

**CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS IN
CONNECTION WITH THE APPROVAL OF THE WELCOME CENTER
BUILDING PROJECT, UNIVERSITY OF CALIFORNIA
LAWRENCE BERKELEY NATIONAL LABORATORY**

**I. CONSIDERATION OF THE 2006 LONG RANGE DEVELOPMENT PLAN EIR
AND THE SEISMIC SAFETY AND MODERNIZATION PROGRAM
ENVIRONMENTAL ANALYSIS**

Pursuant to the California Environmental Quality Act, Public Resources Code Sections 21000 et seq. (CEQA) and the CEQA Guidelines, Title 14, California Code of Regulations, Sections 15000 et seq. (CEQA Guidelines), the University of California Board of Regents (the Regents) has considered the Final Environmental Impact Report (Final EIR) for the Lawrence Berkeley National Laboratory (LBNL) 2006 Long Range Development Plan (LRDP) (SCH# 2000102046, 2007); the Supplementation of the 2006 LRDP EIR with respect to Traffic Impacts at One Intersection (SCH# 2008122030, 2010); the Supplementation of the LBNL 2006 LRDP EIR with respect to Greenhouse Gas Emissions and Energy Impacts (SCH# 2016062007, 2017); and the Seismic Safety and Modernization Program Environmental Analysis and Checklist dated August 2020 (hereinafter referred to as the “Environmental Analysis and Checklist”).

These documents contain the information necessary to support approval of the Welcome Center Building Project, which is a part of the Seismic Safety and Modernization Program, as set forth below, and reflect the independent judgment of the Regents.

II. PROJECT BACKGROUND AND FINDINGS

A. PROJECT DESCRIPTION

The Welcome Center Building Project (“Project”) would take place on the LBNL campus and would demolish Building 54 (Cafeteria) and construct in its place a new Welcome Center to house the LBNL Cafeteria, Health Services Department, Human Resources Department space, and a Conference Center. It also would regrade and reconfigure the Building 54 Parking Lot and adjacent shuttle stop area so as to improve vehicle and pedestrian circulation and provide an upgraded transit hub, and it would extend the Parcel 21 (Building 54 and parking lot) ground lease.

The Welcome Center Building Project is part of the US Department of Energy-funded Seismic Safety and Modernization (SSM) Program. In addition to the Welcome Center Building Project, the SSM Program includes a separate project to seismically retrofit LBNL Building 48. The Building 48 Seismic Retrofit project is included in the scope of the SSM Program Environmental Analysis and Checklist.

B. ENVIRONMENTAL REVIEW PROCESS

In July 2007, the Regents certified the Final EIR for the LBNL 2006 LRDP and adopted the 2006 LRDP. The 2006 LRDP and the Final EIR for the 2006 LRDP identified and analyzed the scope and nature of development at the Berkeley Lab, including demolition of existing facilities and the construction of new facilities, proposed to meet LBNL goals through 2025. The 2006 LRDP Final EIR identified measures to mitigate, to the extent feasible, the significant adverse project and cumulative impacts associated with LBNL's 2006 LRDP development program. In addition to serving as the 2006 LRDP's environmental approval document, the Final EIR for the 2006 LRDP was intended by the University to be the basis for CEQA compliance for future discretionary actions to implement the 2006 LRDP per CEQA Section 21083 and CEQA Guidelines Sections 15168 and 15162.

In July 2010, the Regents certified the Seismic Phase 2 Project EIR, which included a supplemental traffic analysis to the 2006 LRDP Final EIR to address the City of Berkeley's revised traffic level-of-service thresholds. In February 2017, the Regents certified the Building 59 Upgrade & Installation and Operation of NERSC-9 Project EIR, which included a supplemental analysis to the 2006 LRDP Final EIR to address changes in CEQA requirements pertaining to greenhouse gas emissions and energy impacts. These two supplements, combined with the 2006 LRDP Final EIR, are hereafter referred to as the LRDP Final EIR.

As noted above, the SSM Program is composed of two projects: the Welcome Center Building Project, and the Building 48 Seismic Retrofit Project. The SSM Program has been evaluated pursuant to CEQA. CEQA Guidelines Section 15168(c)(2) provides that if, pursuant to CEQA Guidelines Section 15162, no new impacts would occur and no new mitigation measures would be required, then a project may be considered within the scope of a governing program Environmental Impact Report (EIR) and no new environmental document would be required. Berkeley Lab's current governing programmatic CEQA document is the LRDP Final EIR.

The University has completed an evaluation of the SSM Program in accordance with CEQA Guidelines Section 15168(c)(2) to determine whether the SSM Program and the two projects which comprise it are within the scope of the LRDP Final EIR. Section 15168(c)(4) states that a lead agency should use a written checklist or similar device to document the subsequent activity and determine whether the environmental impacts of the subsequent activity were covered in the Program EIR. The Environmental Analysis and Checklist for the SSM Program was prepared in compliance with CEQA Guidelines Section 15168(c)(4). The Environmental Analysis and Checklist includes a detailed description of the SSM Program and an evaluation of the environmental impacts from the implementation of the SSM Program, including the Welcome Center Building Project.

The Environmental Analysis and Checklist also identifies LRDP Final EIR mitigation measures adopted as part of the 2006 LRDP, as supplemented, that are "Standard Project Features" applicable to the SSM Program. These have been incorporated into and are a part of the Welcome Center Building Project. All applicable LRDP Final EIR mitigation measures are made conditions of the Project design approval.

C. FINDINGS

Having received, reviewed, and considered the LRDP Final EIR, LRDP Final EIR CEQA Findings, and other information in the administrative record, the Regents hereby adopts the following Findings for the Welcome Center Building Project in compliance with CEQA, the CEQA Guidelines, and the University's procedures for implementing CEQA ("University of California Procedures for Implementation of CEQA"). The Regents adopts these Findings in conjunction with its approval of the design of the Welcome Center Building Project, as set forth below.

1. Project Description and Relationship to the 2006 LRDP

The University of California, as the management and operating contractor of LBNL, proposes the Welcome Center Building Project. The Project would demolish existing Building 54 (about 14,848 gross square feet (gsf) of space, including the "Perseverance Hall" meeting area) and construct a new building in the excavated zone that would remain after demolition of Building 54. The new Welcome Center would be approximately 47,500 gsf and would comprise two full levels and a partial basement. The Building 54 Parking Lot and associated driveways, shuttle stop, and pathways area between the proposed Welcome Center and Lawrence Road would be redesigned to improve access and circulation, and a new shuttle transit hub would be located centrally within the reconfigured Building 54 Lot. Building 54 and its parking area are located on leased Parcel 21, which is owned by the University of California Regents and leased to the U.S. Department of Energy through May 31, 2020. The Project includes a renewal of the Parcel 21 lease for a 50-year term.

The Welcome Center Building project site is designated Central Commons, a subset of the Research and Academic zone, in the 2006 LRDP Land Use Plan. The Central Commons is an approximately 6-acre area intended to serve as the main location of dining, gathering, and event uses, as well as visitor accommodations. The proposed Welcome Center, with its Cafeteria, Human Resources, Health Services, and conferencing uses, as well as its accompanying transit hub, fits within this land use category and is consistent with the 2006 LRDP land use designation for this site. Therefore, the Project would be consistent with the 2006 LRDP Land Use Plan.

The 2006 LRDP also establishes the maximum heights for new buildings in certain areas of the LBNL campus. Per the Height Zoning Map, the Project site is in a six-story permitted zone. As the Project would be two stories, with a partial basement, it would comply with the 2006 LRDP's height restrictions.

The Project would demolish about 14,848 gsf of space that is contained in Building 54 and construct a new 47,500 gsf building and would therefore add approximately 31,652 gsf of new space to the LBNL hill site. This building space, when added to the building space added by other LBNL projects approved and/or constructed under the 2006 LRDP, would not exceed the 2006 LRDP's net new research and support building space projections. Therefore, the Project is within the 2006 LRDP's building space projections.

The Welcome Center would be occupied by employees already work in the existing Cafeteria, and the Project would relocate existing Health Services and Human Resources employees from other hill site facilities, including Buildings 26, 65, and 90. Therefore, the Project would not increase the total number of employees on the LBNL hill site and would not increase LBNL's adjusted daily population in excess of 2006 LRDP adjusted daily population projections. Therefore, the Project is within the 2006 LRDP's population projections.

As a separate project that is part of the larger SSM Program, LBNL would seismically reinforce a second-floor area of the campus' on-site Firehouse (Building 48). Building 48, which is used as residential quarters for the adjacent Fire Station building, was evaluated for seismic safety in 2019 and certain deficiencies were identified. The Building 48 Seismic Retrofit Project includes three seismic retrofit measures to address the identified deficiencies. All improvements would be made to the interior of Building 48 and no external improvements are proposed. The Building 48 seismic retrofit would not increase the number of employees using that building. The Building 48 Seismic Retrofit Project and its CEQA analysis included as part of the SSM Program Environmental Analysis and Checklist will be considered for approval by the University at a later time.

For the reasons set forth above, the Project falls within the scope of the development program analyzed in the LRDP Final EIR, and no further environmental documentation is required.

2. Project Impacts

As described below and in the Environmental Analysis and Checklist, and with the implementation of applicable 2006 LRDP mitigation measures that are Standard Project Features, the Project would result in and contribute to impacts (including cumulative impacts) previously identified in the 2006 LRDP Final EIR, but it would not result in any new significant impacts or substantially increase the severity of significant impacts previously identified and analyzed in the 2006 LRDP Final EIR. Further, the Project does not involve new information of substantial importance that would require mitigation measures or alternatives that are considerably different from those analyzed in the LRDP Final EIR. No additional mitigation measures are feasible to substantially lessen any significant and unavoidable impacts previously identified in the LRDP Final EIR.

Based on the Environmental Analysis and Checklist, the Regents finds that the Project's impacts on the following environmental resources would be less than significant

consistent with the LRDP Final EIR and would not require mitigation measures, and that none of the circumstances that would require preparation of a new environmental document under CEQA Guidelines Section 15162 exist: **Agricultural and Forestry Resources, Energy, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Population and Housing, Public Services, Recreation, and Wildfire.**

Based on the Environmental Analysis and Checklist, the Regents finds that the Project's impacts on the following environmental resources would be less than significant and that no mitigation measures beyond those identified in the LRDP Final EIR, which are incorporated into and a part of the Project, are required: **Aesthetics, Air Quality, Biological Resources, Cultural and Tribal Cultural Resources, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Noise, and Utilities and Service Systems.** Furthermore, none of the circumstances that would require preparation of a new environmental document under CEQA Guidelines Section 15162 exists. All mitigation measures will continue to be monitored pursuant to the existing LRDP Final EIR mitigation monitoring and reporting program previously adopted by the University in connection with its approval of the 2006 LRDP.

Based on the LRDP Final EIR and the Environmental Analysis and Checklist, the Regents finds that cumulative impacts associated with implementation of the 2006 LRDP that are pertinent to the Project would remain as identified in the LRDP Final EIR, no new mitigation measures are required to mitigate the Project's cumulative impacts, and none of the circumstances that would require preparation of a new environmental document under CEQA exists.

The Regents finds that because the Project would not increase the Berkeley Lab's daily population and traffic and would not include new sources of toxic air contaminants, the Project would not make a cumulatively considerable contribution to the significant and unavoidable cumulative impacts of the 2006 LRDP related to traffic and toxic air contaminants.

D. ADDITIONAL FINDINGS

1. CEQA Guidelines Sections 15162 and 15168(c)(2)

The Environmental Analysis and Checklist concludes that none of the conditions or circumstances that would require preparation of a subsequent or supplemental EIR pursuant to Public Resources Code Section 21166 and CEQA Guidelines Section 15162 exists in connection with the design of the Project. No substantial changes have been proposed to the LRDP development program described in the LRDP Final EIR that require major revisions to the LRDP Final EIR. No new significant environmental effects or substantial increase in the severity of previously identified significant environmental effects would occur.

The Environmental Analysis and Checklist also indicates that there have not been any substantial changes with respect to the circumstances under which development of the

LBNL hill site, including the Project, would be undertaken that would require major revisions to the LRDP Final EIR. The Environmental Analysis and Checklist concludes that no substantial changes with respect to circumstances under which the Project is undertaken have occurred that have not already been accounted for.

The Environmental Analysis and Checklist also concludes that no new information of substantial importance, which was not known and could not have been known at the time that the LRDP Final EIR was certified, shows that the Project would cause or substantially worsen significant environmental impacts disclosed in the LRDP Final EIR, that mitigation measures or alternatives found infeasible in the LRDP Final EIR would in fact be feasible, or that different mitigation measures or alternatives from those analyzed in the LRDP Final EIR would substantially reduce one or more significant environmental effects found in the LRDP Final EIR.

For the reasons described above, the Regents hereby finds that the Project, falls within the scope of the development program analyzed in the LRDP Final EIR, and no further environmental documentation is required.

2. Incorporation by Reference

These Findings incorporate by reference in their entirety the text of the Environmental Analysis and Checklist, the LRDP Final EIR (including the 2010 and 2017 Supplements), and the Findings and Statements of Overriding Consideration previously certified and/or adopted by the University.

3. Mitigation Monitoring

CEQA requires the Lead Agency approving a project to adopt a monitoring program for changes to the project that it adopts or makes a condition of project approval, including mitigation measures intended to eliminate or reduce potentially significant impacts of the project, in order to ensure compliance during project implementation. No new mitigation measures are required as part of the Project, which incorporates relevant and previously adopted LRDP Final EIR mitigation measures that are Standard Project Features for the Project and will be monitored pursuant to the existing LRDP Final EIR mitigation monitoring program previously adopted by the University in connection with its approvals of the 2006 LRDP. The following mitigation measures identified in the LRDP Final EIR MMRP are hereby incorporated into the Project:

- LRDP Mitigation Measures VIS-4a through 4c
- LRDP Mitigation Measures AQ-1a and AQ-1b
- LRDP Mitigation Measures BIO-3, BIO-4, and BIO-5b through BIO-5f
- LRDP Mitigation Measures CUL-3 and CUL-4
- LRDP Mitigation Measures GEO-2, GEO-3a, and GEO-3b
- LRDP Mitigation Measure GHG-1

- LRDP Mitigation Measures HAZ-3a through HAZ-3f
- LRDP Mitigation Measures NOISE-1a and NOISE-1b
- LRDP Mitigation Measure UTILS-4

4. Record of Proceedings

Various documents and other materials constitute the record of proceedings upon which the Regents bases its findings and decision contained herein. The custodian for these documents and materials is the LBNL Environmental Planning Group office, located at One Cyclotron Road, Mail Stop 76-225, Berkeley, California 94720.

III. APPROVALS

The Regents hereby takes the following actions:

1. Adopt the CEQA Findings having considered the 2006 LRDP Final EIR and the Seismic Safety and Modernization Program Environmental Analysis and Checklist.
2. Make a condition of approval, the implementation of applicable mitigation measures within the responsibility and jurisdiction of LBNL as identified in the Mitigation Monitoring and Reporting Program adopted with the 2006 LRDP EIR.
3. Approve the design and related site work of the Welcome Center Building Project.