technological, or other considerations make it infeasible to reduce Impact C-AIR-1to a less than significant level.

NHB Mitigation Measure C-AIR-1: Clean Construction Equipment.

- a) Electric engines shall be used for all equipment that is commercially available as plug-in or battery-electric equipment during each construction phase and activity. Portable equipment shall be powered by grid electricity if available. Electric equipment shall include, but not be limited to, concrete/industrial saws, sweepers/scrubbers, aerial lifts, welders, air compressors, fixed cranes, forklifts, and cement and mortar mixers, pressure washers, and pumps. To qualify for an exception, UCSF shall require construction contractors to provide evidence supporting the conclusion that electric equipment is not commercially available and shall use the next cleanest piece of off-road equipment in terms of DPM and PM2.5. "Commercially available" is defined as either: (1) being used for other large-scale projects in the region occurring at the same time; (2) can be obtained without significant delays to critical-path timing of construction; or (3) available within the larger northern California region. UCSF shall be responsible for the final determination of commercial availability, based on all the facts and circumstances at the time the determination is made. For UCSF to make a determination that such equipment is commercially unavailable, the operator must submit documentation from a minimum of three (3) electric off-road equipment dealers demonstrating the inability to obtain the required electric equipment needed within 6 months.
- b) The construction contractor shall ensure that all diesel off-road equipment shall have engines that meet the Tier 4 Final off-road emission standards, as certified by CARB, except as provided for in this section. This requirement shall be verified through submittal of an equipment inventory that includes the following information:
 (1) Type of Equipment, (2) Engine Year and Age, (3) Number of Years Since Rebuild of Engine (if applicable), (4) Type of Fuel Used, (5) Engine HP, (6) Verified Diesel Emission Control Strategy (VDECS) information if applicable and other related equipment data. A Certification Statement is also required to be made by the contractor for documentation of compliance and for future review by the BAAQMD as necessary. The Certification Statement shall state that the contractor agrees to compliance and acknowledges that a violation of this requirement shall constitute a material breach of contract.

The requirement for Tier 4 Final equipment may be waived only under the following unusual circumstances: if a particular piece of off-road equipment with Tier 4 Final standards is technically not feasible or not commercially available; the equipment would not produce desired emissions reduction due to expected operating modes; installation of the equipment would create a safety hazard or impaired visibility for the operator; or there is a compelling emergency need to use other alternate off-road equipment. For purposes of this mitigation measure, "commercially available" shall mean the availability of Tier 4 Final engines similar to the availability for other large- scale construction projects in the region occurring at the same time and taking into consideration factors such as (i) potential significant delays to critical-path timing of construction for the project and (ii) geographic

proximity to the project site of Tier 4 Final equipment. Sufficient documentation must be provided when seeking any waiver described above. If the waiver is granted, the contractor must use the next cleanest piece of off-road equipment that is commercially available, or another alternative that results in comparable reductions of DPM and PM_{2.5} emissions.

Rationale for Finding: Existing background health risks without the Project already exceed the BAAQMD's cumulative thresholds for incremental lifetime cancer risk and annual average $PM_{2.5}$ concentration of 100 in one million and 0.8 µg/m³, respectively. As the Project's health risks, when combined with background health risks, would exceed the BAAQMD's cumulative thresholds for incremental lifetime cancer risk and annual average PM2.5 concentration, the cumulative impact would be significant. It should be noted that, as shown in Table 4.1-12, the Project's contribution to the cumulative impact at the off-site residential MEI is a maximum cancer risk level of 7.5 per million and 0.04 µg/m³ in annual average PM2.5 concentration, both of which are below the Project-level health risk thresholds. Therefore, the Project's contribution to the cumulative health risk would be relatively minor. Nevertheless, Mitigation Measure C-AIR-1: Clean Construction Equipment has been identified to reduce the Project's contribution to the cumulative health risk.

Implementation of Mitigation Measure C-AIR-1 would require the use of clean construction equipment which would substantially reduce the Project's contribution to cumulative health risks. Proposed back-up power generators would already meet tier 4 engine standards. Additional mitigation measures are not available. As shown in Table 4.1-13 of the Draft EIR, even with mitigation, the combined health risk impact of the Project and background sources in the area would exceed the BAAQMD's cumulative thresholds for incremental lifetime cancer risk and annual average PM2.5 concentration. Therefore, this impact would remain significant and unavoidable.

(b) Cultural Resources and Tribal Cultural Resources

(i) *Impact CUL-1: Implementation of the NHB Project would result in a substantial adverse change in the significance of known historical resources.*

FINDING: For the reasons stated in the Draft EIR at page 4.3-15 to 4.3-18, the University finds that changes or alterations have been incorporated into the NHB which mitigate significant effects on the environment from Impact CUL-1. Specifically, Mitigation Measures CUL-1a and CUL-1b are feasible and are hereby adopted and incorporated into the NHB to mitigate significant effects from Impact CUL-1. However, even with implementation of these mitigation measures, significant unavoidable impacts will occur as described above. Therefore, the University finds that specific economic, legal, social, technological, or other considerations make it infeasible to reduce Impact CUL-1a to a less than significant level.

Mitigation Measure CUL-1a: Documentation of the A/B Wing

Prior to any demolition work initiated at the A/B Wing, UCSF shall ensure that a qualified architectural historian who meets the Secretary of the Interior's Professional Qualification Standards thoroughly documents the building and associated landscaping and setting. Documentation shall include still photography and a written documentary record of the

> building to the National Park Service's standards of the Historic American Buildings Survey (HABS), including accurate scaled mapping and architectural descriptions. If available, scaled architectural plans will also be included. Photographs include large-format (4"x5") black-and-white negatives and 8"x10" enlargements. Digital photography may be substituted for large-format negative photography if archived locally. The record shall be accompanied by a report containing site-specific history and appropriate contextual information relying as much as possible on previous documentation. Copies of the records shall be submitted to the Northwest Information Center at Sonoma State University and the Oakland History Center at the Oakland Public Library.

Mitigation Measure CUL-1b: Public Interpretation and Salvage Plan for the A/B Wing

Prior to any demolition work that would remove character-defining features of the A/B Wing, UCSF shall prepare a Salvage Plan for those components of the building suitable for salvage and/or reuse. A Salvage Plan shall be prepared by a qualified architectural historian or historic architect who meets the Secretary of the Interior's Professional Qualification Standards and presented to UCSF Planning staff. This would be a feasibility study to determine the structural integrity of the character-defining features associated with the A/B Wing, identify environmental factors that may require remediation prior to salvage (e.g., lead paint, chemicals, etc.), and present potential new uses of the salvaged features. The Salvage Plan will identify opportunities for UCSF to reuse character-defining features in the NHB Project.

Prior to any demolition activities that would remove character-defining features of, or demolish, an individual historical resource on the project site, UCSF shall prepare a plan for interpretive displays. The specific location, media, and other characteristics of such interpretive display(s) shall be included in this proposal. The historic interpretation plan shall be prepared in coordination with an architectural historian or historian who meets the Secretary of the Interior's Professional Qualification Standards and an exhibit designer or landscape architect with historical interpretation design experience. Interpretive display(s) shall document the individually eligible resource to be demolished. The interpretative plan should also explore contributing to digital platforms that are publicly accessible. A proposal describing the general parameters of the interpretive program and the substance, media, and other elements of such interpretive display shall be approved by UCSF Planning staff prior to commencement of any demolition activities.

Following any demolition activities within the project site, UCSF shall provide within publicly accessible areas of the project site a permanent display(s) of interpretive materials concerning the history and architectural features of the individual historical resources.

Rationale for Finding: UCSF has concluded that the A/B and B/C Wings are obsolete and cannot reasonably be retrofitted and renovated to meet modern requirements for a clinical care facility. The structural layout of the buildings, floor plate sizes, ceiling heights, and building infrastructure systems are such that it would be infeasible to retain, retrofit, and reuse the buildings for acute

care. Current seismic requirements, technologies and patient care standards require a modern acute care facility that simply cannot be accommodated in the A/B and B/C Wings. Further, maintaining the A/B and B/C Wings in place constrains the site and compromises the ability of UCSF BCH Oakland to build a contemporary high-performing hospital for the community that meets the Project's fundamental and development objectives. While the impact cannot be mitigated to a less-than-significant level, implementation of Mitigation Measures CUL-1a and CUL-1b would require that UCSF prepare Historic American Buildings Survey (HABS)-like documentation of the A/B Wing and its associated landscape features prior to demolition and develop a public interpretation and salvage plan. Implementation of these measures would lessen the severity of the Project's significant impact on a historical resource but would not reduce the impact to a less-than-significant level.

Additionally, UCSF has pledged to voluntarily implement certain measures that would incorporate enhancements that are sensitive to the loss of historical resources resulting from the Project as follows:

- **Magnolia Tree Propagation.** UCSF shall continue to contract with a qualified tree company to take seeds or cuttings from the existing Southern magnolia. The contracted firm will propagate these seeds or cuttings and continue to grow them until they reach a typical landscape tree size, 24" box minimum. Numerous offspring trees have already been established.
- **Magnolia Tree Replacement.** Within the constraints of the site plan, UCSF will incorporate a new magnolia tree into the site plan of the Project, as close as possible to the historic location of the existing magnolia tree (#82). Possible locations to be considered include near a retaining wall, and adjacent to Martin Luther King Jr. Way. UCSF will select the largest, good-quality, boxed specimen, and the tree company shall grow the tree for five more years. The tree will be installed on the BCH Oakland campus site. UCSF will also review the feasibility of planting these trees at the Dover Street entrance where space may be limited.
- **Magnolia Tree Plaque.** Prior to Project completion, UCSF will install a permanent, highquality plaque or simple interpretive panel near the replacement magnolia tree that includes information about the magnolia tree. It will be similar to the plaque that is currently located under the existing magnolia tree (the existing plaque is not historic and does not need to be retained), and it shall clearly state that the tree is a new replacement tree in order to avoid potential false historicism. The content of the plaque/panel will feature the tree's historic relation to the site and as the source of inspiration for the nickname "the Branches," which is what the A/B Wing was called during the 1920s and 1930s.

(c) Noise and Vibration

(i) Impact NOI-1: Construction activities under the NHB Project would generate a substantial temporary increase in ambient noise levels in the vicinity of the Project site in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

FINDING: For the reasons stated in the Draft EIR at page 4.10-21 to 4.10-27, the University finds that changes or alterations have been incorporated into the NHB which mitigate significant effects on the environment from Impact NOI-1. Specifically, Mitigation Measures NOI-1a, NOI-1b, NOI-1c, and NOI-1d are feasible, and are hereby adopted and incorporated into the NHB to mitigate significant effects from Impact NOI-1. However, even with implementation of these mitigation measures, significant unavoidable impacts will occur as described above. Therefore, the University finds that specific economic, legal, social, technological, or other considerations make it infeasible to reduce Impact NOI-1 to a less than significant level.

Mitigation Measure NOI-1a: Construction Noise Control Measures

UCSF contractors shall employ site-specific noise attenuation measures during construction of the Project to reduce the generation of construction noise. These measures shall be included in a Noise Control Plan that shall be submitted for review and approval by UCSF to ensure that construction noise is consistent with the standards set forth in the City's Noise Ordinance. Measures specified in the Noise Control Plan and implemented during project construction shall include, at a minimum, the following noise control strategies:

- Equipment and trucks used for construction shall use the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds).
- Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used where feasible; this could achieve a reduction of 5 dBA. Quieter procedures, such as the use of drills rather than impact tools, shall be used where feasible.
- Stationary noise sources shall be located as far from adjacent receptors as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or include other measures.
- Shield staging areas where adjacent sensitive receptors have direct line-ofsight and are within 200 feet of loading and delivery activities. Shielding may consist of plywood fencing with no gaps or acoustical paneling erected in K-rails.

Mitigation Measure NOI-1b: Construction Hours

Construction hours shall be restricted to the hours listed in the table below. However, in rare circumstances, work may need to occur outside of these work hour limits. For example, there may be times when heavy machinery must be delivered outside the extended hours (during times of low traffic); or concrete pours must occur outside the extended hours. In such cases, UCSF Community and Government Relations will receive advance notice from the project manager, at least one week in advance as feasible, and will engage the community to identify measures to minimize potential impacts. These measures may include, but not be limited to, restricting work to smaller time windows, condensing the overall duration of nighttime work to the degree feasible, and erecting temporary barriers to shield the short-term nighttime activity.

Construction Hours				
	"Not Noisy" Work ^a		Noisy Work ^a	
	Regular hours	Extended hours ^b	Regular hours	Extended hours ^b
Monday - Friday	7:00 AM to 5:00 PM	5:00 PM to 8:00 PM	8:00 AM to 5:00 PM	
Saturday		8:00 AM to 5:00 PM		9:00 AM to 4:00 PM
Sunday		8:00 AM to 5:00 PM		

NOTES:

a. "Not Noisy" work = 80 decibels or less at 100 feet; "Noisy" work = more than 80 decibels at 100 feet.

b. Extended hours to be considered by UCSF Community and Government Relations with advance notice from the project manager.

Mitigation Measure NOI-1c: Construction Noise Complaints

UCSF shall establish a formal set of procedures for responding to and tracking complaints received pertaining to construction noise and shall implement the procedures during construction. Procedures shall be established prior to commencement of construction. At a minimum, the procedures shall include:

- Designation of an on-site construction complaint and enforcement manager for the project;
- A large on-site sign near the public right-of-way containing permitted construction days/hours, complaint procedures, and phone numbers for the project complaint manager;
- Protocols for receiving, responding to, and tracking received complaints; and
- Maintenance of a complaint log that records received complaints and how complaints were addressed.

Mitigation Measure NOI-1d: Pile-Installation Noise-Reducing Techniques

Noise-reducing pile-installation techniques shall be employed during project construction. These techniques shall include:

• Installing cast-in-place concrete piles. Noise from auger drilling is 17 dBA less than an impact pile driver.

- Vibrating piles into place, where feasible.
- Implement "quiet" pile-installation technology (such as pre-drilling of piles).

Mitigation Measure TRANS-5: See above.

Rationale for Finding: Mitigation Measure NOI-1a, which is detailed above, would require the preparation and implementation of a Noise Control Plan to ensure that construction noise is reduced consistent with UCSF standard construction hours which are more stringent than the standards set forth in the City's noise ordinance established by Section 17.120.050 of the Oakland Municipal Code. Mitigation Measure NOI-1c would establish a formal set of procedures for responding to and tracking construction noise complaints. Mitigation Measure NOI-1d would require implementation of noise-reducing pile installation techniques during Project construction. Implementation of Mitigation Measures NOI-1a, NOI-1b and NOI-1c would reduce noise levels associated with construction activities. Furthermore, as discussed in Mitigation Measure TRANS-5 in Section 4.11, *Transportation*, the construction contractor(s) would be required to coordinate with the relevant City of Oakland agencies to prepare a Construction Transportation Management Plan that would be implemented to reduce temporary construction related conflicts.

Mitigation Measures NOI-1a, NOI-1b and NOI-1d would reduce the severity of noise generated by demolition and construction activities and reduce the potential annoyance to nearby residents and others who could be disturbed by these activities. Implementation of Mitigation Measures NOI-1a and NOI-1b is projected to reduce noise levels associated with demolition and construction activities for Project construction by 5 to 10 dBA, while Mitigation Measure NOI-1d would reduce noise levels associated with pile installation activities by 17 dBA. These reductions would be sufficient for construction activities of the proposed Project to achieve the City of Oakland's 65 dBA daytime noise standard. However, in rare circumstances work beyond the 7:00 PM daytime construction workday restriction may still exceed existing ambient levels and therefore, continue to result in nighttime noise levels that would exceed the standards of the City's noise ordinance and the Project's construction noise impact would be significant and unavoidable with mitigation.

E. FINDINGS ON PROJECT ALTERNATIVES

1. <u>Alternatives Screened Out from Detailed Consideration in the EIR</u>

The University finds that all of the alternatives eliminated from further consideration in the Draft EIR are infeasible, would not meet most project objectives and/or would not reduce or avoid any of the significant effects of the proposed project, for the reasons detailed in Section 6.4 of the Draft EIR. These alternatives include the following: (1) Locate Proposed Parking Structure on Annex Parking Lot; (2) Helistop Alternate Location; and (3) Off-Site Alternative.

The potential Locate Proposed Parking Structure on Annex Parking Lot alternative was screened from further consideration for a number of reasons. To begin, the residential neighborhood to the west of the parcel consists of 1- and 2-story single-family residential uses, and a proposed 2-level

parking structure could be objectionable to the immediate neighbors. Furthermore, existing surface parking on the annex parking lot would need to be replaced. The most likely option to accomplish this would be to add the displaced parking to the proposed parking structure, if financially feasible, thus increasing its height to a 4-level parking structure, which could make it further objectionable to immediate neighbors. If the existing parking was not replaced, this would cause employees to search for parking in surrounding neighborhoods, thus resulting in increased competition with neighbors for limited on-street parking. In addition, placement of the parking garage on this parking lot would result in all pedestrians, both visitors and staff, using the at-grade crossings across MLK Jr. Way which would not be desirable. Note that a pedestrian bridge was considered and rejected in the CHRCO CMP Project FEIR as the BART tracks make a such crossing infeasible. Furthermore, UCSF 2014 LRDP has a policy to prioritize parking for ED and health workers. Locating the parking garage at the annex parking lot site would locate the parking further away and would not be consistent with that policy. This alternative would also lead to all vehicles turning on to 51st and 47th Streets to access the parking structure, and thus increasing traffic on neighborhood streets. Finally, this alternative would remove the 175 existing parking spaces during the construction of the garage, resulting in a shortfall of parking at the campus site for the duration of the garage construction.

The Helistop Alternate Location alternative is an alternative to place the helistop off-site to reduce noise impacts to the surrounding community. Both off-site and on-site (i.e., a location somewhere other than the proposed location on top of the proposed New Hospital or proposed parking structure) were rejected from further analysis for the reasons stated below. All of the existing hospitals in the Oakland area were contacted and none of them currently have an on-site helipad that could be used in place of the proposed helistop. The nearest hospitals with a helipad include John Muir Medical Center in Walnut Creek and Eden Medical Center in Castro Valley. The use of these existing helipads or the facilities at Oakland International Airport, was rejected from further analysis because for the hospital to provide adequate care, the helicopter landing location needs to be as close as possible to emergency facilities as patients arriving by helicopter are typically in critical condition, and the use of these distant facilities for this function would result in delays due to travel time and congestion on the area freeways, especially during commute hours. Any location for the helistop that is not on the same site as the emergency care facilities would add additional ground transport time and increase the risks to the patient. In addition, UCSF BCH Oakland is the Bay Area's only California State-designated Level 1 pediatric trauma center. Removal of the helistop from the Project site would result in the inability of this facility to operate in this capacity. Relocating the helistop to another parcel on the UCSF BCH Oakland campus site was also rejected from further analysis based on current site constraints and concerns related to increased noise impacts to the community. The only undeveloped site on the campus site where it would be feasible relocate the helistop would be on the existing annex parking lot located across MLK Jr. Way from the Project site. As discussed above, a residential neighborhood is located directly to the west of this parcel, and the impact of noise generated by helistop operations on this site on nearby residences would be more severe than under the proposed Project.

A few potential alternatives were considered for an off-site location for continued operation and expansion of hospital facilities. Considerations included potential expansion or relocation of wards/patient rooms to UCSF Benioff Children's Hospital on the UCSF Mission Bay campus site

or to locations at UC Berkeley. An off-site alternative to develop the proposed Project at the UCSF BCH Mission Bay campus site was rejected for further analysis for the following reasons. The UCSF Mission Bay campus site does not have adequate space to accommodate UCSF BCH Oakland's program. UCSF's 2014 LRDP envisioned Phase 2 of the Medical Center at Mission Bay to accommodate future demand for adult and children's inpatient services there. The NHB Project, if located at Mission Bay, would consume nearly all of the available capacity for future expansion of adult and children's inpatient service in San Francisco. In addition, the proposed Project is meant to serve the pediatric emergency needs of children in the East Bay and placing the proposed Project across the bay would defeat this fundamental purpose. There are no locations at UC Berkeley that can accommodate UCSF BCH Oakland and that campus is already impacted in finding space for both educational programing and student housing. Moreover, locating the NHB Project away from the other services provided by the existing UCSF BCH Oakland buildings would not meet any of the project's fundamental objectives.

2. <u>Alternatives Analyzed in the EIR</u>

In compliance with CEQA and the CEQA Guidelines, the EIR evaluated a reasonable range of alternatives to the Project. The EIR's analysis examined the potential feasibility of each alternative, its environmental effects, and its ability to meet the project objectives. The alternatives analysis included analysis of a no-project alternative and identified the environmentally superior alternative. Section 6.3 of the Draft EIR evaluated four alternatives to the Project: Alternative 1: No Project Alternative, consisting of Alternative 1: No Project, Alternative 2: New Hospital Project per the 2015 CHRCO CMP; Alternative 3: Modified Hospital Design Project; and Alternative 4: Reduced Project.

Brief summaries of these alternatives and findings regarding these alternatives are provided below.

(a) *Alternative 1: No Project Alternative*

The No Project Alternative assumes that the proposed Project, which includes a 282,000 gross square foot (gsf) new hospital building, a 103,180 gsf new parking structure with a rooftop helistop, a utility yard adjacent to the parking structure, a 5,000 gsf site support structure, 11,800 gsf of building renovations, and related improvements, would not be constructed, and none of the existing buildings on the Project site would be demolished. State law (SB 1953) requires that the existing inpatient facilities that are non-compliant (A/B and B/C Wings) undergo seismic retrofit if their use as inpatient facilities is to be continued. UCSF has determined that the A/B and B/C Wings cannot be retrofitted to accommodate patient care in a manner that would meet the California Department of Health Care Access and Information (HCAI) seismic classifications. As indicated in Chapter 3, *Project Description*, under *Project Need*, UCSF has concluded that the A/B and B/C Wings are obsolete and cannot reasonably be retrofitted and renovated to meet modern requirements for a clinical care facility.

It is therefore assumed that under the No Project alternative, seismic retrofit in compliance with SB 1953 would not be completed and the existing acute care functions currently located in A/B and B/C Wings would be relocated elsewhere on the campus site or off-site. Further, UCSF has determined that it would also not be cost effective to complete a seismic retrofit of A/B and B/C Wings in compliance with the UC *Seismic Safety Policy*. Therefore, such a seismic retrofit would

not occur, and the spaces would not be backfilled with non-acute care uses. Due to the potential for these buildings to experience structural damage as a result of a major earthquake, the vacated buildings would be modified to structurally separate from them from adjoining buildings and would be mothballed. It is assumed any minor exterior modifications to the A/B Wing would be conducted in compliance with the Secretary of the Interior's Standards for the Treatment of Historic Properties (Standards), as applicable.

FINDING: Pursuant to Public Resources Code section 21081(a)(3) and CEQA Guidelines section 15091(a)(3), the University finds that the specific economic, legal, social, technological, or other considerations, including failure to meet project objectives, render Alternative 1: No Project Alternative infeasible. While this alternative would avoid significant and unavoidable project impacts, including cumulative health risk impacts associated with the emission of toxic air contaminants (TACs), impacts to cultural resources, and construction- and demolition- generated noise effects, and it would not achieve any of the fundamental objectives for the proposed Project, including modernizing the aging UCSF BCH Oakland campus to maintain and enhance its place as a premier children's hospital, educational, research, and clinical institution, and as a nationally recognized teaching hospital; and address challenges that affect the long-term viability of the institution. Furthermore, this alternative would not serve to meet the fundamental objectives of meeting State seismic requirements for hospitals (SB 1953); maintaining UCSF BCH Oakland's designation as the Bay Area's Level I pediatric trauma center; addressing the existing shortage of capacity and access to pediatric care; addressing the current unmet need for adolescent mental health care and services; providing inpatient beds and associated facilities for behavioral health services; optimizing operational activities and maintaining critical adjacencies with other clinical facilities on the site, and optimizing spatial layout to enhance functionality and efficiency. Similarly, this alternative would not achieve any of the proposed Project's development objectives for a new inpatient facility, including developing a new inpatient facility that has sufficient space to accommodate modern regulatory requirements and industry standards, and patient satisfaction requirements of, contemporary hospitals; and has sufficient space to accommodates modern technology. Furthermore, this alternative would not meet the Project's development objectives to develop spaces for clinical and translational research and learning in or adjacent to clinical areas where patients are located. This alternative would also not optimize the existing Patient Tower by making non-structural performance improvements and renovating it to continue to provide inpatient beds and necessary clinical and support functions. Lastly, this alternative would not develop a parking structure to meet the parking needs of essential healthcare providers, other staff, or patients and visitors. The University therefore rejects this alternative as impractical and infeasible for the reasons listed above and as stated in the Final EIR. (Draft EIR at Section 6.3.1).

(b) Alternative 2: New Hospital Project per the 2015 CHRCO CMP

This alternative represents a hospital project on the Project site that would be similar to that previously proposed to be developed as part of the 2015 Children's Hospital and Research Center Oakland (CHRCO) Campus Master Plan (CMP) and analyzed in the CHRCO CMP Project FEIR for its environmental impacts. Under this alternative, the same total number of inpatient beds (210) would be provided at the campus site as under the Project. However, less existing building space would be demolished, and a smaller amount of new building space would be constructed, under

this alternative compared to the Project. Notably, this alternative would not demolish the A/B Wing that is proposed to be demolished under the Project, although, as indicated in Chapter 3, *Project Description*, under *Project Need*, UCSF has concluded that the A/B and B/C Wings are obsolete and cannot reasonably be retrofitted and renovated to meet modern requirements for a clinical care facility nor used for non-acute care services.

The existing A/B Wing and loading dock, both proposed to be removed under the Project, would be retained under this alternative. Due to the potential for the A/B Wing to experience structural damage as a result of a major earthquake, the vacated building would be modified to structurally separate it from adjoining buildings and would be mothballed. It is assumed any minor exterior modifications to the A/B Wing would be conducted in compliance with the Secretary of the Interior's Standards, as applicable.

Demolition under this alternative would include the B/C Wing, Bruce Lyons Memorial Research Laboratory and Bruce Lyon Addition, remaining on-site trailers, and existing helistop structure, and relocation off-site of the MRI trailer, which would together amount to 64,883 gsf of space. This would be approximately 41 percent less than the 110,697 gsf of existing building space and structures that would be demolished or relocated under the proposed Project.

FINDING: Pursuant to Public Resources Code section 21081(a)(3) and CEQA Guidelines section 15091(a)(3), the University finds that the specific economic, legal, social, technological, or other considerations, including failure to meet project objectives, render Alternative 2: New Hospital Project per the 2015 CHRCO CMP infeasible. The environmental conditions would be essentially similar to those described for the campus site in the 2015 CHRCO CMP Project FEIR and this alternative would have some lesser environmental impact as compared to the proposed NHB. For instance, this alternative would avoid significant and unavoidable project impacts including cultural resource impacts. However, significant and unavoidable cumulative health risk impacts associated with the construction and operation of the Project would still occur under this alternative as the reduction in emissions of TACs under this alternative would not be enough to reduce the impact to a less-than-significant level. Construction noise impacts would also remain significant and unavoidable. With respect to project objectives, this alternative would achieve some fundamental objectives, such as meeting the State seismic requirements for new hospitals SB 1953 and maintaining the hospital's designation as the Bay Area's Level I pediatric trauma center with continued emergency service access via helicopter. However, because space requirements for modern hospitals have increased since approval of the 2015 CHRCO CMP, this alternative would not fully meet many of the other fundamental objectives of the proposed Project, including the need to modernize the campus to address challenges of undersized and inefficient facilities that affect the long-term viability of the institution; address the existing shortage of capacity and access to pediatric care; address the current unmet demand for adolescent mental health care services; and adequately support ED patient volumes. It would not meet the objective of developing a new hospital that is optimized in its spatial layout to enhance functionality in terms of workflow and wayfinding, and efficiency so as to not increase operational costs, because the new hospital would not be connected to the Ford D&T Building, one of the two existing inpatient facilities.

With respect to the development objectives, this alternative would optimize the existing Patient Tower by making non-structural performance improvements and renovating it to continue to

provide inpatient beds and necessary clinical and support functions; and develop a parking structure to meet the parking needs of essential healthcare providers, other staff, or patients and visitors. However, this alternative would not develop a new inpatient facility that has sufficient space to accommodate modern regulatory requirements and industry standards and patient satisfaction requirements of contemporary hospitals; and accommodate modern technology. The University therefore rejects this alternative as impractical and infeasible for the reasons listed above and as stated in the Final EIR. (Draft EIR at Section 6.3.2).

(c) Alternative 3: Modified Hospital Design Project

Under this alternative, the proposed new hospital building would be redesigned, such that the A/B Wing would be retained, although, as indicated in Chapter 3, Project Description, under Project Need, UCSF has concluded that the A/B and B/C Wings are obsolete and cannot reasonably be retrofitted and renovated to meet modern requirements for a clinical care facility nor retrofitted for non-clinical uses. This alternative assumes the same approximate amount of new building space (i.e., 390,180 gsf, when accounting for new hospital building, site support structure and parking structure) would be developed on the Project site. However, because the area occupied by the A/B Wing would not be used for the construction of the new hospital, the height of the proposed new hospital building would be increased to provide the needed hospital space within a smaller building footprint (i.e., an increase of 3 stories), and an additional mechanical floor would be needed for the air handling units (AHU) that would serve the lower levels which would not be able to accommodate air handling equipment due to the narrow building footprint. Due to the smaller footprint of this alternative, two important departments, the Emergency Department and Operating Suite, would be required to be split across two floors. The splitting of these departments across two floors would require duplicate support spaces to be built. In order to provide the duplicate support spaces on two floors for these departments without increasing building size and construction costs, space planned for other programs would need to be reduced under this alternative. The total number of inpatient beds (210) that would be provided at the Project site under this alternative would be the same as under the proposed Project.

FINDING: Pursuant to Public Resources Code section 21081(a)(3) and CEQA Guidelines section 15091(a)(3), the University finds that the specific economic, legal, social, technological, or other considerations, including failure to meet project objectives, render Alternative 3: Modified Hospital Design Project infeasible. This alternative would result in the same amount of new development on the Project site as the Project, and thus emissions of criteria pollutants and TACs during construction and operation as well as construction noise under this alternative would remain the same as under the proposed Project. This alternative would avoid the significant and unavoidable impacts to cultural resources associated with the demolition of the A/B wing. While this alternative would achieve many of the fundamental objectives of the proposed Project, such as modernizing the aging UCSF BCH Oakland campus to maintain and enhance its place as a premier children's hospital, educational, research, and clinical institution and maintaining its place as a nationally recognized teaching hospital, it would not meet the fundamental objective of addressing the current unmet need for code compliant inpatient adolescent mental health care and services. It would also not meet the objective of developing a new hospital that is optimized in its spatial layout to enhance functionality in terms of workflow and wayfinding, and efficiency so as to not increase operational

costs, because the new hospital under this alternative would not be directly connected to the Ford D&T Building, one of the two existing inpatient facilities. This alternative would also not meet several of the development objectives of the proposed Project due to the smaller hospital building floorplate which would result in space inefficiencies. Specifically, as a result of the smaller footprint of this alternative, two important departments would be required to be split across two floors. These departments are the ED (currently slated for Level 1) and the Operating Suite (currently slated for Level 3). The splitting of these departments across two floors would require duplicate support spaces to be built out and staffed on multiple floors, driving up both the cost of construction as well as ongoing costs to operate. More importantly, the splitting of these departments would make them less efficient to operate and not recommended from a patient care and best practice perspective. To provide the duplicate support spaces on two floors for ED and Operating Suite without increasing building size and construction costs, space planned for other programs would need to be reduced under this alternative. The proposed NICU floor would need to be reduced to accommodate the narrower floorplate which would result in the need to shift to more shared rooms rather than private rooms. Provision of private rooms for the NICU department is a key project goal and best practice to improve patient outcomes and better support families and staff. Behavioral Health would also be compromised with the narrower footprint, which likely would not enable this floor to include the code required outdoor space as part of its program. Other impacts of this narrowed footprint would be that the new hospital would likely only be able to connect to the existing Patient Tower at Level 1 rather than Levels 1 through 3 as planned under the proposed Project and direct connections to the Ford D&T Building would not be feasible. This would result in less efficient travel through the facility as a whole for both people and materials and create wayfinding challenges. In fact, hospital operations would become infeasible with the loss of connections on Levels 2 and 3. Therefore, the alternative would not meet the objectives of siting and developing a new inpatient facility in a way that optimizes operational activities with other clinical facilities on the site; developing a new inpatient facility that is optimized in its spatial layout to enhance functionality and efficiency; and developing spaces for clinical and translational research and learning in or adjacent to clinical areas where patients are located. The University therefore rejects this alternative as impractical and infeasible for the reasons listed above and as stated in the Final EIR. (Draft EIR at Section 6.3.3; Final EIR at Section 6.3.3).

(d) Alternative 4: Reduced Project

Under this alternative, the proposed Project would be reduced by approximately one-third in development size. As such, it is assumed that the overall size of the new hospital building under this alternative would be reduced by one-third or about 94,000 gsf, to approximately 188,000 gsf (compared to the approximately 282,000 gsf new hospital building proposed under the Project). It is also assumed that the new hospital building under this alternative would maintain approximately the same building footprint as that proposed under the Project, and the new hospital building would be reduced by approximately two floors.

It is further assumed all hospital services with the smaller new hospital building, including inpatient and support, diagnostic and treatment, clinical support and general support services associated with the new hospital building under this alternative would be reduced proportionally. As such, the proposed increase in inpatient beds would be reduced by one-third, amounting to an

increase of 26 inpatient beds over existing conditions, for a total of approximately 203 inpatient beds at the Project site under this alternative (compared to 210 inpatient beds under the proposed Project).

The parking structure developed under this alternative would also be reduced by approximately one-third in size, with up to 178 parking stalls (as opposed to up to 270 parking stalls under the Project). It is also anticipated that under this alternative, the parking structure would be reduced by one floor (to 4 stories). However, the helistop structure would be constructed to provide a similar landing height as that proposed under the Project. It is assumed that the site support structure under this alternative would also be reduced in size by approximately one-third. All existing building and structures proposed to be demolished (Loading Dock, A/B Wing, B/C Wing, Bruce Lyons Memorial Research Laboratory and Bruce Lyon Addition, on-site trailers, and existing helistop structure) or relocated (MRI Trailer) under this alternative would be the same as under the Project.

FINDING: Pursuant to Public Resources Code section 21081(a)(3) and CEQA Guidelines section 15091(a)(3), the University finds that the specific economic, legal, social, technological, or other considerations, including failure to meet project objectives, render Alternative 4: Reduced Project alternative infeasible. Although this alternative would involve less overall development, and thus the significant cumulative health risk impacts associated with the construction and operation of the Project would be proportionally reduced, these impacts would still be significant, and the same mitigation measures would be required. The cumulative impact would still remain significant and unavoidable. In addition, the same demolition would be required, including demolition of the A/B Wing, and, as such, impacts to cultural resources would remain significant and unavoidable. Construction noise impacts would remain significant and unavoidable as well. This alternative would modernize the aging UCSF BCH Oakland campus, although would provide one fifth less new building space than the Project. As such, this alternative would only partially meet the fundamental objectives of the Project as it relates to maintaining and enhancing UCSF BCH Oakland's place as a premier children's hospital, educational, research, and clinical institution; maintaining its place as a nationally recognized teaching hospital; and addressing challenges that affect the long-term viability of the institution. This alternative would achieve the fundamental objectives of meeting State seismic requirements for hospitals (SB 1953) maintaining UCSF BCH Oakland's designation as the Bay Area's Level I pediatric trauma center with continued emergency service access via helicopter; and developing a new inpatient facility in a way that optimizes operational activities with other clinical facilities on the site. However, this alternative would not fully meet the fundamental objectives of addressing the existing shortage of capacity and access to pediatric care since it would provide a smaller increase in inpatient beds at UCSF BCH Oakland than the NHB Project; would not fully meet projected ED patient volumes; and would not fully address the pressing, current unmet need for adolescent inpatient mental health care and services.

Due to its reduced size, this alternative would not meet many of the development objectives of the Project, including the objective to develop an inpatient facility that has sufficient space to accommodate modern regulatory requirements and industry standards of contemporary hospitals, such as construction codes, sizes of operating rooms, ratio of operating rooms to pre-and post-recovery areas, space for privacy and infection control issues; develop a new inpatient facility that

has sufficient space to accommodate modern technology, including telemedicine, and new diagnostic, imaging, testing, treatment, surgery and laboratory equipment, all requiring substantial infrastructure and space; and develop a new inpatient facility that has sufficient space to accommodate patient satisfaction requirements of contemporary hospitals, as fewer private patient rooms and patient rooms of sufficient size to accommodate family overnight stays would be provided. The University therefore rejects this alternative as impractical and infeasible for the reasons listed above and as stated in the Final EIR. (Draft EIR at Section 6.3.4).

(e) *Environmentally Superior Alternative*

Section 15126.6(e)(2) of the CEQA Guidelines requires the identification of an environmentally superior alternative to the proposed project. If the environmentally superior alternative is the "no project" alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.

FINDING: The Draft EIR identified Alternative 1: No Project Alternative as the environmentally superior alternative. Out of the remaining alternatives that are not the no project alternative, the Draft EIR identified Alternative 2: New Hospital Project per the 2015 CHRCO CMP as the environmentally superior alternative. Alternative 2 and Alternative 3 would both avoid the significant and unavoidable Impact CUL-1 associated with the demolition of A/B Wing, a historic resource. Due to its smaller size and limitations, it would be expected to generate somewhat less operational impacts than the proposed Project (e.g., generate less traffic and associated air quality and GHG emissions, and less utility and service demands). However, both alternatives would still result in the other two significant and unavoidable impacts of the proposed Project, namely the cumulative human health risk impact related to TAC emissions and the project-level construction noise impact. However, on balance, Alternative 2: New Hospital Project per the 2015 CHRCO CMP Alternative is considered the environmentally superior alternative. New Hospital Project per the 2015 CHRCO CMP Alternative would involve the least amount of demolition and new construction of the build alternatives; and would also represent the smallest and shortest New Hospital. As such, this alternative would have incrementally less construction-related impacts than the other two build alternatives.

While the New Hospital Project per the 2015 CHRCO CMP Alternative would provide the same number of inpatient beds as under the Project, it would not meet space requirements for modern hospitals, mental health and ED requirements, and would limit private rooms. In addition, as discussed previously, this alternative is infeasible because it would fail to meet many of the proposed Project's fundamental and development objectives, including the need to modernize the campus to address challenges of undersized and inefficient facilities that affect the long-term viability of the institution; address the existing shortage of capacity and access to pediatric care; address the current unmet demand for adolescent mental health care services; and adequately support ED patient volumes. It would not meet the objective of developing a new hospital that is optimized in its spatial layout to enhance functionality in terms of workflow and wayfinding, and efficiency so as to not increase operational costs, because the new hospital would not be connected to the Ford D&T Building, one of the two existing inpatient facilities In addition, this alternative would not develop a new inpatient facility that has sufficient space to accommodate modern

regulatory requirements and industry standards and patient satisfaction requirements of contemporary hospitals; and accommodate modern technology.

F. FINDINGS ON MITIGATION MEASURES AND ALTERNATIVES PROPOSED IN COMMENTS

Some comments on the Draft EIR suggested additional mitigation measures and/or project alternatives. As discussed in Final EIR Section 8.6, Revisions to the Draft EIR, the Final EIR incorporates the following revisions to Mitigation Measures CUL-1a and CUL-1b in response to comments received on the Draft EIR:

Mitigation Measure CUL-1a: Documentation of the A/B Wing

Prior to any demolition work initiated at the A/B Wing, UCSF shall ensure that a qualified architectural historian who meets the Secretary of the Interior's Professional Qualification Standards thoroughly documents the building and associated landscaping and setting. Documentation shall include still photography and a written documentary record of the building to the National Park Service's standards of the Historic American Buildings Survey (HABS), including accurate scaled mapping and architectural descriptions. If available, scaled architectural plans will also be included. Photographs include large-format (4"x5") black-and-white negatives and 8"x10" enlargements. Digital photography may be substituted for large-format negative photography if archived locally. The record shall be accompanied by a report containing site-specific history and appropriate contextual information relying as much as possible on previous documentation. Copies of the records, including photographs, shall be submitted to the Northwest Information Center at Sonoma State University, and the Oakland History Center-at, the Temescal Branch, and the proposed Hoover Branch of the Oakland Public Library. In addition, a complete documentation package will be offered to the Bancroft Library on the University of California, Berkeley Campus for inclusion in their digital repository.

Mitigation Measure CUL-1b: Public Interpretation and Salvage Plan for the A/B Wing

Prior to any demolition work that would remove character-defining features of the A/B Wing, UCSF shall prepare a Salvage Plan for those components of the building suitable for salvage and/or reuse. A Salvage Plan shall be prepared by a qualified architectural historian or historic architect who meets the Secretary of the Interior's Professional Qualification Standards and presented to UCSF Planning staff. This would be a feasibility study to determine the structural integrity of the character-defining features associated with the A/B Wing, identify environmental factors that may require remediation prior to salvage (e.g., lead paint, chemicals, etc.), and present potential new uses of the salvaged features. The Salvage Plan will identify opportunities for UCSF to reuse character-defining features in the NHB.

Prior to any demolition activities that would remove character-defining features of, or demolish, an individual historical resource on the project site, UCSF shall prepare a plan for interpretive displays. The specific location, media, and other characteristics of such interpretive display(s) shall be included in this proposal. The historic interpretation plan shall be prepared in coordination with an architectural historian or historian who meets the Secretary of the Interior's Professional Qualification Standards and an exhibit designer or landscape architect with historical interpretation design experience. Interpretive display(s) shall document the individually eligible resource to be demolished. The interpretative plan should also explore contributing to digital platforms that are publicly accessible. A proposal describing the general parameters of the interpretive program and the substance, media, and other elements of such interpretive display shall be approved by UCSF Planning staff prior to commencement of any demolition activities.

Following any demolition activities within the project site, UCSF shall provide within publicly accessible areas of the project site a permanent display(s) of interpretive materials concerning the history and architectural features of the individual historical resources. All materials will be made accessible to patients and visitors, and to the greatest extent possible, these materials will also be made accessible to the general public and passers-by.

Where the suggestions requested minor modifications to mitigation measures, requested mitigation for impacts that the Draft EIR determined were less than significant, or requested mitigation for impacts for which the Draft EIR already identified measures that would reduce the impact to less than significant, these requests were declined as unnecessary. The University adopts and incorporates by reference the specific reasons for declining such measures contained in the responses to comments in the Final EIR (see Sections 8.4 and 8.5 of the Final EIR) as its grounds for rejecting these measures.

Additionally, certain mitigation measures and/or alternatives suggested in comments could reduce impacts that would otherwise be significant, but implementation of measures and/or alternatives would be infeasible.

With respect to off-site alternatives, one commenter suggests that the following alternative should be analyzed: "[a]n additional alternative that may satisfy at least some of Alternative 3's concerns would be to construct a portion of building A above the ground floor driveway connecting to MLK Way, thereby connecting the upper floors of building A to the parking garage. This may allow shifting the building A site south to allow retention of the A/B wings." As discussed in Section 8.5 of this Final EIR, this suggestion would elongate the new hospital and create further inefficiencies by increasing the distance physicians, nurses, and other clinical and nonclinical staff must travel within the new hospital. The increased distance creates a burden and fatigue for those staff who tend to be on their feet for a large portion of the day. In addition, the commenter's suggestion does not resolve the issue that the A/B Wing remains uninhabitable for clinical and non-clinical uses due to the non-code compliance and obsolescence of the building. As discussed in the Alternatives section, it is not feasible to bring the building into compliance with code and current standards while maintaining the historical character-defining features of the building.

FINDING: The University finds that specific economic, legal, social, technological, or other considerations make infeasible the above-described mitigation measures or project alternatives identified in the Final EIR, for the reasons explained above.

G. FINDING ON RESPONSES TO COMMENTS ON THE DRAFT EIR, PROJECT REFINEMENTS, AND REVISIONS TO THE FINAL EIR

Chapter 8 of the EIR includes the comments received on the Draft EIR and responses to those comments. The focus of the responses to comments is on the disposition of significant environmental issues as raised in the comments, as specified by CEQA Guidelines § 15088(a).

Two mitigation measures, Mitigation Measures CUL-1a and CUL-1b, were revised in response to comments received on the Draft EIR. Mitigation Measure CUL-1a relating to Documentation of the A/B Wing was revised to clarify that records of the site-specific history of the A/B Wing shall include photographs and to expand the locations at which copies of such records shall be available. Mitigation Measure CUL-2b, regarding the Public Interpretation and Salvage Plan for the A/B Wing, was revised to clarify that all materials will be made accessible to patients and visitors, and to the greatest extent possible, these materials will also be made accessible to the general public and passers-by.

In addition, staff-initiated text changes to the Hazards Section of the Draft EIR, including minor clarifying revisions to Mitigation Measure HAZ-4, are described in Section 8.6 of the Final EIR. These changes were made to clarify environmental condition of the Project site following further study.

Lastly, UCSF BCH Oakland has refined certain aspects of the proposed Project, as part of the ongoing planning, development, design, and cost alignment process, including, among other things, a smaller, shorter and redesigned new hospital building; a reshaped, slightly taller parking garage; a change from a site support building to a slightly smaller site support structure; and a proposed new surface utility yard. All Project Refinements are discussed in Section 8.3 of the Final EIR document and the text revisions associated with the Project Refinements are in Section 8.6 of the Final EIR document.

The University finds that responses to comments made on the Draft EIR, Project Refinements, and revisions to the Draft EIR merely clarify and amplify the analysis presented in the document and do not trigger the need to recirculate per CEQA Guidelines §15088.5(b). In addition, the University finds that the Project Refinements do not result in any new or more significant impacts than identified in the Draft EIR.

H. OTHER FINDINGS

1. Absence of Significant New Information

CEQA Guidelines section 15088.5 requires that a lead agency recirculate an EIR for additional review and comment when significant new information is added to the EIR after the public comment period but before certification of the EIR. Such information can include changes in the project or environmental setting, but that information is not significant unless the EIR is changed in a manner 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 that the project's proponent declines to implement.

Some text changes and clarifications were made to the Draft EIR and are incorporated in the Final EIR. None of the minor text changes or classifications substantially alters the analysis in the Draft EIR, and they do not trigger the criteria for recirculation.

The University finds that no significant new information was added to the Draft EIR after the public review period. The University specifically finds that: no new significant environmental impact would result from the Project or from the implementation of a mitigation measure; no substantial increase in the severity of an environmental impact would result, or if such an increase would result, the University has adopted mitigation measures to reduce the impact to a level of insignificance; the University has not declined to adopt any feasible project alternative or mitigation measures considerably different from others previously analyzed that would clearly lessen the environmental impacts of the Project; and the Draft EIR is not so fundamentally and basically inadequate in nature that it precluded meaningful public review.

Having reviewed the information in the Draft EIR, Final EIR, and administrative record, as well as the requirements under CEQA Guidelines Section 15088.5 and interpretive judicial authority regarding recirculation of Draft EIRs, the University finds that no new significant information was added to the EIR following public review, and recirculation of the EIR is therefore unnecessary and not required by CEQA.

2. <u>Differences of Opinion Regarding the NHB's Impacts</u>

In making its determination to certify the Final EIR and to approve the Project, the University recognizes that the Project involves several controversial environmental issues and that a range of opinion exists with respect to these issues. Through its review of the Final EIR, the comments received on the Draft EIR, and the responses to comments, the University has acquired a comprehensive understanding of the scope of such issues. This has enabled the University to make fully informed and thoroughly considered decisions after taking into account the various viewpoints on the important environmental issues involved in the NHB's implementation. Considering the evidence and analysis presented in the Final EIR and the administrative record as a whole, the University finds that the findings herein are based on a full appraisal of all viewpoints expressed throughout the CEQA review process, as well as other relevant information contained in the administrative record.

III. STATEMENT OF OVERRIDING CONSIDERATIONS

CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable." (CEQA Guidelines § 15093.) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency must state in writing the specific reason to support its actions based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record. (CEQA Guidelines § 15093.)

Having (i) adopted all feasible mitigation measures, (ii) recognized all significant, unavoidable impacts, and (iii) balanced the benefits of the Project against its significant and unavoidable impacts, the University finds that the Project's benefits outweigh and override its significant unavoidable impacts for the reasons stated below. Each benefit set forth below constitutes an overriding consideration warranting approval of the Project, independent of the other benefits, despite each and every unavoidable impact.

- 1. The Project will maintain and enhance UCSF BCH Oakland campus as a premier children's hospital, educational, research, and clinical institution.
- 2. The Project will maintain and enhance UCSF BCH Oakland campus place as nationally recognized teaching hospital, providing accredited residency education in general pediatrics and fellowship education to pediatricians seeking subspecialty training.
- 3. The Project will modernize the UCSF BCH Oakland campus to address challenges that affect the long-term viability of the institution, such as aged, functionally obsolete, undersized and inefficient facilities.
- 4. The Project will meet seismic requirements of California Senate Bill 1953 by redeveloping a new, seismically-sound, state-of-the-art and sustainable inpatient facility.
- 5. The Project will maintain UCSF BCH Oakland's designation as the Bay Area's Level I pediatric trauma center with continued emergency service access via helicopter.
- 6. The Project will address the existing shortage of capacity and access to pediatric care by increasing the number of inpatient beds at UCSF BCH Oakland.
- 7. The Project will address the current unmet need for adolescent mental health care and services by providing behavioral health inpatient beds that meet code requirements, including required outdoor space, at UCSF BCH Oakland and providing such services.
- 8. The Project will address the current unmet need for ED patient services by increasing the size of the ED.
- 9. The Project will site and develop a new inpatient facility in a way that optimizes operational activities and maintains critical adjacencies with other clinical facilities on the site, such as the existing Patient Tower, the Ford D&T Center and Cardiac Catheterization Lab, and critical support functions.
- 10. The Project will Develop a new inpatient facility that has sufficient space to accommodate

modern regulatory requirements and industry standards of contemporary hospitals, such as construction codes, sizes of operating rooms, ratio of operating rooms to pre-and post-recovery areas, space for privacy and infection control issues.

- 11. The Project will develop a new inpatient facility that has sufficient space to accommodate patient satisfaction requirements of contemporary hospitals such as private patient rooms, patient rooms of sufficient size to accommodate family overnight stays, and outdoor space for children.
- 12. The Project will develop a new inpatient facility that has sufficient space to accommodate modern technology, including telemedicine, and new diagnostic, imaging, testing, treatment, surgery and laboratory equipment, all requiring substantial infrastructure and space.
- 13. The Project will optimize the existing Patient Tower by making non-structural performance improvements and renovating it to continue to provide inpatient beds and necessary clinical and support functions.
- 14. The Project will develop a parking structure to meet the needs of essential healthcare providers and other staff, at a location that provides direct and safe access to patient facilities.
- 15. The Project will develop parking facilities to address patient parking needs, in particular ED patient parking.
- 16. The Project will maintain existing hospital operations throughout construction.

IV. APPROVALS

The University hereby takes the following actions:

- 1. Certify the Environmental Impact Report for the UCSF Benioff Children's Hospital Oakland New Hospital Building Project;
- 2. Adopt the Mitigation Monitoring and Reporting Program for the UCSF Benioff Children's Hospital Oakland New Hospital Building Project and make a condition of approval the implementation of applicable mitigation measures within the responsibility and jurisdiction of the San Francisco campus.
- 3. Adopt the CEQA Findings and Statement of Overriding Considerations for the UCSF Benioff Children's Hospital Oakland New Hospital Building Project.
- 4. Approve Amendment No. 11 to the UC San Francisco 2014 Long Range Development Plan.
- 5. Approve the design of the UCSF Benioff Children's Hospital Oakland New Hospital Building Project, San Francisco Campus.