6.0 OTHER CEQA CONSIDERATIONS

Section 15126 of the *California Environmental Quality Act (CEQA) Guidelines* states that an environmental impact report (EIR) must include a discussion of the following topics:

- Significant environmental effects which cannot be avoided if the proposed project is implemented
- Growth-inducing impacts of the proposed project

In addition, Section 15128 of the *State CEQA Guidelines* requires a brief statement of the reasons that various possible effects of a project have been determined not to be significant and therefore, are not evaluated in the EIR.

The following sections address each of these types of impacts based on the analyses included in **Section 4.0, Environmental Setting, Impacts, and Mitigation Measures**.

6.1 SIGNIFICANT UNAVOIDABLE EFFECTS

This section identifies significant impacts associated with implementation of the Solar Energy Research Center (SERC) project that could not be mitigated to a less than significant level. As part of the certification process, The Regents of the University of California will make a final decision as to the significance of impacts and the feasibility of mitigation measures in this EIR. As detailed in **Section 4.0**, implementation of the SERC project would result in the following significant impact that cannot be mitigated to a less than significant level:

SERC Cumulative Impact TRANS-2: The proposed project would make a cumulatively considerable contribution to long-term traffic impacts in the project vicinity.

6.2 GROWTH-INDUCING IMPACTS

This section evaluates the potential for growth inducement as a result of the proposed project implementation. Section 15126.2(d) of the *State CEQA Guidelines* requires that an EIR include a discussion of the potential for a proposed project to foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.

The *State CEQA Guidelines* do not provide specific criteria for evaluating growth inducement and state that it must not be assumed that growth in an area is necessarily beneficial, detrimental, or of little significance to the environment. Growth inducement is generally not quantified, but is instead evaluated as either occurring, or not occurring, with implementation of a project. The identification of

growth-inducing impacts is generally informational, and mitigation of growth inducement is not required by CEQA. It must be emphasized that the *State CEQA Guidelines* require that an EIR to "discuss the ways" a project could be growth inducing and to "discuss the characteristics of some projects that may encourage…activities that could significantly affect the environment." However, the *State CEQA Guidelines* do not require that an EIR predict or speculate specifically where such growth would occur, in what form it would occur, or when it would occur.

For the purposes of this analysis, the proposed project would be considered growth inducing if it meets either of the following criteria:

- The project removes an obstacle to population growth (for example, through the expansion of public services or utilities into an area that does not presently receive these services), or through the provision of new access to an area, or a change in a restrictive zoning or General Plan land use designation.

- The project causes economic expansion and population growth through employment expansion, and/or the construction of new housing.

Generally, growth-inducing projects are either located in isolated, undeveloped, or underdeveloped areas, necessitating the extension of major infrastructure such as sewer and water facilities or roadways, or are projects that encourage premature or unplanned growth. An evaluation of the SERC project and how it is related to these growth-inducing criteria is provided below.

Removal of an Obstacle to Population Growth

Population growth in an area may result from the removal of physical impediments. This could include non-existent or inadequate access to an area, a lack of essential public services and utilities (e.g., water supply), or restrictions to growth, as well as the removal of planning impediments resulting from land use plans and policies, including restrictive zoning and/or general plan designations.

The SERC project is not expected to remove any obstacle to growth at the Lawrence Berkeley National Laboratory (LBNL). The proposed project site is located on the LBNL hill site, which is already fully served by infrastructure, including utilities, public services and pedestrian and vehicular access. As described in **Section 4.9, Wastewater and Energy Systems**, and in the Initial Study prepared for this EIR, implementation of the project would not require an expansion of the East Bay Municipal Utility District's (EBMUD) wastewater treatment or conveyance facilities, water supply, solid waste, or other infrastructure facilities that would provide capacity for future projects surrounding the project site. The proposed utilities and infrastructure upgrades would serve only the project and existing buildings. Therefore, the utility improvements included in the proposed project would enable a minor amount of

growth in the LBNL hill site population (approximately 50 people), but would not induce growth beyond that planned under the proposed project. Therefore, implementation of the project would not directly remove an obstacle to population growth.

Direct and Indirect Population and Employment Growth

The Population and Housing analysis included in the SERC Initial Study concludes that the project would increase the number of people working within the LBNL hill site but would not induce substantial population growth in the City of Berkeley or elsewhere in the region, either directly or indirectly.

The proposed project would generate incidental, short-term construction employment that would be filled by the labor force available in the greater Bay Area. Once operational, the project would accommodate approximately 60 employees. Of the total projected SERC daily population, it is estimated that about 50 employees would come from existing laboratories and offices within LBNL or UC Berkeley. The remaining 10 persons that would be "new" to the LBNL hill site are within the anticipated 2006 Long Range Development Plan (LRDP) direct employment growth.

The additional 10 persons would be dispersed throughout the region and therefore would not result in a substantial increase in the population of any one community. Furthermore, the housing demand of the new households could be accommodated by the available resources in the greater Bay Area. In summary, the proposed project would not result in growth inducing impacts.

6.3 EFFECTS FOUND NOT TO BE SIGNIFICANT

Section 15128 of the *State CEQA Guidelines* requires an EIR to briefly describe any potential environmental effects that were determined not to be significant during the Initial Study and EIR scoping process and were, therefore, not discussed in detail in the EIR. A discussion of the effects of the proposed project on agricultural resources, biological resources, cultural resources, land use and planning, mineral resources, population and housing, public services, and recreation that were found not to be significant is presented below. Other impacts found to be less than significant in the EIR are discussed in detail in **Section 4.0, Environmental Setting, Impacts, and Mitigation Measures,** and summarized in **Section 2.0, Executive Summary**.

Agricultural Resources

Would the project:

- Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?
- Conflict with existing zoning for agricultural use, or a Williamson Act contract?
- Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?

The project site is located in a developed area. There are no Williamson Act Contracts within its boundaries. The project would not result in the conversion of farmland to a non-agricultural use.

Biological Resources

Would the project:

- 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 Game or U.S. Fish and Wildlife Service?
- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?
- Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- 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?
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Due to the project site's history of disturbance and the absence of habitat, implementation of the proposed project would not have direct or indirect adverse effects on any rare, endangered, or threatened species. There are no existing drainages, jurisdictional wetlands, water courses, or other sensitive communities on the SERC project site. The proposed project also would not conflict with any plans,

polices, or ordinance protecting biological resources. Therefore, implementation of the proposed project would not impact biological resources.

Cultural Resources

Would the project:

- Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?
- Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?
- Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?
- Disturb any human remains, including those interred outside of formal cemeteries?

The proposed project does not involve demolition or alteration of existing buildings. There is a low potential that undiscovered archaeological resources or human remains could be discovered during construction of the proposed building because the site was previously disturbed by the construction of the existing buildings on the site. Also, during the course of development at LBNL, including at the project site, extensive excavation for buildings and infrastructure has not revealed the presence of unique paleontological or geologic resources. Therefore, implementation of the proposed project would not impact cultural resources.

Land Use and Planning

Would the project:

- Physically divide an established community?
- Conflict with applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?
- Conflict with any applicable habitat conservation plan or natural community conservation plan?

The project site is located in the central area of the LBNL hill site in an area currently developed with institutional research and support uses. As discussed in the SERC Initial Study, the proposed project is consistent with the projections, land use designations, and objectives of the 2006 LBNL LRDP, which is the project's applicable land use plan. The project site is not within the purview of any habitat conservation plan or natural community conservation plan, nor would the proposed activity or development affect any area so designated, directly or indirectly.

Mineral Resources

Would the project:

- Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the state?
- 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?

According to the State of California Department of Mines and Geology, Mineral Resource Zones and Resource Sectors map, the project site is located in an area designated as MRZ-1. This designation refers to an area "where adequate information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence." Therefore, implementation of the proposed project would not impact mineral resources.

Population and Housing

Would the project:

- Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?
- Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?
- Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

The proposed project does not include residential uses, and would not require extension of roads or other infrastructure that could indirectly induce substantial population growth. The LBNL site does not include housing or long-term residential uses, and no housing would be displaced with implementation of the proposed project. Therefore, implementation of the proposed project would not impact population and housing.

Public Services

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- Fire protection?

- Police protection?
- Schools?
- Parks?
- Other public facilities?

The incremental increase in demand for fire and police services would not result in the need for new facilities, staff, or equipment to provide adequate fire and police protection. There would only be about 10 new households associated with the proposed project, which would not substantially increase demand for school, park, or other public facilities in the Bay Area communities. Therefore, implementation of the proposed project would not impact public services.

Recreation

Would the project:

- Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?
- Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

The proposed project would not include recreational facilities. Because indirect population increase associated with the proposed project is small, a substantial increase in demand for recreational facilities that could cause physical deterioration of recreational facilities would not occur as a result of the proposed project. Therefore, implementation of the proposed project would not impact recreational facilities.