UNIVERSITY OF CALIFORNIA, BERKELEY

BERKELEY • DAVIS • IRVINE • LOS ANGELES • MERCED • RIVERSIDE • SAN DIEGO • SAN FRANCISCO SANTA BARBARA • SANTA CRUZ

FINAL SUBSEQUENT EIR

TO THE 2020 LONG RANGE DEVELOPMENT PLAN

ENVIRONMENTAL IMPACT REPORT

MAY 2013

Project Title: Cal Aquatics Center

Project Location: The approximately one-acre project site is located south of the Campus Park, across Bancroft Way from Edwards Stadium/ Goldman Field. The site address is 2222 Bancroft Way. The site is bounded to the north by Bancroft Way, to the west by Fulton Street, to the south by Durant Avenue, and to the east by the Tang Center.

County: Alameda County, California

Program EIR: UC Berkeley 2020 Long Range Development Plan EIR, certified by The Regents January 2005, SCH #2003082131; as updated and amended in July 2009 by LRDP Amendment #1 to address Climate Change.

Contents:

1. INTRODUCTION & SUMMARY

In accordance with the California Environmental Quality Act (CEQA) and Sections 15088, 15089, and 15132 of the CEQA Guidelines, the University of California, Berkeley has prepared the Final Subsequent Environmental Impact Report (FSEIR) for the proposed Cal Aquatics Center Project.

This document contains the comments and responses on the Draft SEIR as well as additional changes to the text of the Final SEIR. These components, along with the attached Draft SEIR and Mitigation Monitoring and Reporting program, make up the Final SEIR as defined in State CEQA Guidelines Section 15132.

2. COMMENTS AND RESPONSES ON THE DRAFT SEIR

CEQA Guidelines Section 15088 requires that the lead agency evaluate public comments on environmental issues included in a Draft EIR (or Subsequent EIR) and prepare written responses to those comments. Pursuant to *CEQA Guidelines* Section 15088(b), "The written responses shall describe the disposition of significant environmental issues raised (e.g., revisions to the proposed project to mitigate anticipated impacts or objections). In particular, the major environmental issues raised when the lead agency's positions is at variance with recommendations and objections raised in the comments must be addressed in detail giving reasons why specific comments and suggestions were not accepted." The *CEQA Guidelines* call for responses that contain a "good faith, reasoned analysis" with statements supported by factual information.

The public review period for the Draft Subsequent Environmental Impact Report (SEIR) for the Cal Aquatics Center project began on March 11, 2013 and closed on April 24, 2013. UC Berkeley received nine comment letters on the Draft SEIR. As required by CEQA, the University has prepared responses to each of these letters.

The comment letters that the University received are listed below. The letters and responses follow. Each comment letter has been numbered sequentially and each separate issue raised by the commenter, if more than one, has been assigned a comment number. The responses to each comment identify first the number of the comment letter and then the number assigned to each comment (Response 2.1, for example, indicates that the response is for the first issue raised in Comment Letter 2).

The University held a public hearing to take verbal comments from interested parties on the Draft SEIR at University Health Service's Tang Center on April 3, 2013. Responses to verbal comments from this hearing follow the responses to the written comments received.

Minor changes and corrections to the Draft SEIR are made in response to certain comments below. Finally, other minor changes made to the Final SEIR that are not the result of public comments are shown at the end of this document.

THEMATIC RESPONSES

The following thematic responses address recurring themes in the comments received. Where these topics are raised by commenters, the reader is referred to these comprehensive responses on the appropriate issue area.

Thematic Response: Consultation

The project is proposed by the University of California, Berkeley ("Campus"). A number of comments received questioned the amount of consultation within the Campus administration in conception and development of the proposed project.

As detailed below, the Campus complied with the requirements of the California Environmental Quality Act (CEQA) by providing information about the project and its environmental consequences to the public and the Campus community. The University published a Notice of Preparation (NOP) for the Cal Aquatics Center project, which provided a description of the project, its location, and the Campus' proposed CEQA compliance approach – a Subsequent EIR tiered from the 2020 LRDP EIR. The NOP comment period extended beyond the 30-day review period required by CEQA from on January 31, 2013 through March 4, 2013. The Notice of Preparation was widely distributed, electronically to more than 200 email addresses on the University's CEQA notice list (including campus stakeholders), and to local agencies and the state Office of Planning and Research, as required by CEQA. It was also posted on the UC Berkeley website. Seven letters were received in response to the NOP, and were reprinted at the end of the Draft SEIR. The comments in these letters relevant to the environmental analysis pertained to parking, land use and aesthetics. These topics are addressed in the SEIR under the Transportation, Land Use, and Aesthetics discussions, respectively.

On March 11, 2013, the Campus published a Notice of Availability of the Draft Subsequent EIR for the proposed project. The Notice of Availability was sent to subscribers to ucb_ceqa_notices@lists.berkeley.edu, which includes many individuals on the UC Berkeley campus. The Notice of Availability was also filed with the state Office of Planning and Research, which makes the document available to state agencies for review and comment. In addition, the Notice of Availability of the Draft EIR was posted on signs at multiple locations at the project site; published in and issue of *the Berkeleyan*, a campus electronic newsletter distributed the week of March 26, 2013; and distributed through leafleting of private property on blocks surrounding the project site. A public hearing on the Draft EIR was also noticed in *Berkeleyside*, a local electronic news daily with broad distribution in the City of Berkeley, and on the UC Berkeley events calendar. Notices were also posted to UC Berkeley's Capital Projects Noticing page: see http://www.cp.berkeley.edu/Projects_Info_Notices.htm. Noticing therefore was above and beyond the noticing requirements of the California Environmental Quality Act; see the CEQA Guidelines section 15087 (a).

The Campus has fully complied with the noticing and consultation requirements of CEQA and will treat the comment as a request by the commenter to be added to the Campus' CEQA notice list for future consultation in accordance with CEQA.

Thematic Response: Parking

A number of comments received express concerns about the loss of parking spaces that would result from project implementation. Concerns included the potential inconvenience to UC faculty and staff from the loss of spaces at the project site and cumulatively in combination with other UC projects that are

removing parking spaces. At least two commenters who work near the project site also expressed concern about safety walking at night to and from lots further from their work place than the Tang Center lot. Although parking supply and demand can be described within an EIR for informational purposes and is relevant to analysis of traffic impacts, the provision or reduction of parking is not considered to be an environmental impact requiring mitigation. *See* San Franciscans Upholding the Downtown Plan v. City and County of San Francisco, 102 Cal. App. 4th 656 (2002). Parking demand is not static or a function of total student enrollment or faculty/staff employment; rather, parking demand is subject to change based on many social and behavioral factors, including the cost and convenience of driving and parking; the availability, cost and convenience of other modes of travel; demographic changes; and the personal preferences and behaviors of commuters in reaction to environmental changes. Nevertheless, the University has prepared the following response to help address the community's concerns and provide information on this topic to the public and Regents.

The 2020 LRDP contains policies that support both increasing the parking supply to accommodate existing unmet demand and future campus growth and reducing demand for parking through incentives for alternate travel modes. The LRDP also identified that new development would result in the loss of parking, and includes policies to reduce and manage parking demand. Consistent with the 2020 LRDP, some new development on the campus has occurred on existing parking sites, eliminating approximately 660 spaces as of April 2013. Using the LRDP policy direction, UC Berkeley Parking & Transportation has been actively managing the University's limited parking supply since adoption of the 2020 LRDP in 2005. This includes a number of programs that control parking demand by encourage travel to campus by modes other than private vehicle, as well as accommodations for parkers who might need to park further from their destination because more central parking areas are full. The Campus provides or administers many services to support the safety and convenience of those accessing campus, including, but not limited to, a pre-tax transit ticket purchase program with discounts for some transit providers (Bear Pass through Parking & Transportation, others through WageWorks); unlimited-ride transit passes for students on AC Transit (the Class Pass, which is funded through student fees as voted in a referendum); carpool and programs; parking permit price reductions for designated carpools; BEAR Transit, a no-fare shuttle service (also supported in part by student Class Pass fees) for students, faculty and staff traveling around the central and Hill campus areas; and a free, on-call escort service for those walking around campus at night. These incentives are described in more detail on the UC Berkeley Parking & Transportation website (http://pt.berkeley.edu/) and are distributed to new employees upon hire.

The Campus recognizes that the Project would further reduce the parking supply in the southwest quadrant of campus. Elimination of the Tang parking lot could lead to a local parking deficit in the southwest quadrant of campus and place a burden on the overall campus parking supply. As discussed in the Draft SEIR, those currently using the parking spaces that will be lost as a result of the Project would either need to park in other locations, some of which may be more distant from their ultimate campus destination, or shift to another travel mode (e.g., AC Transit, BART, bicycling, or walking). It should be noted that while parking permits are available for those choosing to drive to campus, UC Berkeley Parking & Transportation does not guarantee that a particular space will be available to permit holders, and, as happens today, the most convenient parking areas would likely fill more quickly and require parkers to use less central lots with space available in them, such as the Foothill and Genetics lots[1], or in non-University operated public parking facilities throughout Downtown Berkeley.

Although a parking deficit is not considered an impact for purposes of an EIR, the secondary impacts of parking should be considered within the scope of the environmental document. The transportation

[1] University of California, Berkeley, Parking Strategic Plan, Parking & Transportation, 2012.

analysis prepared for the Project indicated that the elimination of parking at the Tang lot would result in the displacement of the existing vehicles traveling to the site to parking facilities around the campus and City, but that this change would not result in a significant impact to traffic operations at any one particular intersection or street. See Draft SEIR at page 122.

Furthermore, likely the result of some of the existing incentives provided by the University and overseen by Parking & Transportation, the drive-alone rate for faculty and staff, as measured by the triennial transportation survey conducted by Physical & Environmental Planning as required mitigation for the 2020 LRDP, has decreased from 47 percent in 2006 to 44 percent in 2011. Drive alone rates among students have also decreased; however, the six percent of students who reported driving alone make up a much smaller group of all permit holders. Between 2006 and today, the number of faculty and staff on campus has remained relatively static and the number of students has only increased modestly (by about 5%). Thus, despite the loss and/or changes to campus parking spaces and new development, the percentage and number of people coming to campus in private vehicles, particularly faculty and staff, has actually decreased and there are still measured vacancies in certain campus lots during peak hours of the day[1]. These metrics indicate that existing programs and resources have so far been successful maintaining a parking demand commensurate with parking supply, even as development has occurred on the campus.

That said, the Campus acknowledges that on-campus parking, at least in the near-term and with the Project, would be very limited and that finding available spaces in campus garages and lots will be challenging, unless some drivers use existing incentives for transit, walking and bicycling instead of driving.

Convenient access to the campus is vital to the Campus's collegial environment and mission, and the University is committed to ensuring users of all modes of travel, including drivers and carpoolers, have reasonable accommodations. A Parking and Transportation Demand Management Master Plan (PTDM)[2] prepared for the University in 2011 recommends a set of strategies to manage the existing parking facilities, to evaluate how best to increase the parking supply in the future, and to manage campus travel demand through subsidies and incentives for transit use and disincentives to drive. The strategies include:

- Expansion of transit programs
- Expansion of attendant parking
- Valet/attended parking
- Differential parking pricing
- Real-time parking availability information systems
- Bicycle and pedestrian programs
- Enhanced car-share programs
- Shared parking agreements with the City of Berkeley
- Changes to the parking permit use fee structure
- Explore a partnership to build new parking

Implementation of many of these program enhancements is already occurring, and UC Berkeley Parking & Transportation disseminates information about transit subsidies, car-share/rideshare programs, and bicycling and walking through its website, as well as to drivers using parking lots that are slated to be closed. Before the University Hall garage was closed in 2012, an outreach program was held at the garage

[2] University of California, Berkeley, Parking and Transportation Demand Management Master Plan, Nelson\Nygaard, 2011.

to educate parkers about their available options, including the locations of other nearby parking garages. Attended parking has been added to the Berkeley Way lot and the Tang lot. Implementation of incentives to encourage non-auto commuting are a large piece of this strategy because many on campus do have some flexibility to use other modes some of the time, allowing more efficient use of available spaces by those with less flexibility (or any ability) to use another mode other than driving[3].

To refine the implementation of the PTDM, UC Berkeley Parking & Transportation developed a Parking Strategic Plan (2012) recognizing that the pending closure of garages and lots on campus, particularly the western area of campus, could result in short-term, local parking shortfalls. The strategic plan outlines short-, medium- and long-term plans to be taken by Parking & Transportation to manage the loss of this parking.

Short-term Recommendations (Completed January 2013):

- Attendant Parking at Berkeley Way and Tang Lot, resulting in 95 new attended spaces.
- Enhanced TDM Marketing, including direct outreach to University Hall garage parkers conducted using a TGIF grant received by Physical and Environmental Planning
- Space Reclassification, including conversion of 26 spaces in University Hall West lot to permit parking.

Medium-term Recommendations (6 months to 1 Year):

- Valet parking, pending further analysis
- Leasing spaces from the City of Berkeley. It should be noted that some parking operators have already offered permits to University-affiliates.
- Permit pricing structure changes, pending outcomes of an on-going study (described below).

Long-term Recommendations (2-3 Years):

- Analyze opportunities to develop a shared-use parking structure in Downtown Berkeley with the City of Berkeley as a co-operator. Physical and Environmental Planning and Parking & Transportation will be starting preliminary analysis for a new structure in May 2013; however, if a new structure is feasible, design and construction would require several years.

Although not needed to avoid or reduce a significant environmental impact of the proposed Aquatics Center project, this planning for campus parking is relevant to overall need for additional campus parking and is described here to inform public concerns about parking resources. The plans are being developed and implemented independent of the proposed project as part of the overall long range planning approach for the campus.

The Campus is also the co-recipient of a Federal Highway Administration (FHWA) grant to develop and implement a value-priced parking pilot project on campus. The City of Berkeley was the primary

[3] The triennial housing-transportation survey indicates that most University affiliates live within 10 miles of campus and within the inner East Bay (western Contra Costa and western Alameda Counties), which is served extensively by AC Transit and BART. Furthermore, the largest cohort of parking permit holders live within five miles of campus, a distance that could also be reasonably covered by transit, walking or bicycling. Consistent with this, Parking & Transportation restricts students who live within two miles of campus from obtaining parking permits. The LRDP also encourages new housing within a 20 minute transit ride to campus, although the limits of this zone have not been defined and most new student housing has been constructed within a few blocks of campus.

recipient and is simultaneously developing its pilot project. Both projects are intended to roll-out in late 2013. The goal of this project is to provide individual payment capacity and dynamic information for all parking spaces on the campus that will: 1) reduce driving and the need to "cruise" for parking by disseminating information about parking availability on campus; and 2) encourage mode choices other than driving alone though parking pricing and transit incentives. The program will use new technology to monitor and provide real-time parking availability data to users online and through smart phones. Parking pricing will also be monitored and adjusted to manage demand and better match commuting habits of individuals who drive less frequently to campus. Incentives, such as free transit passes, would also be included in the pilot project, with the intent to encourage non-auto commuting on days when driving to campus is not necessary.

Additionally, the University and the City of Berkeley have funds specifically directed to making transportation-related improvements as part of a settlement agreement after the 2020 LRDP. Physical and Environmental Planning manages this settlement agreement, generally referred to as the UC LRDP TDM settlement agreement, and identifies projects jointly with the City of Berkeley. The funds are generally programmed in five-year expenditure plans that identify the University and City priorities related to improvement transportation access to campus. The previous expenditure plan funded the planning work contained in the PTDM plan discussed earlier. The current five year expenditure plan was approved in November 2012 and includes funds designated for projects that would help to improve access to transit and bicycle and pedestrian circulation. These projects include

- working with AC Transit on improvements to routes that serve campus (e.g., 1, 1R, or 51B)
- transit stop and pedestrian improvements along Bancroft Way
- bicycle and pedestrian improvements along Hearst Avenue
- downtown and south side transit and circulation improvements identified in local plans.

Improving the physical infrastructure is an element of the Campus' TDM program to ensure University affiliates have an opportunity to use other modes. The improvements contained in the current LRDP TDM settlement agreement five-year expenditure plan are intended to make transit service, walking, and bicycling to campus more convenient and to encourage commuting by these modes more attractive.

While parking at the UC Berkeley campus is challenging today, the programs that are already in place and those that are likely to occur within the next few years (as described above) suggest that parking demand management can be flexible as needs of the campus change. Further, as reflected in the DEIR the Project-related parking loss will not result in a significant impact to traffic operations at any one particular intersection or street and thus mitigation for the loss of parking is not required. See Draft SEIR at page 122. Notwithstanding, UC Berkeley Parking & Transportation is committed to monitoring and evaluating strategies to accommodate those choosing to drive as parking supply changes.

UNIVERSITY OF CALIFORNIA
BERKELEY

2222 BANCROFT WAY # 4300
BERKELEY, CA 94720-4300

510 642-2000
www.uhs.berkeley.edu

UNIVERSITY HEALTH SERVICES *Tang Center*
People. Campus. Community.

Letter 1

To: Ron Coley, Associate Vice Chancellor, Business and Administrative Services
From: Claudia Covello, Executive Director, University Health Services
Re: CalAquatics Center Project: Impact on University Health Services

Date: April 2, 2013

Background:

The *Draft Subsequent EIR to the 2020 Long Range Development Plan Environment Impact Report,* issued March 2013, presents a very detailed picture of the construction and operational planned for the CalAquatics Center (CAC) project, whose intended site is the Fulton/Bancroft parking lot next to the Tang Center.

As detailed in the project document:

- The CAC pool will abut the entire west side of the Tang Center. The existing sidewalk will separate the pool from the west wall of Tang by approximately eight feet.
- The project design includes a dive tower that is 45 feet high.
- The pool will be in operation during all hours of operation at the Tang Center: from 6:00am – 6:30pm Monday through Friday, and available to InterCollegiate Athletics throughout Saturday. 30-50 persons are anticipated on site continually throughout the day. "The primary noise sources at the new pool would be whistles, yelling and splashing during workouts and practices."
- The pool is expected to be used for summer camps ranging up to 150 persons from 7:00am – 5:00pm every weekday.

1.1

Short-Term Impact Issues:

1) Construction dust: The CAC project plan indicates eight basic control measures for mitigating dust and other air pollution during construction (pp. 50-52). While this is

1.2

appreciated, the control measures do not adequately factor in how the Tang Center is constructed and its patient services. The west and southwest walls of the Tang Center include thirty-two 5' x 7' glass panels that are functioning windows; this equals 768 feet of window frames where dust can enter. Additionally, all patient entrances and exits are on the west side of the building. Additional dust mitigation measures are needed to minimize dust entering the building.

2) Construction noise and vibration: Appendix D notes that construction and demolition will have significant and unavoidable noise impact. The CAC project indicates it intends to reduce the effects of noise and vibration, where applicable, according to the 2020 LDRP continuing best practices. It is not evident that Tang will be adequately consulted throughout this process. 1.3

3) Displacement of parking for physician specialists from the community (see below, Long-term Impact Issue 1). 1.4

4) Displacement of emergency sheds (see below, Long-term Impact Issue 4). 1.5

Long-Term Impact Issues:

The current design and use plans create the following issues with Tang services and emergency preparedness:

1. The project will occupy 15 parking spaces reserved for physician specialists who provide high-demand specialty medical services**.** UHS engages the services of physician specialists from the community at hourly rates significantly below market. This cost-effective arrangement is extremely advantageous to keeping student fees low and increasing student access to care. Part of this arrangement includes guaranteed, proximate parking for these specialists. Loss of these parking spaces will incite a number of specialists to cease providing services onsite and precipitate increased referrals to the community, which will decrease access and increase costs to the student health insurance program. 1.6

2. It is not evident that the Tang Center operations have been sufficiently considered in the noise analysis (pp. 101-103 and Appendix D, Project Noise Study).
   2.1 Appendix D, p. 11, states that the City of Berkeley Noise Ordinance has sound level decibel limits for residential land use and commercial land use. Considering Tang as a commercial building, the CAC project's operational noise level should be consistent with the Ordinance's commercial daytime (7:00am – 10:00pm) decibel limit of 65dBA, and a commercial nighttime decibel limit (10:00pm – 7:00am) of 60dBA. However, page 16 states that since current measured ambient noise levels at the site exceed the Ordinance limits, the Ordinance limits will be disregarded. We may expect, then, 1.7

according to page 16, Table 4, that Tang will experience average daytime noise decibel levels equivalent to Spieker Pool – average decibel levels up to 77 dBA, with spikes up to 87dBA -- comparable to the noise level of a boiler room or printing press plant (p. 4).

2.2 The west and southwest walls of the Tang Center "west wing" include 32 glass panels of 5'x7' (1,020 square feet) of single-paned Azurlite glass. This is tempered glass of ¼" thickness and a normal sound transmission class (STC) of 26-28 STC; there is no dual-glazing or other additional sound transmission control. These windows are designed to ventilate the rooms on the building perimeter, as the centrally controlled HVAC system does not extend to any of the rooms on the building perimeter. On mildly warm afternoons (68ºF and above), these perimeter rooms exceed temperatures of 85 degrees if not ventilated. The extreme proximity of the pool will create exceptional sound disruption to occupants on the west side of the building. Occupants will be forced to choose between sound disruption or ventilation. 1.8

Until the noise impact analysis includes specific consideration of the Tang Center, it is, in my opinion, incomplete and insufficient.

3. The purpose of the campus' 2020 Long-Range Development Plan (LRDP) is to set forth a framework for land use and capital investment undertaken in support of the campus' academic principles. The 2020 LRDP is driven by several broad objectives, of which at least one appears to be in conflict with this design:

   "Maintain and enhance the image and experience of the campus, and preserve our historic legacy of landscape and architecture" (2020 LRDP EIR Vol 3a, 3.1-10).

   1.9

   The project plan states "the project has been designed to complement and not overwhelm the adjacent larger Tang Center…attention to details such as lighting …as well as scale and landscaping, the project is intended to respect both the adjacent university facilities."
   However, it is not clear how, without detailed consideration and mitigation of the impacts on Tang services, this plan respects or enhances the experience of the thousands of students, faculty and staff who annually access services in the Tang Center.

4. The analysis of the CAC project on fire and emergency medical services facilities (p. 108) fails to consider UHS' expected medical role in campus disaster management and emergency response. The project will take space occupied by two emergency storage sheds housing medical supplies for campus disaster response, and significantly impact UHS' staging area for disaster response. 1.10

5. Tang Center leadership has never been interviewed or consulted regarding impact, nor was the EIR sent for our evaluation. 1.11

Request:

I request that these issues be actively considered and mitigated through expanded project analysis and design planning, to include:

1. Shifting the project plan forty feet west to preserve the location of the emergency sheds, access to the disaster response staging area, and physician specialist parking. 1.12
2. A noise impact analysis that addresses the impact of expected noise levels on Tang services. Within this analysis, a specific noise assessment of the services with the highest acuity patients – e.g., urgent care, counseling – is important. 1.13
3. A plan for noise mitigation and cost analysis covering both the construction period and the long-term operation of the aquatic center. The long-term mitigation plan will effectively mitigate the average daytime noise level to 65 dBA, per the City of Berkeley ordinance. 1.14

It is my hope that with further collaboration we can meet the objectives of the CAC project without creating undue hardship on the Tang Center.

Sincerely,

Claudia Covello, MA
Executive Director
University Health Services

Letter 1

COMMENTER: Claudia Covello, MA, Executive Director, University Health Services

DATE: April 2, 2013

Response 1.1

The commenter summarizes the project description for the proposed Cal Aquatics Center. The summary is generally accurate and does not conflict with the project description used in the Draft SEIR, with one exception: the commenter states that the pool "is expected to be used for summer camps ranging up to 150 persons from 7:00am – 5:00pm every weekday." Summer camps would be held approximately 25 weekdays and 10 weekend days during the summer, rather than "every weekday."

Response 1.2

The commenter states that the Tang Center's west and southwest walls include 32 windows and that there are patient entrances and exits on the west side of the building facing the project site, which may result in exposure of patients and employees to fugitive dust during project construction. The commenter states an opinion that for this reason, the LRDP mitigation measures and continuing best practices identified in the LRDP EIR would be inadequate in addressing impacts related to dust generated during project construction.

The parking lot west of the Tang Center has long been identified as a possible building site, and is identified as such in the 2020 Long Range Development Plan, analyzed in an environmental impact report and approved in 2005.

UC Berkeley has considerable experience with construction projects in the near vicinity of operating programs, and has developed protocols for addressing dust control; the project would be required to implement equivalent measures, as described on pages 51-52 of the Draft SEIR. The BAAQMD has determined that projects complying with best management practices for fugitive dust control would result in a less than significant impact, and construction projects implementing the 2020 LRDP remain in compliance with BAAQMD-recommended best practices and controls. In addition to the eight basic control measures from the BAAQMD CEQA Guidelines document (May 2012, page 8-3), described on pages 50-51 of the Draft EIR, the Draft SEIR also describes mitigation measures and continuing best practices from the 2020 LRDP developed to reduce the effect of the implementation of the LRDP on air quality. The Draft SEIR specifically describes Continuing Best Practice AIR-4-a and LRDP Mitigation Measure AIR-4-a (refer to page 54 of the Draft SEIR). Although impacts from fugitive dust would already be less than significant with implementation of BAAQMD BMPs, implementation of Continuing Best Practice AIR-4-a and LRDP Mitigation Measure AIR-4-a would further reduce potential impacts from fugitive dust at nearby sensitive receptors. Therefore, tiering from the 2020 LRDP EIR, the Draft SEIR incorporates additional dust control measures in excess of that required by the BAAQMD in order to ensure compliance with the BAAQMD CEQA Guidelines, and emissions of fugitive dust from construction of the proposed project would not create a new impact not addressed in the 2020 LRDP EIR and the draft Cal Aquatics Subsequent EIR.

Response 1.3

The commenter states a concern regarding whether the Tang Center would be consulted during implementation of continuing best practices and mitigation measures to reduce construction noise. Implementation of the continuing best practices and mitigation measures does not typically involve consultation on construction impacts in advance of project approval and entitlement. Rather, this consultation is an issue of internal Campus process and administration. UC Berkeley has considerable experience with construction projects in the near vicinity of operating programs, and has developed practices for alerting neighboring programs to phases of construction that may be particularly noisy; these practices would be employed with construction of the Cal Aquatics Center as well. Please see also the Thematic Response on Consultation.

The parking lot west of the Tang Center has long been identified as a possible building site, and is identified as such in the 2020 Long Range Development Plan, analyzed in an environmental impact report and approved in 2005. None of the construction and demolition impacts described in Appendix D of the Subsequent EIR are new or unique beyond typical construction levels for any possible project at this site; as noted in Appendix D, the 2020 LRDP EIR predictions are consistent with anticipated construction and demolition noise at the project site.

The commenter correctly points out that the SEIR identifies LRDP mitigation measures and continuing best practices to reduce construction noise. As discussed in the noise analysis in the SEIR, the 2020 LRDP EIR concluded that, even with incorporation of existing best practices and LRDP EIR mitigation measures, construction could result in significant noise impacts resulting from demolition and construction activities. The proposed project may incrementally contribute to significant environmental impacts previously identified in the LRDP EIR, but would not result in those impacts being more severe than as described in the LRDP EIR. No additional mitigation measures have been identified that would further reduce noise impacts.

Response 1.4

Please see Thematic Response on Parking, above. Here the commenter implies short term impacts on parking that are not described and the Campus is thus unable to respond. As described above, a reduction in parking is not an environmental impact required to be analyzed under CEQA and as set forth in the DEIR (insert page or section number) there are no transportation/circulation impacts associated with the project's reduction in parking supply. See also response to comment 1.6, below.

Response 1.5

Here the commenter implies short term impacts on emergency sheds that are not described. The comment does not raise any specific questions or concerns regarding the Draft EIR analysis of emergency impacts (presented on page XX of the DEIR). No response is necessary. See also response to comment 1.10, below.

Response 1.6

Please see Thematic Response on Parking, above. The commenter notes that the proposed Aquatics Center project would involve the removal of approximately 15 parking spaces that the Tang Center makes available to physician specialists, and states an opinion that loss of these parking spaces would

cause some of these specialists to cease providing services onsite and that this would decrease access and increase costs to the student health insurance program. This comment is noted; however, it would be speculative to assume that physician specialists all require parking at once, or that they would not avail themselves of other parking or transportation opportunities (please see the parking discussion in the Draft SEIR for details) in order to continue to serve the Tang Center. In any case, the comment pertains to the merits of the project, and does not question or challenge the analysis or conclusions in the Draft SEIR; therefore, a specific response in this CEQA context is not required. See also response to comment 1.6.

Response 1.7

This commenter states an opinion that the Tang Center operations have not been sufficiently considered in the Draft SEIR noise analysis. The commenter summarizes the Draft SEIR's discussion of the City of Berkeley's noise regulations, and states an opinion that the proposed project's operational noise level should be consistent with the City's commercial daytime decibel limit of 65 dBA and a commercial nighttime limit of 60 dBA. The commenter goes on to opine that the Tang Center would experience average daytime noise decibel levels equivalent to those at Spieker Pool – average decibel levels up to 77 dBA, with spikes up to 87dBA.

As described in the *Cal Aquatics Facility Berkeley, CA, Noise and Vibration Assessment* (February 2013) included in Appendix D of the Draft EIR, the City of Berkeley Municipal Code, Chapter 13.40, Community Noise, establishes land use to land use noise level limits for developed land within the City of Berkeley subject to its jurisdiction. Although the University is constitutionally exempt from local regulations when using University property in furtherance of the University's educational purposes, it is Campus policy to evaluate proposed projects for consistency with local plans and policies. The commercial limits are established in terms of median hourly (L_{50}) sound level, and are adjusted upward in 5 dB increments for sounds of shorter duration. The commercial daytime limit is 65 dBA and the commercial nighttime limit is 60 dBA. (For reference, in locations where the measured ambient noise level is greater than the limits established in the ordinance, the exterior noise limit is raised to the measured ambient noise level.) In addition, the state of California has developed noise and land use compatibility guidelines, including a guideline for hospitals (California Office of Planning and Research, October 2003). (Although the Tang Center is not a hospital – it does not include surgical facilities and patients do not stay overnight – this guideline is used to ensure a conservative analysis.) Hospitals are considered normally acceptable where the Ldn is up to 70 dBA and conditionally acceptable where the Ldn is 60 to 70 dBA.

As shown in Figure 1 and Table 3 of the *Cal Aquatics Facility Berkeley, CA, Noise and Vibration Assessment*, the existing ambient Leq at the Tang Center is 55-57 dBA Leq. Based on the distance from the proposed project to the Tang Center, the project would increase peak noise levels to 63-68 dBA Leq (and up to 80 dBA Lmax) during normal project operations (refer to Table 4 of the *Cal Aquatics Facility Berkeley, CA, Noise and Vibration Assessment*). Based on the City of Berkeley Municipal Code, noise levels up to 68 dBA would be acceptable for cumulative durations less than 15 minutes per hour. Table 3 of the *Cal Aquatics Facility Berkeley, CA, Noise and Vibration Assessment* indicates that peak noise levels would result from activities such as splashes, voices, whistles, and board bounces, which would not occur outside of practices (from 6:00 AM to 6:30 PM), and would be periodic in nature during practices and are not expected to exceed a cumulative duration of 15 minutes per hour. Thus, under normal operating conditions, the noise levels would be within the standards considered by the City to be acceptable. During swim meets, the project may generate noise levels up to 77 dBA Leq (and up to 87 dBA Lmax); however, the LRDP EIR as described in the Draft SEIR, these special events would occur no more than four times per year, which would not affect daily Ldn or CNEL exposure, on which the City's standards

for acceptable noise exposure are based, at nearby receptors. It should be noted that the Draft SEIR tiers from the LRDP EIR, which utilizes the following threshold for cumulative noise impacts: "*Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity?*" As described in the Draft SEIR, peak noise events associated with swim meet events at the project site would occur no more than four times per year, which would not result in a substantial increase in the ambient noise environment. Therefore, long-term operational ambient project noise as experienced at the Tang Center would be less-than-significant. This additional information is intended to clarify and amplify the SEIR analysis and none of the conditions requiring recirculation are present. See CEQA Guideline 15088.5. The commenter's concerns about increased noise at the Tang Center are acknowledged; coordination and scheduling consultation between UC Berkeley administrative units operating at the new Cal Aquatics Center and the Tang Center may help ameliorate this concern. .

Response 1.8

The commenter states an opinion that the proximity of the proposed Aquatics Center to the Tang Center's west side, which has operable windows, would create "exceptional sound disruption" to occupants on the west side of the building during operation of the Aquatics Center, and that occupants would "be forced to choose between sound disruption or ventilation." The commenter further opines that without a more specific analysis of impacts to the Tang Center, the SEIR would be incomplete. As described in Response 1.7, the project would not exceed the State's 70 dBA Ldn guideline for noise compatibility at hospitals, and would not result in a significant impact related to long-term noise exposure. Coordination and scheduling consultation between UC Berkeley administrative units operating at the new Cal Aquatics Center and the Tang Center may help ameliorate this concern.

Response 1.9

The commenter states an opinion that without more detailed analysis specific to the issues raised in the previous comments, the proposed project may be inconsistent with the LRDP Objective to "Maintain and enhance the image and experience of the campus, and preserve our historic legacy of landscape and architecture." Consistency with this objective is discussed in the Draft SEIR under Objectives of the 2020 LRDP – see page 35. The Draft SEIR found the project to be consistent with this objective. UC Berkeley hosts over 25,000 undergraduate and 10,000 graduate students on an approximately 1,200-acre campus. Diverse land uses and development occur throughout the campus and nearby UC-owned property. Although the commenter's concerns regarding noise, construction dust and parking/storage are acknowledged as important to the Tang Center's operations, locating a swimming pool adjacent to the Tang Center would not result in a substantial degradation of the image and experience of the campus. For example, daily noise may increase in certain portions of the Tang Center, but not to levels where those providing and receiving health services and counseling would be significantly impacted under the significance thresholds identified in the SEIR and discussed further above. As also discussed in the SEIR, the proposed Aquatics Center would replace a surface parking lot with an active athletic use, which would enhance the image and experience of the project site and surroundings. Use of the site as a student support facility that also supports community activities such as swimming camps, rather than a surface parking lot, would enhance the image and experience of the site with a use linked to ongoing sports and academic uses at the adjacent campus park.

Coordination and scheduling consultation between UC Berkeley administrative units operating at the new Cal Aquatics Center and the Tang Center may help ameliorate operational concerns of both entities.

Response 1.10

The commenter states an opinion that the Draft SEIR discussion of impacts related to Fire And Emergency Protection fails to consider University Health Services' (UHS) expected medical role in campus disaster management and emergency response because the proposed project would displace two storage containers "housing medical supplies for campus disaster response, and significantly impact UHS' staging area for disaster response." In response, the discussion under Item 3 in the Fire and Emergency Protection section of the Final SEIR has been modified as follows (new text is underlined):

> As required by the California Building Code, the project would be designed to include adequate egress capacity and evacuation areas proximate to building load for decanting. In addition, the proposed project would not alter the alignment or capacity of any streets or access routes in the vicinity of the project site or otherwise change existing circulation patterns in the area. The proposed project would also maintain pedestrian and car access through the site through retention and enhancement of the existing mid-block passageway west of the Tang Center and provision of ~~54~~ 49 angled parking spaces along the west edge of the project site.
>
> The proposed project would also involve the removal of two storage containers maintained by University Health Services on the existing parking lot, and preclude the use of the parking lot for a disaster response staging area. The containers are used for storage of emergency response supplies. However, because other sites in proximity are available for relocation of these containers and for disaster staging, their displacement from the project site would not substantially impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. For example, it is anticipated that the emergency supply containers could be relocated within a few hundred yards (e.g. Edwards Track or vicinity), where there is also area available for staging, and that the material stored within could be dispensed from that location or portions brought back to the Tang Center if necessary.

This additional information clarifies and amplifies the SEIR analysis; none of the conditions requiring recirculation for "significant new information" are present (CEQA *Guidelines* Section 15088.5).

Response 1.11

Please see Thematic Response on Consultation.

Response 1.12

The commenter suggests that the proposed project be modified by shifting the project plan 40 feet to the west in order to preserve the location of the storage containers, access to the disaster response staging area, and physician specialist parking. This change to the proposed project would not avoid any significant impacts identified in the Draft SEIR, and, by virtue of decreasing the size of a possible future building site, may reduce the ability of the University to develop the remainder of the parcel between Fulton Street and the new pool to a scale compatible with local plans. Reducing the buildability of the remainder of the land use parcel may limit the Campus' ability to fully meet LRDP objectives such as "Plan every new project to respect and enhance the character, livability, and cultural vitality of our city environs" or "Provide the space, technology and infrastructure we require to excel in education, research, and public service." It should be noted that the SEIR analyzed the impact of the project related to consistency with applicable land use plans and concluded that the impact would be significant and unavoidable. See also Response 8.1, below.

Response 1.13

The commenter reiterates a request for a more detailed and specific noise impact analysis. Please see responses 1.7 and 1.8 for a discussion of this topic.

Response 1.14

The commenter requests that UC Berkeley prepare a plan for noise mitigation and cost analysis covering both the construction period and the long-term operation of the proposed Aquatic Center to effectively mitigate the average daytime noise level to 65 dBA. Please see responses 1.7 and 1.8 for a discussion of this topic.

Letter 2

From: **Charles Siegel** <preserve@preservenet.com>
Date: Sun, Apr 7, 2013 at 11:49 AM
Subject: Cal Aquatics Center Subsequent EIR - Proposed Mitigation
To: jmcdougall@cp.berkeley.edu
Cc: EGreene@cityofberkeley.info, jcaner@downtownberkeley.com, Roland@telegraphberkeley.org, planning@cityofberkeley.info, mayor@cityofberkeley.info, siegel@preservenet.com

To: Jennifer McDougall, Principal Planner, PEP/Capital Projects

Re: Cal Aquatics Center Subsequent EIR

UC has proposed building the Cal Aquatics Center at 2222 Bancroft Way, and the city has objected that there should be denser, more interesting uses on that site to help revitalize downtown.

UC can address the city's concern by agreeing to acquire the blank-faced one-story building immediately to the west of the site and to redevelop it with mixed uses, with shopping on the first floor and several floors of office space or housing above.

The city might be able to expand this site further by narrowing the stretch of Fulton St. to its west. This block has an excessively wide northbound lane that is virtually never used. It should be possible for this block to have two southbound lanes and two parking lanes, like the blocks of Fulton St. to its south, freeing about 20 feet of street width to add to the project site, and also adding more on-street parking.

Other pedestrian improvements of the Bancroft/Fulton intersection are also possible, and would be reasonable mitigations for this project. This small stretch of street is a typical example of 1950s traffic engineering, which made no effort to create pedestrian-friendly streets.

Try standing at this intersection for a few minutes, and you will see what an unattractive place it is for pedestrians. It is easy to imagine how much more attractive it would be with a mixed-use building on the east side of Fulton St. and with pedestrian improvements to the street. Currently, Bancroft/Fulton is one of the most pedestrian-hostile intersections in Berkeley. This would make it more like a normal intersection, flanked by shopping.

These improvements would bring more people into the area, helping the existing business on the west side of Fulton St. and helping to revitalize downtown.

These improvements would also help make Bancroft more pedestrian-friendly for the many university-affiliated people who walk up and down it every day, and for people who come to use the aquatic center.

I urge UC and the city to work together on this sort of creative solution, which would give them both the sort of improvement that they want.

I urge UC to adopt this solution to mitigate the impact of the Cal Aquatics Center. This project will have a negative impact on downtown business by deadening the area, as the city has said. It will also attract more pedestrians to this dangerous street, and so will have a negative impact on pedestrian safety. The University can mitigate these impact by developing mixed use buildings to the west of the Aquatics Center and by modifying the street design to make Fulton Street and Bancroft Way more pedestrian friendly.

Sincerely,

Charles Siegel

Letter 2

COMMENTER: Charles Siegel

DATE: April 7, 2013

Response 2

The commenter states an opinion that the proposed Aquatics Center would have an adverse impact on downtown business by "deadening the area," and would also have an adverse impact on pedestrian safety. The commenter goes on to make suggestions for development of the property adjacent to the west of the project site and for improvements for pedestrian and vehicle facilities along Fulton Street and Bancroft Way.

As discussed in the Draft SEIR in the Land Use section, the University identified a significant and unavoidable impact due to the project's potential inconsistency with City policies related to development on the project site. The SEIR also discusses pedestrian safety under Transportation (see page 123). Based on the analysis of pedestrian circulation patterns and existing conditions and infrastructure, impacts were determined to be less than significant without the need for mitigation.

Although it is acknowledged that the suggestion for mixed use development adjacent to the site might reduce inconsistencies with policies, development of an adjacent site would not mitigate the project's noise or land use impacts, nor is it economically feasible or within the scope or objectives of the proposed Cal Aquatics Center project. It is also acknowledged that Bancroft Way and Fulton Streets could benefit from improvements; however, such improvements are not required to mitigate an environmental impact.

From: **david lerman** <caljustice@earthlink.net>
Date: Thu, Apr 4, 2013 at 5:56 PM
Subject: EIR New UCB POOL: PUBLIC COMMENTS
To: jmcdougall@cp.berkeley.edu
Cc: annslaby@att.net

Letter 3

Please add my public comments to the EIR for the new aquatics facility on Bancroft.

I strongly oppose the project unless there is a guarantee of at least 40% public access to this publicly funded project on public property. The vague and undefined supposed increase in public access to other old pools is not sufficient.

Taxpayers and their kids deserve access to publicly funded pools built on public property. This is not a private school on private property. The project should not be treated as a private project for a select few.

Strawberry Canyon Pool should be open year-round for open swim, and not closed in winter. The East pool at Strawberry Canyon should be reopened. Strawberry Canyon pool should be renovated. 3.1

Willard Middle School's pool was closed years ago. Those kids need access to swimming. CAL should mitigate by helping to re-open the Willard Swim Center.

The kids of today will be the CAL athletes and swimmers of tomorrow. They need your support now! Give the kids dedicated free swim, not just lap swim, access to the new facility.

Merely allowing kids in CAL summer camps possible access to other pools in the summer is not enough.

Off site parking should be created at Golden Gate Fields with shuttle service to campus to help everyone. 3.2

The public pays taxes that support CAL. The public also pays user fees to access public pools at CAL.

CAL athletes deserve access to modern new aquatics facility. And, the public deserves that access too! It is wrong to use millions of public dollars and public property to support only an elite few. 3.3

CAL atheletes should not have exclusive access to the new pool.

Either guarantee a minimum of 40% public access to ALL your publicly funded pools or forget it!

Very truly yours,

David Lerman
caljustice@earthlink.net

Letter 3

COMMENTER: David Lerman

DATE: April 4, 2013

Response 3.1

The commenter states opposition to the project unless the proposed Aquatics Center is programmed to be open to the public 40% of the time, citing as reasons taxpayer support for the University and the need for more pools for non-Cal swimmers, especially local youth. Construction of the proposed project would be funded by donor gift, and not by state tax funds. The commenter also requests that the University renovate/reopen the Strawberry Canyon pools and fund a reopening of the Willard pool. These comments pertain to the merits of the project rather than the analysis of the project's impacts as analyzed in the Draft SEIR.

Response 3.2

The commenter suggests that the University provide off-site parking at Golden Gate Fields, with shuttle service to campus. The Draft SEIR, in its discussion of Transportation (including parking), did not identify any significant impacts related to parking supply. (Please see also Thematic Response: Parking.) This suggestion does not pertain directly to the Draft SEIR and does not address or consider the cost of shuttle operations; however, the suggestion has been forwarded to campus transportation planners for consideration.

Response 3.3

The commenter reiterates opposition to the project unless the proposed Aquatics Center is programmed to be open to the public 40% of the time. Please see Response 3.1.

From: **The Bay Architects** <bayarch@pacbell.net>
Date: Thu, Apr 18, 2013 at 11:44 AM
Subject: swim hole
To: Jennifer McDougall <jmcdougall@berkeley.edu>

Letter 4

Jennifer,
So, there's been some comments about the swimming hole planned between Durant and Bancroft and how it conflicts with the Southside Plan. Maybe not clear sailing or swimming after all.

Here's a wild idea that I'm sure has crossed people's minds. The Daily Cal notes that "Proponents ...need to prove how its construction will positively impact the quality of life for all Southside residents." How about allowing the general public into the swim hole at scheduled times. Surely students are not swimming there all of the time. Some public use would be similar to the public's use of the Art Museum sort of. We're missing a pool in the area with Willard's closing and the residents dearly need a pool.

Just a thought.

Jim

The Bay Architects
1840 B Alcatraz Avenue
Berkeley, CA 94703
(510) 420-1484 Tel
(510) 420-1165 Fax

Letter 4

COMMENTER: Jim Novosel

DATE: April 18, 2013

Response K

The commenter states an opinion that there is a shortage of public pool space in Berkeley and suggests that the University allow the general public to use the proposed Aquatics Center pool at scheduled times. This comment pertains to the merits of the project rather than the analysis and conclusions of the Draft SEIR.

BERKELEY: PHYSICAL EDUCATION PROGRAM
200 HEARST GYMNASIUM # 4482
TEL: 642-3289
FAX: 642-7241

22 April 2013

Letter 5

Jennifer McDougall, Principal Planner
PEP/Capitol Projects, Facilities Services
Room1 A&E Building
Campus

RE: Public Comment: Cal Aquatics Center Project

It is a known fact that there is insufficient water space on the Berkeley campus for the numerous aquatics programs offered by the various campus departments. *But the details of usage, as outlined in this Subsequent EIR, do not show any benefit of increased or enriched water time to any program other than the Intercollegiate Athletic (IA) Water Polo and Swimming/Diving teams.*

In multiple documents describing the project and during the public hearing presentation by the IA representative, it has been repeated that the proposed Aquatic Center will free up water space for the other users: recreational swimmers, physical education students and community partners. (*"Notice of Preparation," January 31, 2013, p.2; "Draft Subsequent EIR," March 2013, p.1, p.15; "More Water," February 2013, p.2)* A close review of Tables 2, 3, 4 and 5 in the Draft Subsequent EIR actually shows an increase in water time for the teams and non-UC program uses. Nothing is identified to include increased time for other campus programs, whether they are offered through the Department of Recreational Sports or the Department of Physical Education. The only other programs with proposed pool time in the EIR besides IA are identified as non-UC programs, e.g., camps and public lap swim. Perhaps the public lap swim label is meant to mean the time scheduled for the campus community lap swimming, but currently, there is most definitely no pool time that is open to the general public for lap swimming.

A closer review of the various Tables raises the some comments/questions which need further clarification:

Table 2 (Proposed Cal Aquatics Center Pool Schedule, Typical Week)

- Some of the practice times on this table do not match those on Table 4, so it would appear that there will be training in both CAC and Spieker Pool
- Swimming and Diving:
    - Table 2, shows M-F Swimming training: CAC 7:00-9:30a; Table 4 shows Men's Swimming 6:00-8:00a, Women's 7:00-9:30
        - If both teams are practicing in the CAC, then why doesn't the typical schedule reflect Swim times as 6:00a-9:30?

        - The only conclusion is that there will be teams practicing in both pools in the morning, thus not freeing up early morning times that could be used by the campus recreational swimmers.

    - The same situation appears to be happening with the afternoon swimming practices, both teams practicing at the same time. Are they both training in the CAC, and if so, then there could be extended afternoon time for the recreational users. But this is not reflected anywhere in the proposed schedule.

- Water Polo Practices:
    - If both the Men's and Women's Water Polo teams are training from 8:00a-11:00a each day M-F, will this be in the same pool? Also, how can they be practicing in the CAC from 8a-11a if the Women's Swimming team is training from 7:00-9:30am?
        - Again, this would indicate that IA does not plan on releasing time in Spieker Pool, so where the increased time as is described for the other users?
        - How does this schedule free up any water space for other groups?

A careful look at the last column in Table 4 (typical practice location) clearly shows that there will not be a significant reduction in the use of Spieker Pool with the building of the CAC because 3 of the 4 teams will still retain their primary practice time (75%) in Spieker Pool.

These Tables do not demonstrate how pool use for other programs will change. Again, it needs to be noted that recreational swimming on the campus is not a non-UC program.

- The existing information in Table 5 for "public lap swimming" times is not correct, at least with the currently schedule times for Open Rec Swim at Spieker Pool.
    - As listed in the EIR document, lap swimming occurs M-F 10:00a-1:00p when in reality, open rec is M-F 11:30a-1:10p, and that time is often superseded by special event set-up and competition.
    - On the current schedule, the evening times don't start until 6:30p (the EIR lists it as starting at 6:00p), and although this half hour difference may seem insignificant to the reader, to the swimmer that is precious water time lost to the water polo teams.
    - Friday evenings and the weekend hours for open recreational swimming are quite often eliminated or significantly reduced due to competitive events so while it might seem that Saturday 12:00-8:00p and Sunday 10:00a-8:00p provide a lot of available water time, this is not the truly not the case.

It is stated in Table 5 that additional times of approximately 10% to 20% more hours could be arranged for lap swimming, if so where? It doesn't appear that IA times are being relinquished for other programs. Will it be argued that the water polo teams still need to practice in Spieker, that the new CAC will not accommodate them because there won't be sufficient deep water

even with the increased depth for the diving tower? Will the CAC be a full deep water pool mirroring the facility at Spieker, or will it have a varying depth and thus not be compatible for water polo?

I have definite concerns that as much as IA needs additional water for its programs, so do the other departments on this campus. From looking at the EIR report and accompanying documents through a scheduling and programmatic lens, there doesn't appear to be any increased benefit to the other campus aquatic programs. The details of scheduled times in Spieker Pool and CAC, particularly in Tables 2 through 5, are not consistent and appear, through misrepresentation, to confuse the reader. I would like a clearer explanation as to how – specifically where in the schedule -- the other campus programs, not non-UC programs, will benefit from this project on a daily basis.

Two follow-up tables are requested: one table showing the current usage schedule for Spieker Pool that includes all programs compared with a second table that will show the detailed usage schedule proposed for both Spieker Pool and the CAC that includes all programs by days/hours. It is only with this information that the freed up water space for the other programs will become apparent to everyone.

I look forward to your response and clarification.

M. Kathryn Scott, Director
Physical Education

Letter 5

COMMENTER: M. Kathryn Scott, Director, UC Berkeley Physical Education Program

DATE: April 22, 2013

Response 5

The commenter states an opinion that the project description in the Draft SEIR does not clearly demonstrate that the proposed Aquatics Center project would benefit campus programs other than UC Athletics and the general public. The commenter further opines that the proposed program uses and shifts of uses between the Spieker Complex and the proposed facility as outlined in the Draft SEIR are not consistent and that the Draft SEIR does not make clear how or whether the project would increase or free up water space for campus programs other than UC Athletics and the general public.

This comment pertains to the merits of the project rather than the analysis and conclusions of the Draft SEIR; the letter has been forwarded to Campus administration for their consideration. The commenter does not question or challenge the analysis or conclusions of the Draft SEIR related to environmental impacts of the project as proposed.

From: **arslaby@juno.com** <arslaby@juno.com>
Date: Tue, Apr 23, 2013 at 12:10 PM
Subject: Subsequent EIR, Cal Aquatics Center
To: planning@berkeley.edu

Letter 6

April 23, 2013

UC Planning
Comments on SEIR for Aquatic Center

To Whom It May Concern:

The SEIR is inadequate because there is no specific plan to replace parking places lost by building the Aquatic Center:

The proposed aquatic center will be built on a parking lot with no parking replaced. The 2020 LRDP states that surface lots built upon will have parking replaced on site or elsewhere. The 2020 LRDP further states that the new project displacing surface lot parking places should include in their scope and budget should include these replacement places.

The SEIR is inadequate because it does not state where the parking places displaced will be built. There is only vague suggestion is that somehow a currently unplanned developer designed and run parking structure located uphill on the eastern side of campus north of Memorial Stadium will provide lost parking.

6.1

The SEIR is also inadequate because there is not even a rudimentary discussion of the EXTREME environmental hazards associated with the location of the Maxwell Family Field parking structure north of California Memorial Stadium nor the problems increased traffic in this site will cause.

6.2

A recent Oakland Tribune Article indicates UC's loss of parking. People, including students, continue to drive with the desire to park near campus. UC and non-UC events in the area require parking for attendees who cannot take public transportation nor use a bike.

6.3

Parking around UC Berkeley campus just got harder to find
By Doug Oakley
Oakland Tribune
Posted: 04/16/2013 04:03:37 PM PDT
Updated: 04/16/2013 10:14:23 PM PDT

BERKELEY -- Good luck finding a place to park.
That's the upshot of an ongoing building binge at UC Berkeley where parking lots are being turned into buildings as the school runs out of vacant land to work with. And there's no plan to

create more spaces.
With the permanent closure of two large lots and the two-year closure of a third, the university is eliminating 650 spots, or about 10 percent of its entire inventory of 6,000 spaces, said Seamus Wilmot, UC Berkeley parking director.
That means more UC Berkeley faculty and staff will be competing with everyone else for street parking and spaces in city and private lots.
"We are running short of space and it's going to be tight," said Wilmot, who conceded there are no plans, at least in the next several years, to create more parking around the campus.
On March 1, UC Berkeley closed its University Hall parking structure at Oxford Street and Allston Way to make way for the new Berkeley Art Museum, permanently removing 320 spaces.
On March 1, the university closed the parking lot under Zellerbach Hall on Bancroft Way near Telegraph Avenue, removing 100 spaces until construction on two new buildings at Lower Sproul Plaza is finished in 2015.
And in August, the university will permanently remove another 230 spaces also on Bancroft Way at the Tang Center to make way for a new Cal Aquatics Center.
After August, there will be about 5,350 spaces for about 5,500
faculty and staff who regularly drive to work at the school, Wilmot said.
Wilmot said UC Berkeley is looking into building more parking on the west side of campus near the downtown area, "but the reality is that if you get a 'yes' answer on building it, it's another two years before a car gets parked."
The only other alternative, he said, is to try to convince those who drive to work at UC Berkeley to take mass transit. He said about 44 percent of the 12,500 faculty and staff drive into Berkeley and park every day, 24 percent take public transit, 10 percent ride bikes and 8 percent walk.
"I know taking transit is not viable for a number of people, but we're trying to get as much info to people as possible," Wilmot said.
City Councilman Jesse Arreguin, whose district includes the downtown area, said although Berkeley leaders want visitors and residents to get out of their cars to use mass transit as much as possible to combat climate change, "the reality is there is still going to be a significant number of people who choose to drive. Even right now we don't have enough parking."
Like Wilmot, Arreguin said there are no easy answers and the result will have to be more people using BART and AC Transit to get into Berkeley. Both the city and the university need to start spreading the gospel about public transit, he said.
"The city isn't doing any outreach about how the parking situation is going to get worse and the university isn't doing enough to get its faculty and staff out of their cars," Arreguin said. "People are driving to campus and they need places to park, so it spreads the impact all around."
In addition, the SEIR is inadequate because UC planners apparently do not know that the upper pool at the Strawberry Canyon Swimming Complex has been empty and not used from the time several years ago because of a landslide. There are not two functioning pools at this site. There is only one: the lower pool.

Thank you.

Ann Reid Slaby, Ph.D,
Attorney at law
345 Panoramic Way
Berkeley, CA 94704

Letter 6

COMMENTER: Ann Reid Slaby

DATE: April 23, 2013

Response 6.1

The commenter states an opinion that the Draft SEIR was inadequate because it does not include a specific plan to replace parking spaces that would be removed to accommodate the proposed Aquatics Center, and notes that the 2020 LRDP states that surface lots that are developed with other uses will have parking replaced on site or elsewhere. Please see Thematic Response: Parking above for a discussion of this topic. Project consistency with LRDP parking policies is also discussed in the Draft SEIR under Land Use (see p. 90); this discussion concludes the project is potentially consistent with these policies.

Response 6.2

The commenter states an opinion that the Draft SEIR was inadequate because it does not include a discussion of the "environmental hazards" and traffic impacts associated with the location of the Maxwell Family Field parking structure north of California Memorial Stadium. The project referred to by the commenter is a separate and unrelated project not requiring full review in the SEIR for the proposed Aquatics Center. Please see Thematic Response: Parking above, and draft SEIR p. 122 for a discussion of traffic impacts due to parking changes in the campus vicinity.

Response 6.3

The commenter states an opinion that students and others continue to drive and desire parking near campus, and that UC and non-UC events in the area require parking for attendees who cannot take public transportation nor use a bike. This comment is acknowledged. The commenter also attaches a recent Oakland Tribune article about loss of parking near campus. The commenter is referred to Thematic Response: Parking, above, for additional information on this topic.

From: **Celeste LANGAN** <clangan@berkeley.edu>
Date: Tue, Apr 23, 2013 at 10:43 PM
Subject: Proposed Aquatics Center
To: planning@berkeley.edu

Letter 7

On Gift Horses and Trojan Horses: The Proposed Aquatics Center

On Sunday, April 7, 2013, the *Daily Californian* ran a story with the headline, "Campus announces plans to construct new aquatics center." It's unclear from the story just *when* this announcement might be said to have taken place, since a public hearing on the proposal was held in Berkeley on April 3. Presumably at least those who organized the meeting knew of the proposal in advance. Still, it's fair to say that the proposal came as a complete surprise to most of the *Daily Cal*'s readership—that is to say, faculty, staff, and students. An announcement has yet to appear in the *Berkeleyan* or on the UC Berkeley website.

We're told by Intercollegiate Athletics that the proposed Aquatics Center, to be built on what's currently a parking lot adjacent to the Tang Student Health Center, is an "extremely generous" proposal on the part of private donors (referred to as "Cal Aquatic Legends"), who have engaged to raise all necessary money. We're told that Berkeley's pool facilities pale in comparison with Stanford's, and that the pool facilities we have are too crowded. Forced to share Spieker Pool with other students, faculty, and community members, the swimmers and divers who compete for Berkeley on an intercollegiate level can only practice at certain times, which limits their opportunity to elect certain major fields of study.

Why should we look this gift horse in the mouth?

With the new Aquatics Center, intercollegiate athletes would no longer have to share. We're told that the proposed new facility would be for the exclusive use of intercollegiate athletes and certain illustrious alumni. Thus the proposal is parallel in concept to the recently completed Student Athlete High Performance Center near Memorial Stadium and Memorial Grove. When that project was first proposed, the Cal community was also promised that it would be funded entirely through private donations; in 2006, we were told that $90 million was "in the bank." We know now that only $29 million was raised through private donations. Instead, the University is in debt for that facility alone (not counting Memorial Stadium) to the tune of $124 million. [1]

It's probably true that better facilities and resources aid performance. But shouldn't we be applying that principle first to the 99% of Berkeley students who are not intercollegiate athletes, and to the object of academic performance? Instead, a valuable public resource (the land granted to the university to educate California's citizens) would be diverted to serve the interests of only a few. Even if the construction costs of the proposed Aquatics Center are entirely covered by private donations, the plans for the building effectively monopolize that space, excluding 99% of the Berkeley community from its usufruct.

Wherever we turn today, we read that the "bricks and mortar" university is no longer viable; that it's too costly and denies access to high-quality education. At Berkeley we're all too familiar with the crumbling of bricks and mortar; after nearly every winter rainstorm one can find pieces of mortar or peeling paint, along with puddles, in some of the campus' most historic buildings, including the hallways and locker rooms of Hearst Gymnasium, the poor but beautiful elder sister of the Spieker complex. Faculty try to teach and conduct research in deteriorating classrooms and laboratories. Donors, we are told, have no interest in funding the repair of existing facilities, in upgrading and greening the heating and plumbing systems. And the state's declining support for the UC system makes even everyday maintenance a financial challenge. To respond to these challenges, the administration tries to find ways to cut costs—diminished library hours, fewer books bought, class enrollments shrunk to accommodate available classroom space and diminished numbers of ladder-rank faculty.

In this context, it's not just the prospect of turning a parking lot into an athletic facility that galls. It's the fact that the new facility will be for the exclusive use of a small number of intercollegiate athletes, some of whom already receive support in the form of athletic scholarships. The rest of the student body, as well as the faculty and the community, will still have access to existing facilities. But what's to guarantee that "access" will actually be any more extensive? Where is the plan to provide more hours for recreational swimming, to pay for the requisite lifeguards and staff? Will the "Aquatic Legends" continue to foot the bill for the new Center's operating costs, or will the University now have to divert some of the funds dedicated to Spieker and Hearst (to say nothing of classroom maintenance) to pay for heat, light, and staff at the Aquatics Center?

It's true that the Aquatics Center is planned for what's currently a parking lot—hardly an inspired use of precious space (unless one considers the disinvestment in public transportation, which makes it difficult for many students, faculty, and staff who live far from BART to get to campus except by car). But it's not as if the University has worked with Alameda County to improve bus service, or on its own to develop a shuttle service, despite the fact that available parking for faculty, staff, and students has been seriously diminished by recent UCB building projects. Moreover, the Environmental Impact Report filed for the Aquatics Center acknowledges that the project "conflicts with the existing applicable land use plan" as laid out in both the 2020 Long Range Development Plan and the South Side Plan.

Consider what's happening here. It's a perfect case of what's called "the privatization of public resources." Often "privatization" is represented as a benefit, the assumption being that "private enterprise" operates more efficiently than public entities, which serve a larger constituency, and often conform to a greater number of regulations. (Kind of like the difference between a car and a bus.) But we need to remember to ask who benefits from these supposed efficiencies. In the case of the Aquatics Center, UC Berkeley would be ceding land use—granted by the state for the benefit of all Californians—to a tiny fraction of athletes. Given past history, it is likely that students and taxpayers would end up financing a good portion of the costs.

And what of the net *psychic* costs? Although universities are imperfect institutions, traversed by all the economic, social, and cultural inequalities of their historical moment, they also have their utopian aspect: the "oneness" implicit in the name; the sense that the accumulated resources of a university, intellectual and physical, are shared by all members of its community. That's why a university's libraries, grounds, and buildings—its "bricks and mortar"—are still important, because they provide a space for the exchange of knowledge as a *common* good, and remind us that education is, at its best, a *res publica*, a public thing.

I therefore believe the Administration to halt planning/construction of the Aquatics Center until IA demonstrates that it is a) actually, truly fully paid for by donors, and b) that it is a good use of collective public University resources at the present time, given that it will be used by a small fraction of the UCB community for a nonacademic mission.

---

[1] Jay Heater, "Memorial Stadium has friend: Bartko's track record suggests Cal should find money for renovation," *San Jose Mercury News*, August 13, 2006; see also Brian Barsky, "Cal's Student Athlete High Performance Center Should Show Us the Money," which cites a *Daily Cal* report of November 29, 2008: http://www.contracostatimes.com/opinion/ci_19940254

Letter 7

COMMENTER: Celeste Langan

DATE: April 23, 2013

Response 7

The commenter states a number of opinions regarding the merits of the project and questions the wisdom of approving the project on a number of grounds. The commenter summarizes her concerns by requesting that the UC halt planning for and construction of the proposed Aquatics Center until it can be demonstrated that that the project is fully funded by donors, and that the project is a good use of collective public University resources at the present time, given that "it will be used by a small fraction of the UCB community for a nonacademic mission." These comments are noted and the letter has been forwarded to Campus administration for their consideration. . As they do not question or challenge the analysis or conclusions of the Draft SEIR, no further response is required in the Final SEIR.

Planning and Development
Office of the Director

Letter 8

Date: April 24, 2013

To: Jennifer McDougall, Principal Planner
UC Berkeley Planning Office, 300 A&E Building, UC Berkeley, Berkeley, CA

From: Eric Angstadt, Director, Planning and Development

Re: CEQA Comments: Cal Aquatics Center Subsequent EIR

The City of Berkeley staff provides the following comments on the Cal Aquatics Center Subsequent EIR. These comments were developed in conjunction with the following City departments:

- Planning
- Health Housing & Community Services, Public Health Division
- Public Works, Transportation Division

Lack of General Plan and Zoning consistency

The March 1997 Memorandum of Understanding between the University and the City of Berkeley regarding the Haas/Edwards Sports Complex (MOU) included joint development of the South Side Plan, recently adopted by the City of Berkeley. During the development of the plan the University specifically asked for density and height increases along Bancroft Avenue; that request was honored in the Plan. The MOU (Page 2, B.1.a.) provides that the campus will "acknowledge the [Southside Plan] as a guide" for development in the Southside.

The UC Aquatic Center as proposed does not meet the intent of the South Side Plan. The land use and transportation components of the South Side Plan developed jointly between the City and the University, support larger scale and intense development along the south frontage of the Bancroft corridor. During development of the Plan, the University stated the need for large buildings in this area to support office, retail and housing for the campus. Accordingly, the Plan and implementing zoning regulations (R-SMU) designate the area for high intensity development. 8.1

The UC Aquatic Center is proposed on the Tang Parking lot; one of the priority development sites identified in the South Side Plan. The site allows for buildings of up to 75 feet in height, containing offices, housing and retail uses. The Aquatic Center is a single story, single purpose recreational facility which does not comply with the jointly developed Plan, but rather, shifts away from the stated intent of the Plan to encourage higher density development in this area.

The SEIR analysis of the "Objectives of the 2020 LRDP" is weak with respect to the project's consistency with the LRDP. For example, in the analysis discussing the following LRDP goals, it is not clear how the Aquatic Center promotes them: 8.2

- *Provide the space, technology and infrastructure we require to excel in education, research, and public service.*

- *Provide the housing, access, and services we require to support a vital intellectual community and promote full engagement in campus life.*

The Aquatic Center is designed to be available to a small number of student athletes. Thus, it is not clear how the entire campus community benefits from this amenity.

City Understanding of the Use of Proposed Aquatic Center

The University's need for the new Aquatic Center is to support student athletes in ways that current swim facilities cannot. Several major donors have pledged funding to build the new Aquatic Center. The project as proposed would also support several other activities. The description states that there will be swim camps and other activities during summer months, with up to 120 attendees. All of the environmental analysis focuses on the multiple use aspect of the Aquatic Center. The project description suggests that the site will be used for special events "3-4 times per year" and that the rest of the activities will be based on CAL swim needs.
However, the analysis is unclear why all of the intended uses must occur at this location in the proposed configuration. The intended uses of the facility could be realized on the project site with a different development pattern, or they could be realized at the Strawberry Canyon site, perhaps with a different, less significant, set of impacts to address.
If the goal of the new facility is to support student athletes, then the additional programming is not essential to the actual development of the site and availability of funding. Changing the mix of uses at the site could reduce many of the identified impacts. 8.3

Alternatives Analysis

The Alternatives Analysis cites the availability of funding for this project as the main reason that the Tang site will be used. It further states that a mixed use option for the site is not financially feasible. The SEIR states in several instances that various other projects and uses are infeasible on the proposed project site due to lack of funding.
However, the described "Mixed Use Alternative" better fits the intent of the Southside Plan. It includes an Aquatic Center, as well as two mixed use structures, developing the site in the more intensive manner as encouraged in the South Side Plan.
The Mixed Use alternative could be financially feasible if joint development of the site was considered between the Aquatic Center and a private developer. Such a scenario might take more time to plan, but the outcome would be a more environmentally preferable use of the site and would implement the Land Use intensity that was anticipated by both the City and the University in the South Side Plan. 8.4
The Alternatives Analysis seems driven more by the availability of funding (apparently linked to the Tang Site), than by environmental superiority.

Traffic and Transportation

Though parking is not generally considered to be a CEQA issue, in this case the magnitude of the loss of the parking spaces resulting from the project clearly results in these motorists now using different streets to access new parking areas (and impacting the affected streets and intersection Levels of Service). Also, with this significant level of parking loss, UC must demonstrate how their existing TDM program would 8.5

be expanded and improved to ensure these motorists have an opportunity, and encouragement, to use alternative modes of access to the UC campus.
In addition to the loss of parking on the Tang Site, there are two other lots identified for closure, or closed already: University Hall and Zellerbach Hall parking lots.

1. The Aquatics Center DEIR states that the reduction of parking at the Bancroft/Fulton lot (i.e., future Aquatics Center site) would be 181 spaces – from 230 to 49; other documents state the reduction of parking at the BAM/pfa site would be from the existing 348 (assuming attendant parking, if no attendant then 258) only 49; and other documents state the reduction of parking at the Dwight Way lot (for a day care) would be from the existing 25 to 10 spaces. Therefore, overall, the net loss to parking in the west side and south side of campus from these three projects is approximately 495 parking spaces. [(230-49) + (348-49) + (25-10) = 495) If one calculates this reduction by assuming no attendant parking at the University Hall garage, the loss is 405. 8.6

   Further, if one assumes the April, 2013 Student Referendum is successful and the Wellness and Health Center moves forward, the additional loss of parking (on the Aquatics Center site) would be even higher – 544 (with an assumption of attendant parking at University Hall Garage) or 454 (with no attendant parking at University Hall Garage).

2. The DEIR discusses an upcoming Student Referendum to be held in April, 2013. Dependent on its outcome, the proposed Aquatic Center 49-space lot could be eliminated and replaced entirely by a 35,000 gsf Health and Wellness Center – page 125. When will these results, and subsequent decisions, be made and reflected in the project description and documentation? 8.7

3. The entire DEIR evaluates the parking impacts while seeming to assume that a parking occupancy of 100% can be readily achieved. However, this is not the industry standard to determine if a parking facility is "full." The parking impact changes quickly if one assumes, for example, that parking capacity is achieved at 95% and not 100%. If so, the number of parking spaces "available" for those motorists who used to park at the Project site is reduced dramatically. Please provide this analysis with an assumption of 95% occupancy and 90% occupancy as being "full." 8.8

4. The DEIR should provide data on parking space occupancy during the day and evening. 8.9

5. The Project proposes to retain approximately 49 to 54 spaces (conflicting data on Figure 4 compared to page 28). Which is correct? 8.10

6. Per the DEIR, trucks making deliveries (for chlorine, acid, CO2, etc) must park within 70' of chemical room doors (page 29) – is that the same as the Mechanical Room on the NE corner by Bancroft? The City does not want these deliveries being made adjacent to the sidewalk and expects these deliveries to be made on-site only. Page 29 8.11

7. The DEIR should clarify the number of bicycle parking spaces. The DEIR states that 5 bicycle parking spaces will be provided. Does that mean 5 racks or 5 spaces? If the racks are inverted U racks, then they could accommodate at least 10 bicycles. However, even 10 spaces seems rather 8.12

low and more are needed. The DEIR should describe the analysis or criteria utilized to develop the bicycle parking Page 123, bottom.

8. The DEIR states that contractors must submit a Traffic Control Plan that addresses 5 items – but they are not required to submit to the City. The City must be involved as City streets and sidewalks will be affected. page 119 — 8.13

9. The DEIR states that the majority of summer camp drop-offs would continue to use the north side of Bancroft at Spieker Pool, walk west on Bancroft, and cross at Ellsworth – page 121. It would be much better and safer to minimize the number of street crossings and consider combining the existing white zone for the Tang Center with Aquatics Center to serve both facilities. — 8.14

10. Is the remaining Aquatics Center parking lot to have a northbound or southbound traffic flow? Page 122 says would be northbound, but Figure 4 shows southbound. — 8.15

11. Where would private buses stop for the Aquatic Center? Does the project expect to have the City provide more on-street white curb which, if approved, would result in further loss of parking revenue to the City? — 8.16

Aesthetics of Project Design

The Aquatic Center project is designed with the goal of facing inwards towards the pool activities and puts a closed façade to the public realm. It is proposed on one of the most highly visible street frontages of the University and City interface, with large volumes of vehicular and foot traffic. While the design has shifted over time to include more street side windows, and a less solid fence and other walls, the general design does not fit with the intended land use of the area. If this project was to be built in conformance with the design guidelines of the South Side Plan, within which it resides, the building would have an open and inviting presence. The following comments are elevation specific:

- North elevation contains windows and the building entry, but the overall appearance is uninviting; the windows and entry way continue the wall affect of the design, albeit in more permeable materials. The entry is inset, rather than forward and clear.
- South elevation is a fence/wall, with a secondary entrance towards its east side. Again, the wall/fence is treated to be more porous, but it is still designed to wall off the interior of the aquatic center.
- "Secondary" east and west elevations are walls, reminiscent of older bank-style buildings. The elevation with several windows cut into it, allows for the public to peek into the pool area. However, this is not conducive to an inviting space for the public.

8.17

The elevations do not promote the intent of the South Side Plan, which suggests buildings in this area of mixed use with commercial lower levels. These types of buildings should have more open and accessible facades and be inviting to the public.

Aesthetics: Lighting

The lighting plan proposed for the project includes 22 new 25 foot high light standards with numerous LED fixtures, to provide night time lighting in the case of special events. In addition, the 46 foot high dive tower will be illuminated. The study suggests that the NCAA competition required light levels(70 foot candles on the deck) will only be required 3-4 times a year for competitive events, and that lower light levels, 15 foot candles (to meet basic safety standards) will typically be used. The LED lighting and structures will be visible and the inherent brightness of the LED bulbs will be highly visible to surrounding properties. We disagree with the EIR's conclusion that this lighting is in context with the typical urban, night time lighting seen in the surrounding area. Should additional development occur in the vicinity (some of which is considered in this study), the proposed lighting may have greater impacts than originally envisioned. 8.18
The University should consider strict use limitations of the LED high intensity (NCAA required) lighting, so as not to burden surrounding properties and residential units in the vicinity. In addition, lighting related complaints should be addressed and modifications to the system should focus on neighbor concerns.

Noise

The Project Description states that amplified sounds including music and PA would be inaudible to people on Durant Avenue. Durant is a loud thoroughfare, so using this test for audible sounds coming from within the enclosed pool seems inadequate, since background traffic noise and walls of the proposed project will block noise from the public Right of Way.
The City thinks that sounds audible to Tang Office Building offices, whether amplified or not, is a better test of noise impacts. Real and ongoing noise impacts will be to the residents and workers in existing adjacent and future buildings, since project elevations suggest a taller building directly west of the site. 8.19
The SEIR includes mitigation requiring equipment shielding, isolation, and selection equipment, positioning of speakers, hours of use, community outreach. The University should consider ongoing monitoring during and post construction and a point of contact to address noise issues and ensure noise standards are met. Noise reduction in the design and the use of building materials that minimize noise should be incorporated.

Sincerely,

Eric Angstadt
Director of Planning and Development

Letter 8

COMMENTER: Eric Angstadt, Director of Planning and Development, City of Berkeley

DATE: April 24, 2013

Response 8.1

The commenter refers to a Memorandum of Understanding between UC Berkeley and the City of Berkeley stating that the UC will acknowledge the City's Southside Plan as a guide for development in the Southside area. The commenter also states an opinion that the proposed project does not meet the intent of the City of Berkeley's Southside Plan as it applies to the project site. The commenter cites Southside Plan provisions that call for development that is larger in scale and more intense along the south frontage of the Bancroft corridor, as well as development that enhances the public realm, street vitality and pedestrian movement along the corridor. The commenter also notes that surface parking lots such as the project site are priority development sites in the Southside Plan particularly suited for the kind of development described in the comment.

As discussed in the SEIR under Land Use, the proposed project would be generally consistent with the stated intent of the R-SMU Subarea because it would be generally within the broad variety of uses identified and would occur on a surface parking lot, which is an existing land use identified as presenting development opportunities. However, it would not be the "preferred use" of mixed use including housing, and the University acknowledges that the project would not be built to the scale and intensity envisioned in the Southside Plan, so would not further the policies of the Plan in this regard. However, it would not fully conflict with the policies either; the policy merely encourages such development. This, combined with the broad range of allowed land uses in the R-SMU Subarea, indicates that the City's policy is not that all lots with development/infill potential in the R-SMU Subarea must be developed with intense, large scale mixed use projects.

The project includes an amendment to the 2020 Long Range Development Plan to acknowledge that site development does not fully meet the intent of the Southside Plan for infill development or the intention of the LRDP for intensity of uses on land near campus. The amendment addresses the fact that the proposed Cal Aquatics Center conflicts with the existing City land use plan, and was not envisioned in the 2020 LRDP and 2020 LRDP EIR. Therefore, the SEIR acknowledges that the amendment results in a significant and unavoidable land use impact not foreseen in the 2020 LRDP EIR. Please note also that the Memorandum of Understanding states that the Campus will acknowledge the City's Southside Plan as a "guide for development" in the Southside area, rather than requiring strict compliance with all provisions of the Plan.

Response 8.2

The commenter states an opinion that the Draft SEIR does not sufficiently support the conclusion that the proposed project is consistent with specific LRDP policies that call for projects that allow the UC to excel in its mission and support a vital intellectual community and "full engagement in campus life." The commenter asserts that the proposed facility's users represent "a small number of student athletes" and thus does not benefit the entire campus community. First, the proposed new Aquatics Center would allow more water time for the public (e.g. at camps and clinics) and other pool users by providing more water space without a comparable expansion in the Cal Aquatics program. Second, many of the University's projects are focused on a particular academic, athletic or support need. Every project does

not need to directly benefit the entire campus community; rather, it is the combined facilities that contribute to the achievement of the stated LRDP goals.

Response 8.3

The commenter states that the project objectives could be achieved by constructing the project in a different configuration or at the Strawberry Canyon site, and that these changes or program changes could affect project impacts. This comment is generally consistent with the discussion in Section 6, Alternatives, of the Draft SEIR, with one exception. As noted in the Alternatives discussion, the Strawberry Canyon Site Alternative would be the environmentally preferred alternative; however, it would not meet project objectives. Although feasible from a planning and use standpoint, locating the new Aquatics Center at a location this far from the existing aquatics programs would be less practical and convenient from a programming and access standpoint, and thus would not achieve the objectives to the extent that the proposed project would.

Response 8.4

Alternatives for the proposed project were chiefly selected for their ability to mitigate or avoid the significant land use impact of the project. The commenter notes that the Mixed Use Alternative is more consistent with the Southside Plan than the proposed project, and speculates that engagement of a private developer could make the Mixed Use Alternative feasible. This comment is consistent with the discussion in Section 6, Alternatives, of the Draft SEIR. The commenter's opinion is noted.

Response 8.5

The commenter states an opinion that the University must demonstrate how their existing TDM program would be expanded to ensure that motorists have an opportunity, and encouragement, to use alternative modes of access to the UC campus. Please refer to the thematic response on parking which discusses the Parking and Transportation Demand Management Master Plan (PTDM) that was prepared in 2011 and recommends a set of strategies to manage the existing parking facilities and campus travel through subsidies and incentives for transit use and disincentives to drive. Implementation of many of the PTDM strategies is already occurring. UC Berkeley Parking & Transportation disseminates information about transit subsidies, car-share/rideshare programs, and bicycling and walking through its website, as well as to drivers using parking lots that are slated to be closed.

Response 8.6

The commenter's calculations are noted; similar calculations have been completed by the campus over recent years and the cumulative parking losses are understood. Appendix G of the SEIR noted the loss of parking at the BAM/PFA site. Note that attendant parking occurs at the discretion of the University and thus marked spaces are the baseline resource for physical planning purposes.

Response 8.7

The commenter asks when details of the adjacent potential Health and Wellness Center project may be available. The Health and Wellness Center referendum is discussed in the Draft SEIR at page 125, and noted (although incorrectly listed under the header "under construction") in the cumulative projects list in Appendix G of the draft SEIR. As of April 26, 2013, the referendum appears to have been approved by the student body, releasing fees for planning, design and construction. However, the referendum did not

determine the site of the Center, but considered the Bancroft/Fulton site for purposes of feasibility study only; siting, design, entitlement, and CEQA review all remain to be completed. As that project is not part of the proposed Aquatics Center, it would not be part of the Aquatics Center project description or documentation, beyond being considered as a related project in the SEIR.

Appendix G of the Draft SEIR is hereby modified as follows: The Health and Wellness Center discussion is moved to the next page, to be listed under the heading "Berkeley Campus Projects, In Planning, Design Approval Pending".

Response 8.8

The commenter states an opinion that the Draft SEIR evaluates the parking impacts while seeming to assume that a parking occupancy of 100% can be readily achieved. The commenter goes on to state that 100% occupancy is not the industry standard to determine if a parking facility is "full," Finally, the commenter requests that the SEIR include a parking analysis based on an assumption of 95% occupancy and 90% occupancy as being "full."

The Draft SEIR does not state or imply that 100% parking occupancy is "readily achieved." The Draft SEIR acknowledges that the majority of University-owned parking garages and lots experienced parking occupancies greater than 80% during typical weekdays of the 2012 Spring and Fall semesters. The garages/lots that are identified to have available capacity include:

- Ellsworth Parking Garage
- Banway Lot
- Underhill Parking Garage
- Bancroft Parking Garage
- Genetics Parking Garage
- Dwinelle Lot
- Lower Hearst Parking Garage
- Upper Hearst Parking Garage

All parking garages and lots listed above, except for the Dwinelle Lot, experienced parking occupancy less than 90% during at least one semester in 2012. The average parking occupancy for a typical weekday at the Dwinelle Lot was about 92% and 93% during the 2012 Spring and Fall semester, respectively. Therefore if 90% or 95% occupancy is considered to be "full", all of the parking garages and lots listed above, except for the Dwinelle Lot, are considered to have available parking capacity. The Dwinelle Lot, which provides a total of 87 parking spaces, is considered to be "full." This determination does not change the conclusions of the Draft SEIR. Please see also the parking thematic response.

Response 8.9

The commenter states an opinion that the SEIR should provide data on parking space occupancy during both day and evening. This request is noted; however, the commenter does not state how this information would be relevant to the project's environmental analysis pursuant to CEQA. No changes to the SEIR are warranted.

Response 8.10

The commenter notes a discrepancy in the text and asks whether the proposed project would retain 49 or 54 parking spaces on site. Forty-nine spaces would be retained; the error is thus corrected in the Final SEIR.

Response 8.11

The commenter states that the City of Berkeley does not want deliveries of pool chemicals to be made adjacent to the sidewalk, and requests that they be made on-site only. This request is noted. Impacts related to the type of chemicals proposed and where they would be delivered and stored are discussed in the Draft SEIR under Hazardous Materials (see Draft SEIR Page 79), and impacts were determined to be less than significant.

Response 8.12

Bicycle planning adjacent to facilities uses a target of ten percent of average peak occupancy (8 am to 5 pm Monday through Friday) in accordance with the campus bicycle plan (see pt.berkeley.edu/sites/pt.berkeley.edu/files/content/UCB_BikePlanFinal.pdf). With this calculation, five spaces is appropriate for users at the new Aquatics Center. Nonetheless, the project will work to increase the number of bicycle parking spaces that can be accommodated on site for regular and event uses. Additional bike parking could be accommodated on the site within the area proposed for development – most likely via wall-mounted racks inside the facility – and would not result in any additional impacts not addressed in the Final SEIR.

Response 8.13

The commenter requests that the City of Berkeley be involved in development and approval of a traffic control plan for construction of the project, as City streets and sidewalks would be affected. The University will coordinate with City of Berkeley Department of Public Works staff to review the Construction Traffic Management Plans.

Response 8.14

The commenter suggests that summer camp drop-offs occur on Bancroft Way – by combining the existing white zone for the Tang Center with Aquatics Center to serve both facilities - to minimize the number of street crossings and thus enhance pedestrian safety for walking to the site. Pedestrian safety is discussed in the Draft SEIR on Page 123, under Pedestrian Access and Safety. The analysis concluded that the existing and proposed pedestrian facilities in the study area and on-site would be adequate for pedestrians traveling to and from the proposed Aquatics Center, and impacts would be less than significant. Summer camp participants would continue to use the Bancroft Way drop-off zone adjacent to Spieker Pool for camp events taking place at Spieker Pool. For summer camp events held at the proposed Cal Aquatics Center, some participants would continue to get dropped off next to Spieker Pool and others would get dropped off at the white zone on Bancroft Way adjacent to the Tang Center. Bancroft Way provides adequate pedestrian facilities to accommodate pedestrian crossings along and across Bancroft Way between Spieker Pool and the proposed Cal Aquatics Center for those campers who would walk from Spieker. The campus will consider the commenter's suggestion, although it is not necessary for the purposes of reducing a potentially significant environmental impact.

Response 8.15

The commenter notes a discrepancy between the text and the figures in the Draft SEIR, and asks for confirmation of the proposed direction of traffic flow in the parking area. The direction would be south to north. The error is thus corrected in the Final SEIR.

Response 8.16

The commenter asks where private buses would stop for the proposed Aquatics Center. As noted in the Draft SEIR under Transportation, buses containing visiting student athletes for events (up to four times per year) would continue to park at the Recreational Sports Facility parking lot.

Response 8.17

The commenter provides a number of comments regarding the architectural design of the proposed project. These comments are noted; however, they do not question the analysis or conclusions of the Draft SEIR, and thus do not require further response in the Final SEIR. Impacts related to aesthetics are discussed in the Draft SEIR under Aesthetics, and were found to be less than significant. It should also be noted that the project received generally favorable comments from the City's Design Review Committee at its February 21, 2013 meeting.

Response 8.18

The commenter states disagreement with the Draft SEIR's conclusions that the proposed (non-event) project lighting "would generally appear consistent and compatible with existing nighttime lighting that is present in the immediate vicinity." The commenter states an opinion that the lighting would not be "in context with the typical urban, night time lighting seen in the surrounding area." The commenter does not provide any information to support the opinion that the proposed non-event lighting would be incompatible or "out of context" with the surrounding street lights, commercial lighting and other urban light sources. It is important to note that typical non-event use of the new pool facility would not occur past 6:30 PM, while the existing parking lot lights on the site are on all night. The proposed project includes removal of all of the existing parking lot lighting and potential relocation of some of the lighting to the smaller reconfigured parking area. Given the proposed lighting design and layout changes and the proposed schedule of operation, the proposed project would result in an overall decrease in the amount of nighttime lighting that occurs regularly at the project site. Nighttime lighting associated with the proposed project would not increase lighting over levels anticipated and analyzed in the 2020 LRDP EIR: event lighting would be infrequent, would be low and directed, and would be turned off after competition use, in contrast with existing site lighting which is on all night. Therefore the SEIR (page) concluded the project would not create a new source of substantial light which would adversely affect day or nighttime views in the area.

Response 8.19

The commenter states a concern regarding operational noise impacts to adjacent existing and proposed uses to the east and west of the project site, and opines that impacts would be more severe to the adjacent institutional/office uses than to residences across Durant Avenue. Please see responses 1.7 and 1.8 for a discussion of noise impacts to the Tang Center. These impacts would be similar to what would be anticipated for future facilities adjacent to the west. The commenter further suggests additional mitigation measures, including monitoring of operational noise, establishment of a noise complaint and

compliance contact person, and noise-reducing building materials and specifications. As discussed in the Draft SEIR under Noise and in responses 1.7 and 1.8, no further mitigation is needed to reduce noise below significance thresholds. Nevertheless, these suggestions are noted.

BERKELEY FACULTY ASSOCIATION

Council of UC Faculty Associations

Letter 9

April 24, 2013

To whom it may concern:

I write on behalf of the Board of the Berkeley Faculty Association (BFA) to express our organization's strong opposition to the plan the campus's plan to construct a new aquatics center on the Tang Student Health Care Center parking lot. As we explain below, the current plan for the new Aquatic Center is seriously flawed. It will have a variety of damaging impacts on the welfare of faculty, students, and staff that will make it increasingly difficult for UC Berkeley to maintain its reputation as a world class university. It also threatens to further undermine the fraying relationship between IA and the campus community as a whole. We call on the university to delay construction of the project until these problems are solved.

The Problems with the Current Plan

The current plan threatens the welfare of faculty and the broader community of UC Berkeley staff and students in three ways: through its harmful impact on centrally located campus parking, its financial impact on IA and campus financial resources, and its unfortunate impact on the sense of cohesion and solidarity and shared sacrifice that the campus community needs to deal constructively with the consequences of years of devastating budget cuts.

1. Project's Harmful Impact on Central Campus Parking: The campus intends to build the new aquatic center on the parking lot that serves the Tang Health Care Center on Bancroft Way. This will eliminate 230 parking places used by students, faculty, and staff who need to park there in order to access the services at the Tang Center there, as well as other campus facilities southwest side of campus. To understand how severely this will harm many members of the campus community, it is necessary to put the loss of these parking spaces in context. They come on top of the 230 parking spaces eliminated when the University Hall Parking Structure was torn down last month to make way for the new Art Museum. Together these closures are estimated to represent a nearly 10% reduction in the availability of central campus parking.

9.1

These large losses exacerbate the parking shortages caused by previous parking lot closures. This includes the loss of hundreds other parking spaces on the southeast side of campus in 2009, due to the destruction of the large parking lot adjacent to the Football Stadium to make way for the new DIA Sports Training Center and the construction of the plaza adjacent to the stadium, and the repurposing of other central campus parking lots for construction of new buildings elsewhere on campus in recent years.

These losses harm the campus community in several ways. First and foremost, they are making the commute to and from the campus increasingly difficult for faculty, staff and students who reside miles from campus and lack convenient access to mass transit between their homes and

1

campus and/or the time and athletic ability to bicycle up and down the East Bay Hills to get to and from campus. The loss of the Tang Center lot will be especially hard on students who must depend on cars to get to the Tang Center when they are too sick to walk from their apartments or the nearest BART or bus stop, but not so sick they need to be taken by ambulance to the Emergency Room at Alta Bates or another hospital. It will also reduce the access of students, faculty, and staff to Tang Well Care services, such as flu shots. Although it appears that the campus envisions preserving 54 parking spaces on the Tang lot, this will not meet the needs of Tang Center users (and the many others affected by the loss of the University Hall parking garage), especially given the likelihood that some of these spaces will be reserved for Tang Center and Aquatic Center staff and star athletes.

In conjunction with the loss of other parking lots on the campus as a whole, the closure of the Tang Center parking lot will have a ripple effect across campus, affecting students, faculty, staff and guests in a myriad of detrimental ways. The growing shortage of centrally located parking imposes particularly troubling hardships on faculty and staff who need quick access to their cars in order to tend to their children's needs (e.g. to deal with health care, school issues and other problems) and/or are caring for elderly parents and other relatives, and/or are dealing with personal health problems.

Equally disturbing, by making it increasingly difficult for many to get to campus, this plan will reduce the faculty's ability and willingness to come to campus to meet with students and attend seminars and other events not deemed essential by their chairs. This will reduce collegiality and the intellectual excitement generated when faculty are able to learn from each other at seminars and ad hoc hall way discussions. This will make it more difficult for the campus to recruit and retain world class faculty.

By forcing faculty and staff to spend much more time driving around, hunting for parking, the closure of the Tang lot will also increase the campus's green house gas emissions. This will undermine its costly efforts in other areas to reduce its carbon footprint and cut its GHG emissions to mitigate its contribution to climate change. 9.2

2. Project's Harmful Financial Impact on Scarce IA and Campus Resources: We are told that a group of donors have agreed to "fully" fund the construction of the Aquatic Center. While we applaud their generosity, we question the credibility of the claim that their commitments will fully fund the construction of this project. As the campus has been forced to acknowledge, DIA has a history of severely inflating its assertions that it has lined up donors to finance its costly construction projects. When the campus announced the plan to construct High Performance Athletic Center, we were told that $90 million was "in the bank." As it turned out, however, only $29 million was raised through private donations. Millions of dollars that IA claimed to have lined up to finance the renovation of the football stadium through its Endowment Seating Program have similarly failed to materialize. 9.3

To make matters worse, we see no evidence that IA has lined up private funding to pay for the new staff services that will be needed to operate the Aquatic Center, such as custodial, equipment, and locker room services and the labor needed to set up, take down, and store the moveable bleachers it plans to use to accommodate 500 spectators at competitions. Where is

funding for this to come from? The swim and water polo teams do not generate revenue surpluses to pay these operating costs – nor does IA, which needs millions of dollars of subsidies each year from the campus to cover its teams operating deficits.

We find it outrageous and unacceptable that the campus would allow the Aquatic Center project to go forward without a credible plan in place to ensure that IA has the capacity and the commitment to cover both the full cost of constructing and the full cost of operating the center. We see no evidence that it can do this while keeping its commitment to fully fund the Memorial Stadium and High Performance Athletic Center as well as its commitment to reduce the campus subsidies it receives by 50% over the next five years and to zero within ten years. We see nothing in this plan that shows this project will improve things. Quite the contrary, it seems poised to make IA's deficits worse.

3. Project's Unfortunate Impact on the Campus Community Spirit, Cohesion, Solidarity and Sense of Shared Sacrifice: The problems described above not only threaten the welfare of faculty, staff, and students in practical, physical and financial ways. Equally important, they also threaten our sense of being part a community that is united around goal of furthering the good of the whole, rather than the good of particular special interests at the expense of the rest.

The announcement that IA swimmers will be given the exclusive right to use the facilities at the new Aquatic Center underlines the growing divergence between IA and broader campus community interests, deepening our concerns about its harmful impact on our community culture. Although IA swimmers currently share the Spieker Pool facilities with other students, faculty, staff, and community members, the Aquatics Center's new pool, lockers, and other amenities will be off bounds for other students, faculty and staff, just like the new High Performance Athletic Training Center on Gayley Rd. The number of swimmers to be served is absurdly small – only 120 students total per year, according to IA itself. We question the fairness of spending more millions of dollars on such a small subset of Berkeley students, at the expense of the rest of the campus community.

We find this unfairness particularly troubling in the context of the plan's damaging impact on parking and campus finances. At Berkeley we're all too familiar with the crumbling of bricks and mortar; after nearly every winter rainstorm one can find pieces of mortar or peeling paint, along with puddles, in some of the campus' most historic buildings, including the hallways and locker rooms of Hearst Gymnasium, the poor but beautiful elder sister of the Spieker complex. Faculty try to teach and conduct research in deteriorating classrooms and laboratories. Donors, we are told, have no interest in funding the repair of existing facilities, in upgrading and greening the heating and plumbing systems. And the state's declining support for the UC system makes even everyday maintenance a financial challenge. To respond to these challenges, the administration tries to find ways to cut costs—diminished library hours, fewer books bought, class enrollments shrunk to accommodate available classroom space and diminished numbers of ladder-rank faculty.

The rest of the student body, as well as the faculty and the community, will continue to be able to use the Spieker and Hearst Pool facilities. However, we not been given any credible assurances that public access to them will actually be any more extensive than it is now. Where is the plan

to provide more hours for recreational swimming? Where is the funding to come from to pay for the requisite lifeguards and staff? Indeed, public access to these facilities may have to be reduced, if, as we fear, Aquatic Center operating deficits force the University to divert some of the funds dedicated to operate the Spieker and Hearst facilities (or worse, classroom maintenance, or the library) in order to pay for heat, light, and staff at the Aquatics Center.

We note the irony of the fact that IA is not proposing to repurpose any of the university owned property that it currently occupies for this project, such as its baseball, lacrosse, or soccer fields. Instead, it proposes to take over property that is currently being jointly used by faculty, staff, and students. Would it be as eager to construct the new Aquatics Center if it was being forced to make the sort of sacrifices that it is asking the rest of the campus to make on its behalf? We doubt it.

Our Recommendations

We call on the campus to make the following changes in the current plan to construct the new Aquatics Center.

1. Delay construction of the plan until IA and the campus administration meet the following goals:
   - They produce a credible plan to cover all the costs of building and operating the new center from private sources, and
   - IA meets its intermediate commitment to reduce its long standing $10 million plus annual operating deficit by at least 50%, and
   - IA has fully funded, in a credible way, the full cost of the Memorial Stadium and High Performance Athletic Training Center.

   This will not only alleviate a significant portion of the heavy financial burden IA has been imposing on the campus, it will give the administration time to identify solutions to the other problems with the current Aquatic Center plan discussed here.

2. Relocate the Aquatic Center. Move it to where it will not reduce scarce parking resources, perhaps above the football stadium along Centennial Drive.

3. Give the center a smaller land footprint. UC Berkeley's central campus is built out. Land is much too dear to allow a low rise project composed of three single level buildings surrounding a 52 meter pool to go forward. Put the locker rooms and other facilities into one, small building several stories high and build a wall around the pool.

4. Open the new Aquatics Center up for use by the rest of the student body, faculty, staff and the public.

5. Finally, given the severity of the problems discussed here, we also urge the administration to take immediate steps to rethink and reformulate its process for planning large capital projects to ensure that future projects will be properly aligned both with the needs of the users of the projects and the campus as a whole. This includes addressing the necessity of funding the

operational as well as the construction of new projects and addressing the access problems created by the elimination of so much centrally located parking over recent years. The campus must develop a system for catching and fixing avoidable problems at the beginning of its planning processes, rather than waiting till the end, when the sunk costs are already so high.

We note that the Environmental Impact Report filed for the Aquatics Center acknowledges that the project "conflicts with the existing applicable land use plan" as laid out in both the 2020 Long Range Development Plan and the South Side Plan. Here again, campus administrators appear complicit in enabling IA to put its own needs ahead of faculty, student, and staff interests and the welfare of the Berkeley community as a whole. This makes no sense. It's not good for the university. And it's not good for IA, which suffers reduced community respect and support as a result. 9.4

In conclusion, we wish to remind campus administrators that the true measure of intercollegiate athletic teams is the quality of their athletes, not their facilities. The campus should be working with generous alumni and other supporters to meet the long range needs of the campus as a whole.

Sincerely yours,

Christine Rosen, Vice Chair, Berkeley Faculty Association
For the Board of the Berkeley Faculty Association
http://ucbfa.org/

Letter 9

COMMENTER: Christine Rosen, Vice Chair, Berkeley Faculty Association

DATE: April 24, 2013

Response 9.1

The commenter states concerns about the loss of parking that would result from construction of the proposed project on an existing parking lot. Please see Thematic Response: Parking for a full response to comments received on this topic.

Response 9.2

The commenter states an opinion that the loss of parking at the project site would require drivers to spend more time in their vehicles looking for alternate parking, which would result in an increase in greenhouse gas emissions. Greenhouse gas emissions impacts are discussed in the Draft SEIR under Greenhouse Gas Emissions, and impacts were determined to be less than significant with continued implementation of continuing best practices CLI-1 through CLI-3. The relatively modest amount of additional driving that may be necessitated due to the loss of spaces on the site would not rise to the quantitative level that greenhouse gas emissions thresholds would be exceeded. In addition, once drivers are aware of the loss of spaces, they would drive directly to alternative parking locations (see discussion in Thematic Response: Parking; see also Draft SEIR discussion, page 122, "Traffic Changes Related to Displaced Parker"), thus reducing "hunting" for parking over time following the completion of the project.

Response 9.3

The commenter states a number of opinions regarding the merits of the project and questions the wisdom of approving the project on a number of grounds. The commenter also sets forth a number of recommendations for project modifications. These comments and suggestions are noted and have been forwarded to campus leadership for consideration. As they do not question or challenge the analysis or conclusions of the Draft SEIR, no further response is required in the Final SEIR.

Response 9.4

The commenter correctly notes that the SEIR identifies a significant and unavoidable impact related to land use, and restates opposition to the project as proposed. This comment is noted.

3. PUBLIC HEARING ON THE DRAFT SEIR

April 3, 2013

The University held a public hearing to take verbal comments on the Draft SEIR from interested parties at University Health Service's Tang Center on April 3, 2013. The transcript from the meeting follows, with individual comments delineated and assigned a corresponding letter. Responses to the comments follow the transcript.

0001

PHYSICAL AND ENVIRONMENTAL PLANNING
CAPITAL PROJECTS DEPARTMENT
UNIVERSITY OF CALIFORNIA, BERKELEY
--oOo--

In the Matter of:)
)
CAL AQUATICS CENTER PROJECT)
_____)

PUBLIC HEARING

CAL AQUATICS CENTER PROJECT
SUBSEQUENT ENVIRONMENTAL IMPACT REPORT

REPORTER'S TRANSCRIPT OF PROCEEDINGS

_____

APRIL 3, 2013
6:03 P.M.

University Health Services Tang Center
Section Club Room
2222 Bancroft Way
Berkeley, California 94704

Reported by: SARAH LUCIA BRANN, CSR #3887 #450212

0002

I N D E X

0003

P A N E L

JENNIFER McDOUGALL
Principal Planner, Physical and Environmental Planning - Capital Projects
ABE LEIDER
Senior Project Manager
Rincon Consultants, Inc.
BOB MILANO JR.
Cal Athletics

--oOo--

0004

P R O C E E D I N G S

MS. McDOUGALL: Good evening. I always like to appreciate people who come on time by starting on time. So I appreciate that you are spending part of your evening with us, and I would like to just begin, if I can.

I am Jennifer McDougall. I am a planner with UC Berkeley. And this is our brief agenda for tonight. What we are going to do tonight is do a brief presentation about the Cal Aquatics Center so that you all are starting from the same starting point with some information about the project, and then we are going to open up the evening for public comment, to do a pretty formal public hearing.

Some of the participants who are here tonight include Sarah Brann, who is a court reporter. So she will be taking down all of the comments, all of the conversation that happens here tonight.

So just before we get started, I want to talk about the California Environmental Quality Act, CEQA. And this is a fairly formal setting under the California Environmental Quality Act here. And I am just going to read to you some words about CEQA.

I am not going to read all of the words that

0005

are on the slide. But generally the purpose of the California Environmental Quality Act is to inform the public and decision makers whenever development will impact the environment.

And here, too, additional CEQA concepts are especially relevant. The purpose of an environmental impact report and the concept of tiering under CEQA, generally, when a project will have significant effects on the environment, CEQA requires preparation of an environmental impact report, and specifies the kind of material that needs to be in that environmental impact report, the procedures around publication, the public comment and review of that document.

Another role of CEQA is to involve the public in the planning process and the decision making that could have significant effects on the environment. And so that's the reason that we are here tonight.

We have a proposed project, the Cal Aquatics Center. You received notice about that project and notice about the fact that we have published -- the University has published an environmental impact report. The environmental impact report has been on the web and also been available in libraries in our area, and I hope that some of you had a chance to look at it.

The idea of tiering just means that there

0006

might be an earlier environmental impact report that sufficiently addresses some of our environmental topic areas. And in this instance the earlier environmental impact report is the campus Long Range Development Plan environmental impact report.

So those are all -- this is the world of CEQA and the world of the documents that you are reviewing with regard to the context for this project.

But there is a much more interesting context for this project that I would like Bob Milano to address.

Bob, will you come introduce yourself?

MR. MILANO: Well, thanks for coming out tonight. I know it's our precious time away from work.

I am Bob Milano Jr., assistant athletic director. Obviously this is an important project for the athletics department. We also think it's of benefit to the general student population and the staff that also use Spieker Pool.

So we are proposing to install a 52-meter deep water pool on the adjacent lot, and it will complement the deep water pool we have at Spieker. And the reason the deep water pool is so important to athletics is that water polo and swimming have to be competed and trained in a deep pool. You can't touch the bottom. Touching

0007

the bottom in water polo leads to problems with the scoring, so we are hoping to complement the existing deep water pool at Spieker.

And the brief history is, we have been working on a solution to this problem, for 120 student athletes competing and training in men's swimming and diving, women's swimming and diving, women's water polo, men's water polo, and pretty much we do that out of one 51-meter pool at Spieker.

For those of you who don't know the history of Spieker, Spieker was built as a companion piece to the old Harmon Gym, when really Harmon Gym just served a few male sports. With the explosion of Title IX and the explosion of year-round training and year-round competition, including world championships and Olympians that have come out of this fine institution, we really have a need to really double our water space.

Our competition kind of around the West Coast has more than even two pools, and we are not asking for that. We are asking for enough to let the athletes be as successful as they can, both in the classroom and in the pool.

So the benefits will also be more far-reaching than the student athletes. We will be able to free up some time in the existing Spieker Pool. That schedule,

0008

if any of you swim at Spieker now, or train there or have classes, is very impacted. We run a schedule there from about 6:00 a.m. to about 10:00 p.m. at least six nights a week, trying to fit in all of the student training, recreational swimming, plus the teams. So if we are able to double our water, we can free up a lot of space at Spieker for the other recreational kind of like campus activity space.

So it's obviously an important day for athletics. But we are here to listen to your comments, and we take them very seriously, and we appreciate you coming out tonight.

MR. LEIDER: Hi, all. My name is Abe Leider. I am the project manager for the Subsequent EIR, Environmental Impact Report. I am assisting -- the firm Rincon Consultants is assisting the University in writing that report.

So I will just go over a few of the details of the project. I am going to focus on the kinds of project information that are germane to the environmental analysis. So I will talk about the sort of statistics and aspects of the project that are important to what we use to analyze the environmental impacts.

What I would like to do, actually, is go to

0009

the next slide.

This is the site plan for the project. And it's oriented in -- this is the office of public affairs and the Tang Center, where we are sitting now. So this is Bancroft Way at the top.

The proposed project has three buildings, totalling about 10,000 square feet. And the one that fronts Bancroft Way is the multi-purpose and team room, for about 5,000 square feet. You will see it here at the top of the slide. That building will be made out of precision cut concrete with a perforated metal skin and with a translucent glass, enough to bring light in during the day and out -- a little bit out at night.

The other two buildings are a men's and women's locker room here and a pool storage one alongside the Tang Center at its mid-block crossing. And they would be a sort of similar rectangular polished concrete design.

On the Durant side of the site would be the dive tower, which is a 46-foot tower with two platforms on either side. It's also made of concrete, but it has a lighted stairway for the athletes to go to the top. And that would also let a soft glow out at night when it's being used in the evenings.

The program, which is what happens at the

0010

center, is very important to what we analyze, because it talks about what's going on during the day there and what happens. So let's see. You can go to that slide, actually, if you wouldn't mind, just for a second.

So a typical week at the proposed Aquatics Center would be practices and workouts and training scheduled through most of the day, starting at 6:00 a.m. and going until about 6:30 p.m.

There is no permanent seating proposed, but there is the possibility that some events that now take place at Spieker Center would happen at the Aquatics Center, up to maybe four times a year. So we had to look at the impacts of those specific events, rare as they may be, in addition to the daily goings-on at the center. There would be no public lap swimming, which changes a little bit the circulation. Less people are coming from the outside to the center. We are looking at more bus, bike, and walkers to and from campus.

Again, just to go back to the events for a second, the kinds of things that go on at events that cause impacts that we look at in the report are noise from the public address system and also lighting. But for the most part those are subdued during the daily practice and training schedule and only are used during those infrequent events.

0011

Some less exciting parts of the project that are very important to our analysis, like grading and excavation. There would be about 22 feet depth of excavation, and that material has to be exported from the site. So that's truck trips. That's an important part of what we look at.

As far as the parking -- if we can go back for a second -- sorry to jump around -- to the first slide. So the existing parking on the site would be removed except for 49 spaces here at the west side of the site that would remain. The circulation pattern would be in from Durant and out to Bancroft Way.

MS. GOODWIN: Where are the spaces where they can park?

MR. LEIDER: That was the previous version. I think it's been slightly altered to 49.

MS. GOODWIN: I can imagine. Where is emergency parking now for medical purposes?

MR. LEIDER: What I would like to do is take that as a comment rather than as a question, because these are all important, because if you guys have them, we want to take them down.

MS. GOODWIN: I didn't know the agenda. Is there going to be a time --

MR. LEIDER: Public comment, yes, comes after.

0012

MS. GOODWIN: Is there a UC rep here who will take our comments after?

MS. McDOUGALL: Yes.

MR. LEIDER: I will just say a little bit about landscaping. There are currently some -- the trees along Bancroft Way are London plane trees that are actually on the project site. And they would be removed, but new trees will be planted along Bancroft Way in the reconstructed sidewalk, so a little more out towards the street. There are also some existing mature trees here along the south side that will be removed, but the street trees along here, the London planes, will also remain.

And one detail that I want to make sure I point out is there is a mid-block crossing here along the Tang Center, between the parking lot and the Tang Center, that would also remain and be improved, with a new sidewalk and new planting there as well.

Anything key that I left out of the project overview?

MS. McDOUGALL: No permanent seating.

MR. LEIDER: Oh, yes. Again, because the events would be so infrequent, there is no permanent seating, like bleachers like you might see at other competition pools. Instead they can be brought in when

0013

necessary, but there is no permanent spectator seating proposed. It could seat up to 500 people when events are scheduled.

And finally, there is a minor text amendment proposed to the Long Range Development Plan. Do you want to talk about that? Okay.

MS. McDOUGALL: If you could walk through some of the slides.

MR. LEIDER: Sure. Thank you. Yeah.

These are elevations, so this is what the project would look like in a very conceptual way from the Bancroft Street side. So you will see the public affairs building here, the Tang Center there. And this is the profile. It's a one-story profile along Bancroft. You can see in the background along Durant the dive tower there. That's the general design of the project and how it fit in the context on the street.

And from Durant, this would be the -- I guess you could call the rear of the site. This is fencing proposed along the property boundary. There's the dive tower more in the foreground, and the buildings are more in the background.

Oh, yes, a couple more things about the program. I just wanted to mention that, in general, aquatics programs are not proposed to expand or -- there

0014

wouldn't be more of them, necessarily. But this, as Mr. Milano says, is really to accommodate existing uses and existing needs the aquatics program has.

But there are some changes that are of interest. For example, the University does have clinics and camps for youth and other non-student athletes, and these would expand slightly, with the opportunity to bring those programs onto the campus and to the Cal Aquatics Center. Those would expand slightly with the new project. So again, the programs wouldn't increase. And no public lap swimming at the pool.

I think that kind of covers the uses. All right?

MS. McDOUGALL: I am just going to go again.

So, for those who came in late, what we are trying to do tonight is present some of the context about the environmental information and about the project itself, and then leave plenty of time for there to be public comment. Public comment is a fairly formal thing. Under CEQA we have a court reporter here to take your public comment. And we can -- after we have all the public comments in, we can adjourn and also have some conversation and talk about the project as well.

So briefly, then, to go through what the environmental impact report says, to be clear, it's

0015

tiered from the 2020 Long Range Development Plan, which is the campus's comprehensive plan.

It includes a description of the facility. I am not going to read all of the slide. But it also discusses the City of Berkeley's Southside Plan.

The environmental analysis goes through a long list of specific topic areas and describes particular -- some idea about what the impact of the project would be on aesthetics, thinking about things like lighting at night. On noise, we are concerned for the neighbors who are immediately adjacent to the project site. And we looked at transportation impacts of the project.

So some of the key findings of the project are this. In particular, the draft EIR finds a significant unavoidable land use impact, because the project itself is not strictly consistent with the City of Berkeley's Southside Plan.

And we also have a finding regarding the city's sewer system and what happens during wet weather flows in the city, and wanting to be sure that the swimming pool itself does not discharge during a period where the city's sewer systems are already stressed.

Some of the topics that we know are of interest and concern can include traffic and parking.

It's important to note that for CEQA purposes

0016

parking, the loss of parking itself, is not necessarily a CEQA impact. It's not considered an environmental impact. It is considered a policy concern, and it's important for policy reasons for UC Berkeley, as well as it is for the City of Berkeley, but it's not considered an area of environmental impact.

What you worry about for environmental purposes are the secondary impacts of the loss of parking. For example, if people end up driving around looking for parking, then that creates traffic. And that's one of the things that we looked at carefully in the environmental impact report. And these are some of the findings from the EIR.

We also recognize that the people who will be coming to the site, the athletes who will be coming to use the swimming pool, in general live in the vicinity and are not driving cars. They are most likely to be walking or biking to the site.

In terms of parking, this is one of the -- we certainly recognize that there is a loss of parking at this site, and it's in conjunction with the loss recently of the parking structure at the University Hall site.

But we did do an analysis to determine whether there was some additional parking available in the

0017

campus parking supply, felt that there was some additional parking available, and also that some people would be switching to different alternative modes. And so there is a discussion of parking. Even if it isn't considered a significant impact for CEQA purposes, we did talk about it in the environmental impact report.

And more -- just more about what those trips, what the vehicle trips might look like.

The environmental impact report also looks at alternatives to this proposal. One is to look at the no-project alternative at the site, where we would not build a project. One is to look at a mixed use alternative. The mixed use alternative would be more compliant with the City of Berkeley's Southside Plan, in that it would have more development. There would be more than just a swimming pool. There would be additional height and uses, more uses on the site, bringing more people to the site and more intensity to the area.

And then we looked at the Strawberry Canyon site alternative, an idea of improving or building a new pool at Strawberry Canyon. As it turned out in our environmental impact report, the Strawberry Canyon alternative was, I think, the environmentally preferred alternative. But it doesn't work for some of the major

0018

goals for the Cal Aquatics and the major goals of the project, which include having a program that can use the vicinity of Spieker Pool. We are really close at this site to Spieker Pool, with a lot of associated services at the pool, and it will be much better for the program to be able to have the easy back-and-forth with their existing program at Spieker.

There's more detail about all of that in the environmental impact report, which again is on the web for you to review closely, if you would like.

So our goal tonight, then, is to allow you to have time to comment on the record.

What our process from here on forward is, we will take comments tonight. We are continually, right now, in the public comment phase of our environmental impact report. The public comment period closes on April 24 at 5:00 p.m., so any comments that you have, we are hoping that you can get them to us before then.

The University needs to respond to every comment that we receive, so we absolutely will look at every comment we receive and work to respond to it. The entire environmental impact report, which is the EIR plus your comments, plus responses to your comments, is expected to go to the UC Regents at their main meeting for their consideration to approve the design of the Cal

0019

Aquatics Center, and then also to examine the environmental impacts of the project. So that's our process for this work.

And just a little bit more about where you can see -- we did a little Google URL to make it available, and comments are at planning@berkeley.edu.

What I would like to do is to remind you that, if you want to make comments tonight, we are accepting comments on these forms, I mean, on these -- asking people to fill out these little green cards. The reason to fill out the little green card is so that I can call your name. Then you can come up. You can speak for a period of time. And then also we can get your name spelled right in the record for the public hearing.

And right now I have three people. Are there more people who would like to speak tonight?

I am sorry. So --

MS. GOODWIN: Out here?

MS. McDOUGALL: Yes.

So I am going to start with Elizabeth Greene. And then after Elizabeth is Les Ferris.

Do you want to come up and speak from here?

MS. GREENE: Sure.

MS. McDOUGALL: And our goal tonight is to give everybody a chance to comment, so we will time you.

0020

If you have -- up to three minutes, unless you are representing a group.

And you are representing the City?

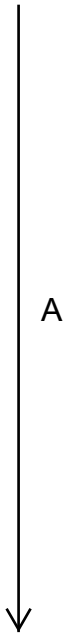
MS. GREENE: I am representing the whole City.

MS. McDOUGALL: Okay, good. You can have five minutes.

MS. GREENE: Hello. I am Elizabeth Greene. I am a senior planner with the City of Berkeley's Planning Department. And I am here to give some of the comments from our department, though, of course, our complete comments will be sent to you in a written form, so you will get more details then. But basically I just wanted to touch on a couple of issues that we have, in terms particularly of the lack of the general plan and zoning consistency. The UC Aquatics Center as proposed does not meet the intent of the Southside Plan, and it moves in an opposite direction than we were hoping to go.

The land use and transportation components of this plan, developed jointly between the City and the University, are explicit in supporting large scale and intense development along the south frontage of the Bancroft corridor, to encourage development along Bancroft and to make it a more viable, exciting place.

The University stated the need for large buildings to support office, retail, and housing needs



0021

on campus. And so accordingly, the plan and implementation zoning regulations, which is the RSMU district, does designate the area for high intensity development.

And what we particularly did for Bancroft is we allowed an extra 10 feet of height for the Bancroft frontage within the RSMU district, specifically to address the University's concerns about wanting to have mixed use businesses there, mixed use development.

The UC Aquatics Center proposed on the Tang parking lot -- is proposed on the Tang parking lot, and that is one of the priority development sites identified in the Southside Plan. The site allows for buildings up to 75 feet in height, containing offices, housing, and retail uses. The Aquatics Center is a single-story, single-purpose recreational facility which does not comply with the jointly developed plan. It does not take advantage of either the City's or the University's stated long-term goals and needs.

In terms of environmental issues, we are concerned about the lighting system that's designed to accommodate televised and recorded and large public gatherings -- televised and recorded events and large public gatherings at the center. Potential impacts to surrounding properties and residences must be addressed.

B

0022

Further, such intense lighting can affect migration patterns for birds and other animals. C

And then finally, we are concerned about the traffic impacts caused by daily trip generation, as well as anticipated events, which may include high danger to pedestrians accessing the site from nearby, particularly from the Spieker Pool. The Oxford and Bancroft intersection is not currently designed to accommodate large volumes of pedestrian traffic. D

There is a loss of parking, which I know is not a CEQA issue, but something that we are concerned about. And basically the City sees the development of this site as proposed as a lost opportunity for Bancroft Way. E

So, thank you very much.

MS. McDOUGALL: Thank you.

Our next speaker would be Les Ferris.

MR. FERRIS: My concern is the significant loss of parking. I am a faculty member. Are you going to address that?

I teach three days a week here, and I commute from Sonoma County. Parking is always my primary concern when I drive down to teach my classes, and this is a significant loss of parking. And the University has already converted part of the parking garage across F

0023

the street on Bancroft Way to public parking.

So, does the University have any plan to provide equivalent parking at some convenient location?

MS. McDOUGALL: This is a chance to comment on the record. We can talk about it some more after we adjourn, but I don't have a response for you.

MR. FERRIS: Okay. All right. So it's not part of the discussion.

MS. McDOUGALL: Not as part of this project.

MR. FERRIS: All right.

MS. McDOUGALL: Thank you.

Kolondra Harvey.

MS. HARVEY: Good evening. My name is Kolondra Harvey, and I work at 2150 Kittredge Street. Actually, my office is right above the parking and transportation building.

I am concerned in regards to the lack of parking. I worked at this specific building since 1997, and have had to be able -- the pleasure of being able to park here at the Tang Center. And the program that I run, we focus on high school students and middle school students.

And I am here somewhere early in the morning, as early as 6:00, to maybe 10:00 or 12:00 at night, or especially maybe at 2:00 o'clock in the morning, working

0024

late. And my concern is, where am I going to park, especially when my children come to work with me in the evenings? It's closer for us to walk a block away to Tang Center and not -- have a spot to work. And a lot of my staff have children, and they also sometimes come to our office, and our students come to our office at night. And the Tang Center is a very convenient place.

Now, on the flip side, I do appreciate the fact that there are other alternatives. As a swimmer who uses Spieker Pool on a regular basis, that is great. But I am sure -- there are four other pools on this campus that could have been converted to use as a pool, as a training site for Cal.

As much as I appreciate swimming, and as a competitor myself in the past, there should have been other alternatives. And I don't remember getting any type of survey saying, "Do you park at the Tang Center? How do you feel about the loss of parking spaces?" Because that would surely have been a red flag.

The little itty bitty yellow sign that you left on the post in front of the Tang Center, I never really noticed it, because I am driving in to work and driving out to work, and I never saw it until one of my colleagues said, "Hey, by the way, they are having this thing. Did you look at the yellow sign?"

0025

I actually had to get out of my car to look, to put my glasses on to read the yellow sign to know that there was a proposal.

So I don't think there was awareness, especially for the Center for Educational Partnerships, where we work in that office. There was no awareness. I don't think -- none of us have ever commented or even knew about this project until it was brought to our attention last week.

And so I am very concerned about the safety of where I am going to park for my -- not only myself, my children, my students, and the staff, and those who -- and my colleagues who are in that building.

So better communication with projects that are coming that you are taking -- not only did you take the parking space away, down near U. Hall, you are now taking spaces here for a training center for athletes.

So again, training center, safety, students -- I am not really sure. I am glad that they are walking. They should; they are athletes. But other than that, I am not sure where that kind of overrides the safety and the parking issue. Especially we pay so much for parking every year, just to get a parking space.

Thank you.

MS. McDOUGALL: Thank you very much. As I

0026

say, I look forward to taking any more comments on the record, and then we can finish the conversation on the record, and we can talk.

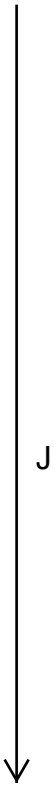
I don't have answers to the questions about where parking is going to occur, but we can talk generally about the parking situation on campus and what -- we can talk about it.

So, Jane Goodwin.

MS. GOODWIN: So, my concern is parking. I love swimming. I have worked here 28 years. I work at Zellerbach Hall. We have patrons. We have staff. They have taken -- I pay a lot of money for my C parking, C permit parking, as a privilege. But it's a lot of money. Parking places are being taken away. And I have very odd hours, too.

I -- they have taken away Addison Street. So my activities that are downtown a lot, I go to theater and whatnot, I want to move my car down there, be closer at night, I am out late, on and on. I have seen that they have taken away parking at Dwight Way now, below Telegraph. I don't know what the plans are. To put another parking lot in there? But all that parking has gone away.

MLK SUG parking will be gone for up to three years, they say. September '15, I think is -- with



0027

Eshleman coming down, and the new project going on there, we will get MLK SUG back for our patrons, for us, for emergencies -- all sorts of issues we need, loading in, on and on.

So that's impacting Dana-Durant parking across the street. They have had to put parking over there. They have taken up Schlessinger Way with parking that accommodated people in SUG. So my parking, et cetera, a lot of other people's parking, was taken away. The impact is going to be really serious coming up.

And as we see -- and I find it interesting that you see these signs out, under the guise of environment, and do public transportation. Just for -- it's a -- it's like the University just wants to put more buildings in here.

Very good. There are some wonderful buildings and wonderful projects, and very rightful they should happen, but not when there isn't a plan for parking for us. We can't all take public transportation, as much as I would like to, but it's not in my ability.

MS. McDOUGALL: Thank you.

Are there other people tonight who would like to comment on the record about the subsequent environmental impact report for this project, to get on the record?

0028

MS. HALSEY: Hi. I am Laura Halsey. I work in the building. And I want to go on record as saying I am concerned and confused about the methodology used to determine that the noise impact from the long-term operational use is not a significant finding.

As I read in the current EIR, it was deemed to be not a significant finding, not according to the City of Berkeley ordinance and noise levels, but according to the measured ambient noise, which created some situation where the ordinance maximum decibel levels could be disregarded. And I don't fully understand how that works. And I think that it's important to adhere to the ordinance noise levels stipulated by the City. K

MS. McDOUGALL: Thank you.

Is there anybody else?

Nobody else wants to speak on the record tonight, so I am going to adjourn the meeting formally, and then we can break up and talk to people.

So, just so people know, I am a planner with the University. I have been a planner for the University for a long time, and have some of the background on transportation and land management studies.

(To Mr. Wilmot) I don't know if you are willing to talk to people. Just say no.

0029

MR. WILMOT: I will answer questions.

MS. McDOUGALL: Having an evening off, Seamus Wilmot decided to come. And he is the director of parking and transportation, and he might also be willing to talk to us. And then there are other people in the room who might be willing to talk with you as well about parking and other issues for the project.

So with that I am going to ask that we go ahead and adjourn the meeting, and we will move on to a more informal proceeding.

(Whereupon, at 6:34 p.m., the public hearing was concluded.)

4300

CERTIFICATE OF REPORTER

I, SARAH LUCIA BRANN, duly authorized shorthand reporter, do hereby certify:

That the foregoing transcript constitutes a true, full and correct transcript of my shorthand notes taken as such reporter of the proceedings herein and reduced to typewriting under my supervision and control to the best of my ability.

DATED: April 9, 2013

_____

SARAH LUCIA BRANN, CSR 3887

Verbal Comments from the public hearing of April 3, 2013

RESPONSES:

Commenter: Elizabeth Greene

Response A: The commenter states an opinion that the proposed project does not meet the intent of the City of Berkeley's Southside Plan as it applies to the project site. The commenter cites Southside Plan policies that call for development that is larger in scale and more intense along the south frontage of the Bancroft corridor, as well as development that enhances the public realm, street vitality and pedestrian movement along the corridor. The commenter also notes that surface parking lots such as the project site are priority development sites in the Southside Plan particularly suited for the kind of development described in the comment. This comment is similar to Comment 8.1 in Letter 8 above. Please refer to Response 8.1.

Response B: The commenter states an opinion that the impacts of the proposed project's night lighting on surrounding properties and residences must be addressed, specifically citing the proposed lighting system's ability to accommodate televised events. This issue is discussed under Aesthetics in the Draft SEIR, and impacts were determined to be less than significant. The project would involve replacing an existing surface parking lot that is illuminated by approximately 30-foot tall overhead lights from dusk to dawn with a modern aquatic facility that would include nighttime lighting that would not be operated past 10:00 PM. The new project lighting would be designed to meet safety, security and architectural design objectives using energy efficient, non-glare fixtures. Daily use of the new pool facility would not occur past 6:30 PM. However, on limited occasions, estimated at four times per year, event lighting would be used to illuminate the pool and deck area. The proposed project includes removal of all of the existing parking lot lighting and potential relocation of some of the lighting to the smaller reconfigured parking area. Given the proposed lighting design and layout changes and the proposed schedule of operation, the proposed project would result in an overall decrease in the amount of nighttime lighting that occurs regularly at the project site. Finally, direct views of lighting from Durant Avenue would be minimized because the event lighting fixtures are designed to point downward with an orientation facing east-west. Existing mature street trees would provide considerable screening with respect to potential nighttime lighting effects on residences located along the south side of Durant Avenue. In summary, nighttime lighting associated with the proposed project would not increase lighting over levels anticipated in the 2020 LRDP EIR: event lighting would be infrequent, would be low and directed, and would be turned off after competition use, in contrast with existing site lighting which is on all night. Therefore the project would not create a new source of substantial light which would adversely affect day or nighttime views in the area.

Response C: The commenter states an opinion that the more intense lighting that would be used during events up to four times per year can affect migration patterns for wildlife. As noted above, on all but four nights per year the night lighting on the site would be reduced compared to current conditions. It is not anticipated that the higher light levels, which would affect the night sky for five or fewer hours at a time not more than four times per year, would throw off migration patterns.

Many migratory birds use the stars to orient themselves during the spring and fall migratory season (generally April through May and September through November). In conditions of overcast or heavy fog, they can become disoriented and attracted to any elevated light source. The birds will fly around the light source rather than continuing to migrate and may excessively use up fat stores. While bird nighttime

migration begins about one hour after sunset and continues until about 2:00 AM, peak activity occurs between 11:00 PM and 1:00 AM. Since collisions can occur when the light source is in a skyscraper, Chicago, which lies within the migratory pathway termed the "Mississippi Flyway," has a "Lights Out" program that dims skyscraper lights after 11:00 PM to reduce bird collisions.

The project site lies within the general area known as the "Pacific Flyway," an area that extends across the width of California, though most migration occurs along the immediate coast and offshore and through the inland Sacramento and San Joaquin Valleys. The number of birds present at any one portion of the flyway at a particular time is dependent on a wide variety of conditions, including current weather patterns and the amount of available food resources as the birds need to "re-fuel" during daytime hours to continue their migration.

The proposed project is not expected to "interfere substantially with the movement of any native resident or migratory fish or wildlife species" for multiple reasons. First, migratory bird kills as a result of stadium lighting at California Memorial Stadium, less than one mile to the east on the UCB campus, or at O.co Coliseum in Oakland, Candlestick Park, AT&T Park and other stadiums in the Bay Area have not been reported. Second, because the site is within an urban area, available food resources for migratory species and most wildlife species are lacking and large numbers of migratory birds do not occur at the site or in the near vicinity. Third, the site is already lit with parking lot lights and current night lighting conditions for the area (California's Bay Area at Night, NASA, International Space Station, 12/26/10) show brighter light sources already present at the campus and in the vicinity, with even brighter light sources present in the Bay Area located along Interstate 580/80 adjacent the bay, Alameda Naval Complex, downtown San Francisco, San Francisco International Airport, Oakland International Airport, and downtown Oakland. Fourth, the number of times that the facility would be lit at night is less than 3% of the migratory season and the lights would be off during the peak time period of migratory activity (after 11:00 PM).

Response D: The commenter states a general concern about potential traffic impacts caused by daily trip generation, but does not provide specific information to question or challenge the analysis in the Draft SEIR. Based on existing count data collected at the Bancroft/Fulton lot driveways on February 5 and 6, 2013, the total number of trips generated by the Bancroft/Fulton Lot is about 1,014 trips on a typical weekday. The project would reduce the number of parking stalls in the Bancroft/Fulton lot from 230 spaces to 49 spaces. If 230 parking spaces generate about 1,014 daily vehicle trips, 49 parking spaces are expected to generate about 216 daily trips assuming typical weekday conditions. Thus, the project is expected to reduce vehicle trips to/from the project site by about 798 trips (combined inbound and outbound) or 399 round-trips. The local daily traffic levels directly adjacent to the site are therefore projected to drop with the project, which in general correlates with higher pedestrian safety. Bancroft/Fulton lot parkers displaced by the project are expected to either park in one of the other University parking lots or structures, private or City-operated structures, or on-street, or they may change to a non-single-occupant vehicle travel mode. Thus, the proposed reduction in parking stalls at the Bancroft/Fulton lot would result in about 399 fewer vehicle round-trips to the site, and also in an equivalent reduction in pedestrian round-trips in the immediate project vicinity, since drivers would no longer be traveling between the site and their ultimate destination.

The commenter also opines that traffic generated by events at the proposed Aquatics Center could result in "high danger" to pedestrians accessing the site from nearby, particularly from the Spieker Pool, and that the Oxford/Bancroft intersection is not currently designed to accommodate large volumes of pedestrian traffic. Most student athletes and training staff will access the proposed Cal Aquatics Center from the Spieker Aquatics Complex or central campus, or from the student housing located to the east on Durant Avenue (for some of the student athlete trips). The pedestrian facilities along and across Bancroft

Way in the vicinity of the project site are adequate to serve these trips. Sidewalks along Bancroft Way range between six and nine feet wide, and crosswalks across Bancroft Way range between seven and 10 feet wide. High-visibility crosswalks across Bancroft Way are provided at Dana Street and at Ellsworth Street. In addition, the Bancroft Way crosswalks at Dana Street and at Ellsworth Street provide pedestrian-actuated in-pavement flashers to alert vehicles when pedestrians are crossing.

While it is not expected that many pedestrian trips to the project site will utilize the intersection of Bancroft Way/Fulton Street/Oxford Street, this intersection does provide for protected pedestrian crossings via the signalized traffic control. The intersection has crosswalks between nine and 10 feet wide on all approaches, and a high-visibility crosswalk on the north leg of the intersection. Based on field observations, the signal at Bancroft Way/Fulton Street/Oxford Street provides approximately 27 seconds and 44 seconds of pedestrian clearance time during the AM peak hour across Fulton Street/Oxford Street and Bancroft Way, respectively; and 31 seconds and 35 seconds of pedestrian clearance time during the PM peak hour across Fulton Street/Oxford Street and Bancroft Way, respectively. The intersection provides sufficient clearance for pedestrians assuming the standard average pedestrian walking rate of 3.5 feet per second *(California Manual on Uniform Traffic Control Devices)*. Since large numbers of pedestrians are not expected to use this intersection to travel to/from the project site, an expansion of pedestrian capacity at the intersection – i.e. wider sidewalks, wider pedestrian landings/waiting areas, etc. – is not needed to address a project impact.

The proposed Cal Aquatics Center is expected to host competitions on rare occasions, approximately four times a year. Events at the proposed Cal Aquatics Center can accommodate up to 500 spectators; however, as shown in Draft SEIR Table 4, the average number of spectators at the Spieker Aquatics Complex ranges from 150-300 people for aquatics competitions. Even though the proposed Cal Aquatics Center can accommodate up to 500 spectators, there is no basis to expect more than the average 150 to 300 spectators at these events. These events are not new to the campus, but are events similar to those already hosted at Spieker Pool. It should also be noted that it is unlikely that the events will overlap with larger athletic events in the area, such as basketball games at Haas Pavilion.

Response E: The commenter states concern regarding loss of parking. Please see Thematic Response: Parking.

Commenter: Les Ferris

Response F: The commenter states concerns about the loss of parking on the project site. Please see Thematic Response: Parking.

Commenter: Kolondra Harvey

Response G: The commenter states opposition to loss of parking on the project site, and specifically a concern that people who work near the Tang Center would need to walk further to their cars if the spaces are removed, and about safety concerns when walking at night. Please see Thematic Response: Parking.

Response H: Please see Thematic Response on Consultation. Noticing of the availability of the Draft EIR included posted signs at multiple locations at the project site; notification in the Berkeleyan, a campus electronic newsletter distributed the week of March 26, 2013; and leafleting of private property on blocks surrounding the project site. The public hearing on the Draft EIR was also noticed in Berkeleyside, a local electronic news daily with broad distribution in the City of Berkeley, and on the UC Berkeley events calendar. Notices were also posted to UC Berkeley's Capital Projects Noticing page: see

http://www.cp.berkeley.edu/Projects_Info_Notices.htm. Noticing therefore was above and beyond the noticing requirements of the California Environmental Quality Act; see the CEQA Guidelines section 15087 (a).

Response I: The commenter reiterates the parking concerns and also states a concern about cumulative loss of parking. Please see Thematic Response: Parking.

Commenter: Jane Goodwin

Response J: The commenter states concerns about cumulative parking loss with the proposed project and other projects. Please see Thematic Response: Parking.

Commenter: Laura Halsey

Response K: The commenter states concern and confusion about the noise analysis in the Draft SEIR. The commenter asks for an explanation of how the ambient measured noise levels affect the impact determination, and requests that the project adhere to the City of Berkeley's noise regulations. Please see responses 1.7 and 1.8 for a discussion of this topic that addresses these comments.

4. ADDITIONAL CHANGES IN THE FINAL SEIR

In addition to the changes specifically identified in response to comments on the Draft SEIR, the following changes have been made to Section 2.3, Need for the Project, for further clarification of the facility and program purposes.

2.3 NEED FOR THE PROJECT

UC Berkeley is one of only three NCAA aquatics programs in the country that provides participation opportunities to student-athletes in men's swimming and diving, women's swimming and diving, men's water polo, and women's water polo. Nearly 150 student athletes currently compete in these programs at Cal.

Despite the overwhelming success of these programs (with numerous NCAA team championships, individual NCAA champions, and Olympic medals), they are constrained by a lack of capacity for both training and competition, both in terms of times available for practice and amount of water space. In addition, UC Berkeley has no dive tower. The aquatics programs are further hampered by inadequate and obsolete land-side training facilities. Currently, only Spieker Aquatics Complex can meet the team's needs while also serving as the major recreational pool on campus. The other campus pools, Hearst Gym, Strawberry Canyon and Golden Bear do accommodate some recreational lap swim needs, but by their physical nature also serve as leisure pools that are not configured to support competitive training. The daily use patterns at Spieker Aquatic Complex start as early as 6:00 am most days and run to 9:00 pm, with barely enough time to complete the required maintenance activities.

The shortage of water space is a significant issue campus-wide for Intercollegiate Athletics and other users, including recreational swimmers, physical education students, sports clubs and community partners; the proposed new Aquatics Center would free up water space for these other users, and double the available amount of "deep water" (two-meter depth is required for water polo) needed for team training and competition.

Finally, the increase in pool space would increase pool time availability for Cal athletes, providing greater flexibility in scheduling training and practices around academic schedules. This flexibility would enhance the athletes' ability to complete degree programs in a timely fashion, which would avoid constraining limited student support resources within Cal Athletics. Aquatics athletes are a proportionally large share of the post-eligibility student athletes that are nevertheless on athletic scholarship. Over the last eight years there have been an average of 27 post-eligibility student athletes on athletic scholarship on campus. On average, 34% of those athletes have been in the aquatics program.

5. MITIGATION MONITORING AND REPORTING PROGRAM

University of California
Mitigation Monitoring Program (CEQA)
Physical and Environmental Planning

Report on CEQA Mitigation Measures and Compliance Question by Project, Phase, Responsible Department(s), EIR(s)

Project Extracted: Aquatics Facility - Tang Lot

Project Phase(s): Planning, Working Drawings, Construction, Occupancy

Responsible Department(s): Intercollegiate Athletics, Physical and Environmental Planning, Project Manager

EIR(s) Searched: Cal Aquatics Center SEIR, Continuing Best Practice, 2020 LRDP, LRDP Mitigation Measure

NOTES:

Prepared by: Tom Klatt [tklatt@berkeley.edu]
300 A & E Building
University of California
Berkeley, CA 94720-1382

MITIGATION MONITORING AND REPORTING PROGRAM

Project Name: Aquatics Facility - Tang Lot | **Dept:** ATH, PEP, PM | **Phase:** P, W, C, O

Mitigation Measure or Continuing Best Practice	Question for Checklist	Responsible for Implementation	When Implemented
Aesthetics & Visual Quality			
CBP AES-1-b: Major new campus projects would continue to be reviewed at each stage of design by the UC Berkeley Design Review Committee. The provisions of the 2020 LRDP, as well as project specific design guidelines prepared for each such project, would guide these reviews.	a) Has this project been reviewed at each stage of design by DRC? b) Have project-specific design guidelines and LRDP provisions guided the DRC review?	CAP PM PEP	P
CBP AES-1-e: UC Berkeley would make informational presentations of all major projects in the City Environs in Berkeley to the Berkeley Planning Commission and, if relevant, the Berkeley Landmarks Preservation Commission for comment prior to schematic design review by the UC Berkeley Design Review Committee. Major projects in the City Environs in Oakland would similarly be presented to the Oakland Planning Commission and, if relevant, to the Oakland Landmarks Preservation Advisory Board. Whenever a project in the City Environs is under consideration by the UC Berkeley DRC, a staff representative designated by the city in which it is located would be invited to attend and comment on the project.	a) Was this project presented for comment, prior to DRC review, to the City of Berkeley or Oakland Planning Commissions and, if relevant, to the Landmarks Preservation Commission/Advisory Board? b) For a project in the City Environs, has a staff representative designated by the city in which the project is located been invited to attend the UC Berkeley DRC to comment on the project?	PEP	P
CBP AES-1-f: Each individual project built in the City Environs under the 2020 LRDP would be assessed to determine whether it could pose potential significant aesthetic impacts not anticipated in the 2020 LRDP, and if so, the project would be subject to further evaluation under CEQA.	a) Has the project been assessed to determine whether it could pose potential significant aesthetic impacts not anticipated in the 2020 LRDP? b) If (an) unanticipated impact(s) may occur, has further CEQA evaluation been performed? Briefly describe nature of evaluation in Comment column.	PEP	P
CBP AES-1-h: Assuming the City adopts the Southside Plan without substantive changes, the University would as a general rule use, as its guide for the location and design of University projects implemented under the 2020 LRDP within the area of the Southside Plan, the design guidelines and standards prescribed in the Southside Plan, which would supersede provisions of the City's prior zoning policy.	a) Has the project used the design guidelines and standards prescribed in the Southside Plan as its guide for project location and design?	PEP	P
LRDP MM AES-3-a: Lighting for new development projects would be designed to include shields and cut-offs that minimize light spillage onto unintended surfaces, and to minimize atmospheric light pollution. The only exception to this principle would be in those areas within the Campus Park where such features would be incompatible with the visual and/or historic character of the area.	a) Does project lighting include shields and cut-offs to minimize spill-over and light pollution (unless such features are incompatible with visual or historic character of the project or its immediate context)?	CAP PM	P

Mitigation Measure or Continuing Best Practice	Question for Checklist	Responsible for Implementation	When Implemented
LRDP MM AES-3-b: As part of the design review procedures described in the above Continuing Best Practices, light and glare would be given specific consideration, and measures incorporated into the project design to minimize both. In general, exterior surfaces would not be reflective: architectural screens and shading devices are preferable to reflective glass.	a) Have light and glare been given special consideration during design? b) Have design measures been incorporated into the project to minimize light pollution and glare? c) Are exterior surfaces non-reflective? d) Have architectural screening and shading been incorporated into project design?	CAP PM	P
Air Quality			
CBP AIR-4-a: UC Berkeley shall continue to include in all construction contracts the measures specified below to reduce fugitive dust impacts: All disturbed areas, including quarry product piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using tarps, water, (non-toxic) chemical stabilizer/suppressant, or vegetative ground cover. All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or (nontoxic) chemical stabilizer/suppressant. When quarry product or trash materials are transported off-site, all material shall be covered, or at least two feet of freeboard space from the top of the container shall be maintained	a) Are measures to reduce fugitive dust impacts included in construction contracts? b) Have all disturbed areas not under active construction been stabilized for dust emissions using tarps, water, (non-toxic) chemical stabilizer/ suppressant, or vegetative ground cover? c) Have all on-site unpaved roads, and unpaved access roads to the site, been stabilized for dust emissions using water or non-toxic chemical stabilizer/suppressant? d) When quarry product or trash materials are transported off-site, are all materials covered, or has at least two feet of freeboard space from the top of the container/truck been maintained?	CAP HMA PM	C W
CBP AIR-4-b: UC Berkeley shall continue to implement the following control measure to reduce emissions of diesel particulate matter and ozone precursors from construction equipment exhaust: •Minimize idling time when construction equipment is not in use.	a) When construction equipment is not in active use, has idling time been minimized?	CAP HMA PM	C W

Mitigation Measure or Continuing Best Practice	Question for Checklist	Responsible for Implementation	When Implemented
LRDP MM AIR-4-a: In addition, UC Berkeley shall include in all construction contracts the measures specified below to reduce fugitive dust impacts, including but not limited to the following: -All land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, and demolition activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking. -When demolishing buildings, water shall be applied to all exterior surfaces of the building for dust suppression. -All operations shall limit or expeditiously remove the accumulation of mud or dirt from paved areas of construction sites and from adjacent public streets as necessary. See also CBP HYD-1-b. •Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions by utilizing sufficient water or by covering. •Limit traffic speeds on unpaved roads to 15 mph. •Water blasting shall be used in lieu of dry sand blasting wherever feasible. •Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with slopes over one percent. •To the extent feasible, limit area subject to excavation, grading, and other construction activity at any one time. •Replant vegetation in disturbed areas as quickly as possible.	a) Has all excavation, land leveling, grading, cut and fill, and demolition activities been effectively controlled of fugitive dust emissions utilizing application of water or by presoaking? b) When demolishing buildings, has water been applied to all exterior surfaces of the building for dust suppression? c) Have all operations limited or expeditiously removed the accumulation of mud or dirt from paved areas of construction sites and from adjacent public streets as necessary? (See also CBP HYD-1-b) d) Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, have the piles been effectively stabilized of fugitive dust emissions by utilizing sufficient water or by covering? e) Has traffic speeds on unpaved roads been limited to 15 mph? f) Has water blasting been used in lieu of dry sand blasting wherever feasible? g) Have sandbags or other erosion control measures been installed to prevent silt runoff to public roadways from sites with slopes over one percent? h) Has the area subject to excavation, grading, and other construction activity at any one time been limited to the extent feasible?. i) Has vegetation been replanted in disturbed areas as quickly as possible?	CAP HMA PM	C W
LRDP MM AIR-4-b: UC Berkeley shall implement the following control measures to reduce emissions of diesel particulate matter and ozone precursors from construction equipment exhaust: •To the extent that equipment is available and cost effective, UC Berkeley shall require contractors to use alternatives to diesel fuel, retrofit existing engines in construction equipment and employ diesel particulate matter exhaust filtration devices. •To the extent practicable, manage operation of heavy-duty equipment to reduce emissions, including the use of particulate traps.	a) Have contractors, including subs, been required to use alternate fuels and retrofit existing construction equipment engines accordingly, to the extent that such equipment and fuel is available and cost-effective? b) Has the project managed operation of heavy-duty equipment to reduce emissions, including the use of particulate traps, to the extent practicable?	CAP HMA PM	C W

MITIGATION MONITORING AND REPORTING PROGRAM

Project Name: Aquatics Facility - Tang Lot | **Dept:** ATH, PEP, PM | **Phase:** P, W, C, O

Mitigation Measure or Continuing Best Practice	Question for Checklist	Responsible for Implementation	When Implemented
Biological Resources			
CBP BIO-1-a: UC Berkeley will continue to implement the Campus Specimen Tree Program to reduce adverse effects to specimen trees and flora. Replacement landscaping will be provided where specimen resources are adversely affected, either through salvage and relocation of existing trees and shrubs or through new plantings in kind or from species previously recorded on campus, at a ratio of 3:1, as directed by the Campus Landscape Architect. New plantings are selected as horticulturally appropriate at largest possible nursery size. (amended 2008)	a) Has the Campus Specimen Tree Program been implemented to reduce adverse impacts to specimen trees and flora? b) Has replacement landscaping as directed by the CLA been provided where specimen resources are adversely affected?	CAP HMA PM	P
Cultural & Historic Resources			
CBP CUL-1: In the event that paleontological resource evidence or a unique geological feature is identified during project planning or construction, the work would stop immediately and the find would be protected until its significance can be determined by a qualified paleontologist or geologist. If the resource is determined to be a “unique resource,” a mitigation plan would be formulated and implemented to appropriately protect the significance of the resource by preservation, documentation, and/or removal, prior to recommencing activities.	a) In the event that any paleontological resource evidence or a unique geological feature has been identified during project planning or construction, have each of the following issues been addressed? (b,c,d) b) During C-phase, did work stop immediately and was the find protected, until its significance was determined by a qualified paleontologist or geologist? c) Was the resource determined to be a "unique resource”? d) Was a mitigation plan formulated and implemented to protect the resource significance by preservation, documentation, and/or removal, prior to recommencing activities?	CAP HMA PM	C
CBP CUL-2-a: If a project could cause a substantial adverse change in features that convey the significance of a primary or secondary resource, an Historic Structures Assessment (HSA) would be prepared. Recommendations of the HSA made in accordance with the Secretary of the Interior’s Standards would be implemented, in consultation with the UC Berkeley Design Review Committee and the State Historic Preservation Office (SHPO), such that the integrity of the significant resource is preserved and protected. Copies of all reports would be filed in the University Archives/Bancroft Library.	a) Will the project avoid a substantial adverse change in features that convey the significance of a primary or secondary historic resource? b) If the answer to (a) is "no", was an Historic Structures Assessment (HSA) prepared, and recommendations made in accordance with the Secretary of the Interior’s Standards? c) If the answer to (b) is "no", were the HSA recommendations implemented, in consultation with the DRC and the State Historic Preservation Office? d) If the answer to (b) is "no", was a copy of the HSA published?	CAP PEP	P

Mitigation Measure or Continuing Best Practice	Question for Checklist	Responsible for Implementation	When Implemented
CBP CUL-2-b: For projects with the potential to cause adverse changes in the significance of historical resources, UC Berkeley would make informational presentations of all major projects in the City Environs in Berkeley to the Berkeley Planning Commission and the Berkeley Landmarks Preservation Commission for comment prior to schematic design review by the UC Berkeley Design Review Committee. Such projects in the City Environs in Oakland would similarly be presented to the Oakland Planning Commission and the Oakland Landmarks Preservation Advisory Board.	a) For projects involving potentially historic resources, has UC Berkeley made informational presentations on this project to the appropriate Planning Commission and, if relevant, to the appropriate Landmarks Preservation Commission or Advisory Board?	PEP	P

Mitigation Measure or Continuing Best Practice	Question for Checklist	Responsible for Implementation	When Implemented
CBP CUL-4-a: In the event resources are determined to be present at a project site, the following actions would be implemented as appropriate to the resource and the proposed disturbance: • UC Berkeley shall retain a qualified archaeologist to conduct a subsurface investigation of the project site, to ascertain the extent of the deposit of any buried archaeological materials relative to the project's area of potential effects. The archaeologist would prepare a site record and file it with the California Historical Resource Information System (CHRIS) • If the resource extends into the project's area of potential effects, the resource would be evaluated by a qualified archaeologist. UC Berkeley as lead agency would consider this evaluation in determining whether the resource qualifies as a historical resource or a unique archaeological resource under the criteria of CEQA Guidelines section 15064.5. If the resource does not qualify, or if no resource is present within the project area of potential effects, this would be noted in the environmental document and no further mitigation is required unless there is a discovery during construction (see below) • If a resource within the project area of potential effect is determined to qualify as an historical resource or a unique archaeological resource in accordance with CEQA, UC Berkeley shall consult with a qualified archaeologist to mitigate the effect through data recovery if appropriate to the resource, or to consider means of avoiding or reducing ground disturbance within the site boundaries, including minor modifications of building footprint, landscape modification, the placement of protective fill, the establishment of a preservation easement, or other means that would permit avoidance or substantial preservation in place of the resource. If further data recovery, avoidance or substantial preservation in place is not feasible, UC Berkeley shall implement LRDP Mitigation Measure CUL-5. A written report of the results of investigations would be prepared by a qualified archaeologist and filed with the University Archives/ Bancroft Library and the Northwest Information Center (NIC).	a) In the event any historic archaeological resources been found at the project site answer (b) thru (e) below; otherwise, enter "n/a" for Questions (b) thru (e). b) Has a qualified archaeologist done subsurface investigation ascertaining extents of buried archaeological materials within project's area of potential impacts, and filed a site record with the California Historical Resource Information System, Bancroft Library and the Northwest Information Center (NIC)? c) Has UC Berkeley considered the archaeologist's report in determining whether the resource qualifies as a historical resource or a unique archaeological resource under CEQA Guidelines §15064.5? d) If the resource does not qualify under CEQA §15064.5, or if no resource is present, has this outcome been noted in the environmental document? e) If a resource does qualify, has a consulting archaeologist stipulated appropriate mitigations?	PM	C P W

Mitigation Measure or Continuing Best Practice	Question for Checklist	Responsible for Implementation	When Implemented
CBP CUL-4-b: In the event human or suspected human remains are discovered, UC Berkeley would notify the County Coroner who would determine whether the remains are subject to his or her authority. The Coroner would notify the Native American Heritage Commission if the remains are Native American. UC Berkeley would comply with the provisions of Public Resources Code Section 5097.98 and CEQA Guidelines Section 15064.5(d) regarding identification and involvement of the Native American Most Likely Descendant and with the provisions of the California Native American Graves Protection and Repatriation Act to ensure that the remains and any associated artifacts recovered are repatriated to the appropriate group, if requested.	a) If suspected human remains been found at the project site, answer (b & c), otherwise check "n/a" b) If suspected human remains were found at the project site, was the County Coroner immediately notified? c) If suspected human remains were found, did the project comply with Public Resources Code §5097.98, with CEQA Guidelines §15064.5(d), and with NAGPRA re notification of the appropriate Native American representatives?	CAP HMA PM	C
CBP CUL-4-c: Prior to disturbing the soil, contractors shall be notified that they are required to watch for potential archaeological sites and artifacts and to notify UC Berkeley if any are found. In the event of a find, UC Berkeley shall implement LRDP Mitigation Measure CUL-4-b.	a) Have all contractors who have reason to disturb site soils been notified by the project that they are required to watch for potential archaeological sites and artifacts and to notify UC Berkeley if any are found?	CAP HMA PM	W
LRDP MM CUL-3: If, in furtherance of the educational mission of the University, a project would require the demolition of a primary or secondary resource, or the alteration of such a resource in a manner not in conformance with the Secretary of the Interior's Standards, the resource would be recorded to archival standards prior to its demolition or alteration.	a) Does the project avoid the demolition of a primary or secondary resource, or the alteration of such a resource in a manner not in conformance with the Secretary of the Interior's Standards? b) If the answer to (a) is "no", has the resource been recorded to archival standards prior to demolition or alteration?	CAP PM	P
LRDP MM CUL-4-b: If a resource is discovered during construction (whether or not an archaeologist is present), all soil disturbing work within 35 feet of the find shall cease. UC Berkeley shall contact a qualified archaeologist to provide and implement a plan for survey, subsurface investigation as needed to define the deposit, and assessment of the remainder of the site within the project area to determine whether the resource is significant and would be affected by the project, as outlined in Continuing Best Practice CUL-3-a. UC Berkeley would implement the recommendations of the archaeologist.	a) If a cultural resource been discovered during construction, answer (b,c,d) below: If not, check "n/a" b) Did all soil-disturbing work within 35 feet immediately cease? c) Did the project have a qualified archaeologist survey, investigate subsurface to define the deposit, and assess the entire site to determine whether the resource is significant and would be affected by the project? d) Has the project implemented the recommendations of the archaeologist?	CAP HMA PM	C
Geology, Seismicity & Soils			
CBP GEO-1-a: UC Berkeley will continue to comply with the CBC and the University Policy on Seismic Safety.	a) Has the project complied with the California Building Code and the University Policy on Seismic Safety?	CAP PM	P

Mitigation Measure or Continuing Best Practice	Question for Checklist	Responsible for Implementation	When Implemented
CBP GEO-1-b: Site-specific geotechnical studies will be conducted under the supervision of a California Registered Engineering Geologist or licensed geotechnical engineer and UC Berkeley will incorporate recommendations for geotechnical hazard prevention and abatement into project design.	a) Have site-specific geotechnical studies been conducted under the supervision of a California Registered Engineering Geologist or licensed geotechnical engineer? b) Has the project incorporated the Geologist's recommendations for geotechnical hazard prevention and abatement into project design?	CAP PM	P
CBP GEO-1-c: The Seismic Review Committee (SRC) shall continue to review all seismic and structural engineering design for new and renovated existing buildings on campus and ensure that it conforms to the California Building Code and the University Policy on Seismic Safety.	a) Has SRC reviewed the seismic and structural design for this project, to ensure that it conforms to the California Building Code and the University Policy on Seismic Safety?	CAP PM	P
CBP GEO-1-d: UC Berkeley shall continue to use site-specific seismic ground motion specifications developed for analysis and design of campus projects. The information provides much greater detail than conventional codes and is used for performance-based analyses.	a) Does the project use site-specific seismic ground motion specifications?	CAP PM	P
CBP GEO-1-g: As stipulated in the University Policy on Seismic Safety, the design parameters for specific site peak acceleration and structural reinforcement will be determined by the geotechnical and structural engineer for each new or rehabilitation project proposed under the 2020 LRDP. The acceptable level of actual damage that could be sustained by specific structures would be calculated based on geotechnical information obtained at the specific building site.	a) Have the design parameters for specific site peak acceleration and structural reinforcement been determined by the geotechnical and structural engineer for this project? b) Has the acceptable level of actual damage that could be sustained by the project been calculated based on geotechnical information obtained on-site?	CAP PM	P
CBP GEO-2: Campus construction projects with potential to cause erosion or sediment loss, or discharge of other pollutants, would include the campus Stormwater Pollution Prevention Specification. This specification includes by reference the “Manual of Standards for Erosion and Sediment Control” of the Association of Bay Area Governments and requires that each large and exterior project develop an Erosion Control Plan.	a) Does the project contract include and require execution of the campus Stormwater Pollution Prevention Specification? b) If this is a large, exterior project, has an EH&S-approved Erosion Control Plan been prepared for this project?	CAP HMA PM	C W

Mitigation Measure or Continuing Best Practice	Question for Checklist	Responsible for Implementation	When Implemented
Hazards & Hazardous Materials			
CBP HAZ-4: UC Berkeley shall continue to perform site histories and due diligence assessments of all sites where ground-disturbing construction is proposed, to assess the potential for soil and groundwater contamination resulting from past or current site land uses at the site or in the vicinity. The investigation will include review of regulatory records, historical maps and other historical documents, and inspection of current site conditions. UC Berkeley would act to protect the health and safety of workers or others potentially exposed should hazardous site conditions be found.	a) Has the project performed a site history and due diligence assessments of potential for soil and groundwater contamination resulting from past or current site land uses, where ground-disturbing construction is proposed? b) Did the investigation include review of regulatory records, historical maps and other historical documents, and inspection of current site conditions? c) Were hazardous site conditions (conditions exposing humans to hazardous materials risks) found during the requisite investigations? d) If the answer to (c) above is "yes", has the project protected the health and safety of workers or others potentially exposed, should hazardous site conditions be found.	CAP PM	C W
CBP HAZ-5, Part 1: UC Berkeley shall continue to perform hazardous materials surveys prior to capital projects in existing campus buildings. The campus shall continue to comply with federal, state, and local regulations governing the abatement and handling of hazardous building materials and each project shall address this requirement in all construction.	a) Has the project performed a hazardous materials survey prior to commencement of sitework?	CAP PM	W
CBP HAZ-5, Part 2: UC Berkeley shall continue to perform hazardous materials surveys prior to capital projects in existing campus buildings. The campus shall continue to comply with federal, state, and local regulations governing the abatement and handling of hazardous building materials and each project shall address this requirement in all construction.	a) Has the project complied, in all aspects of construction, with all applicable federal, state, and local regulations governing the abatement and handling of hazardous building materials?	CAP PM	C
Hydrology & Water Quality			
CBP HYD-1-a: During the plan check review process and construction phase monitoring, UC Berkeley (EH&S) will verify that the proposed project complies with all applicable requirements and BMPs.	a) During the plan check review process and construction phase monitoring, has EH&S verified that the proposed project complies with all applicable requirements and BMPs?	CAP EH&S HMA PM	C W

Mitigation Measure or Continuing Best Practice	Question for Checklist	Responsible for Implementation	When Implemented
CBP HYD-1-b, Part 2: UC Berkeley shall continue implementing an urban runoff management program containing BMPs as published in the Strawberry Creek Management Plan, and as developed through the campus municipal Stormwater Management Plan completed for its pending Phase II MS4 NPDES permit. UC Berkeley will continue to comply with the NPDES stormwater permitting requirements by implementing construction and post construction control measures and BMPs required by project-specific SWPPPs and, upon its approval, by the Phase II SWMP to control pollution. Stormwater Pollution Prevention Plans would be prepared as required by the appropriate regulatory agencies including the Regional Water Quality Control Board and where applicable, according to the UC Berkeley Stormwater Pollution Prevention Specification to prevent discharge of pollutants and to minimize sedimentation resulting from construction and the transport of soils by construction vehicles.	a) Have plans been prepared as required by the appropriate regulatory agencies and, where applicable, according to the UC Berkeley Stormwater Pollution Prevention Specification?	CAP HMA PM	C W
CBP HYD-2-a: In addition to Hydrology Continuing Best Practices 1-a and 1-b above, UC Berkeley will continue to review each development project, to determine whether project runoff would increase pollutant loading. If it is determined that pollutant loading could lead to a violation of the Basin Plan, UC Berkeley would design and implement the necessary improvements to treat stormwater. Such improvements could include grassy swales, detention ponds, continuous centrifugal system units, catch basin oil filters, disconnected downspouts and stormwater planter boxes.	a) Has the project been reviewed to determine whether project runoff would increase pollutant loading? b) Has it been determined through EH&S review that any potential pollutant loading would not constitute a violation of the Basin Plan? c) If the answer to (b) above is "no", has the project designed and implemented the necessary improvements to treat stormwater?	CAP PM	P W
CBP HYD-2-b: Where feasible, parking would be built in covered parking structures and not exposed to rain to address potential stormwater runoff pollutant loads. See also HYD-2-a.	a) Will the parking for this project be built in covered parking structures and not exposed to rain?	PEP	P
CBP HYD-2-c: Landscaped areas of development sites shall be designed to absorb runoff from rooftops and walkways. The Campus Landscape Architect shall ensure that open or porous paving systems be included in project designs wherever feasible, to minimize impervious surfaces and absorb runoff.	a) Have landscaped areas of the site been designed to absorb runoff from rooftops and walkways? b) Has the Campus Landscape Architect ensured that open or porous paving systems have been included in this project, wherever feasible?	CAP PM	P

Mitigation Measure or Continuing Best Practice	Question for Checklist	Responsible for Implementation	When Implemented
CBP HYD-2-d, Part 1: UC Berkeley shall continue to develop and implement the recommendations of the Strawberry Creek Management Plan and its updates, and construct improvements as appropriate. These recommendations include, but shall not be limited to, minimization of the amount of land exposed at any one time during construction as feasible; use of temporary vegetation or mulch to stabilize critical areas where construction staging activities must be carried out prior to permanent cover of exposed lands; installation of permanent vegetation and erosion control structures as soon as practical; protection and retention of natural vegetation; and implementation of post-construction structural and non-structural water quality control techniques.	a) Has this project implemented the recommendations of the Strawberry Creek Management Plan and its updates? b) Has the project protected/retained natural vegetation, and implemented post-construction structural and non-structural water quality control?	CAP PM	W
CBP HYD-2-d, Part 2: UC Berkeley shall continue to develop and implement the recommendations of the Strawberry Creek Management Plan and its updates, and construct improvements as appropriate. These recommendations include, but shall not be limited to, minimization of the amount of land exposed at any one time during construction as feasible; use of temporary vegetation or mulch to stabilize critical areas where construction staging activities must be carried out prior to permanent cover of exposed lands; installation of permanent vegetation and erosion control structures as soon as practical; protection and retention of natural vegetation; and implementation of post-construction structural and non-structural water quality control techniques.	a) Has the project: minimized amount of land exposed at any one time, used temporary vegetation or mulch to stabilize staging areas, and installed permanent vegetation/erosion control as soon as practical?	CAP HMA PM	C
CBP HYD-3: In addition to Hydrology Continuing Best Practices 1-a, 1-b, 2-a and 2-c above, UC Berkeley will continue to review each development project, to determine whether rainwater infiltration to groundwater is affected. If it is determined that existing infiltration rates would be adversely affected, UC Berkeley would design and implement the necessary improvements to retain and infiltrate stormwater. Such improvements could include retention basins to collect and retain runoff, grassy swales, infiltration galleries, planter boxes, permeable pavement, or other retention methods. The goal of the improvement should be to ensure that there is no net decrease in the amount of water recharged to groundwater that serves as freshwater replenishment to Strawberry Creek. The improvement should maintain the volume of flows and times of concentration from any given site at pre-development conditions.	a) Has the project been reviewed to determine whether rainwater infiltration to groundwater is adversely affected by the design? b) Would the design avoid the diminishment of rainwater infiltration to groundwater? c) If the answer to (b) above is "no", has the project designed and implemented improvements to retain and infiltrate stormwater, and maintain the volume of flows and times of concentration at pre-development conditions?	CAP HMA PM	P
CBP HYD-4-b: For 2020 LRDP projects in the City Environs (excluding the Campus Park or Hill Campus) improvements would be coordinated with the City Public Works Department.	a) Has this project been coordinated with the City Public Works Department?	PM PEP	P

Mitigation Measure or Continuing Best Practice	Question for Checklist	Responsible for Implementation	When Implemented
LRDP MM HYD-6: In addition to implementation of LRDP Mitigation Measure HYD-5, prior to final design, UC Berkeley will review the plans for all structures to be constructed in the 100-year floodplain for compliance with FEMA requirements for nonresidential structures. This review will include a hydrologic study and recommendations to eliminate any potential impacts to the 100-year floodplain. For structures placed within the 100-year floodplain, flood control devices will be utilized in each development to direct flows toward areas where flood hazards will be minimal. These actions would ensure that the implementation of the 2020 LRDP would not impede or redirect flows in a manner that results in flooding.	a) Is the project sited outside of any 100-year floodplain? b) If the answer to (a) is "no", has UC Berkeley reviewed the project for compliance with FEMA requirements for nonresidential structures, the review including a hydrologic study and recommendations to eliminate any potential impacts to the 100-year floodplain? c) If the answer to (a) is "no", does the project incorporate flood control devices to direct flows toward areas where flood hazards will be minimal?	PM	P
Land Use & Planning			
CBP LU-2-b: UC Berkeley would make informational presentations of all major projects in the City Environs in Berkeley to the Berkeley Planning Commission and, if relevant, the Berkeley Landmarks Preservation Commission for comment prior to schematic design review by the UC Berkeley Design Review Committee. Major projects in the City Environs in Oakland would similarly be presented to the Oakland Planning Commission and, if relevant, to the Oakland Landmarks Preservation Advisory Board. Whenever a project in the City Environs is under consideration by the UC Berkeley DRC, a staff representative designated by the city in which it is located would be invited to attend and comment on the project.	a) Has the project been presented to the Berkeley or Oakland Planning Commission and Berkeley or Oakland Landmarks (Preservation) Commission/Advisory Board (if relevant) for comment prior to schematic design review by the UC Berkeley DRC? b) For a project in the City Environs, has a staff representative designated by the city in which the project is located been invited to attend the UC Berkeley DRC to comment on the project?	PEP	P
CBP LU-2-c: Each individual project built in the Hill Campus or the City Environs under the 2020 LRDP would be assessed to determine whether it could pose potential significant land use impacts not anticipated in the 2020 LRDP, and if so, the project would be subject to further evaluation under CEQA. In general, a project in the Hill Campus or the City Environs would be assumed to have the potential for significant land use impacts if it: • Includes a use that is not permitted within the city general plan designation for the project site, or • Has a greater number of stories and/or lesser setback dimensions than could be permitted for a project under the relevant city zoning ordinance as of July 2003.	a) If the project is within the Hill Campus or the City Environs, has it been assessed to determine whether it could pose potential significant land use impacts not anticipated in the 2020 LRDP? b) Has the project been further evaluated per CEQA to assess significant land use impacts?	PEP	P

Mitigation Measure or Continuing Best Practice	Question for Checklist	Responsible for Implementation	When Implemented
CBP LU-2-d: Assuming the City adopts the Southside Plan without substantive changes, the University would as a general rule use, as its guide for the location and design of University projects implemented under the 2020 LRDP within the area of the Southside Plan, the design guidelines and standards prescribed in the Southside Plan, which would supersede provisions of the City's prior zoning policy.	a) If the project is within the area of the Southside Plan, and if the Southside Plan has been adopted without substantive changes, has the project location and design been guided by Southside Plan design guidelines and standards?	PEP	P
Noise			
CBP NOI-2: Mechanical equipment selection and building design shielding would be used, as appropriate, so that noise levels from future building operations would not exceed the City of Berkeley Noise Ordinance limits for commercial areas or residential zones as measured on any commercial or residential property in the area surrounding a project proposed to implement the 2020 LRDP. Controls that would typically be incorporated to attain this outcome include selection of quiet equipment, sound attenuators on fans, sound attenuator packages for cooling towers and emergency generators, acoustical screen walls, and equipment enclosures.	a) Does the project design use shielding and mechanical equipment such that building operations noise would not exceed CoB Noise Ordinance limits, as measured on any commercial or residential property adjacent to the project?	CAP PM	P

Mitigation Measure or Continuing Best Practice	Question for Checklist	Responsible for Implementation	When Implemented
CBP NOI-4-a: The following measures would be included in all construction projects: •Construction activities will be limited to a schedule that minimizes disruption to uses surrounding the project site as much as possible. Construction outside the Campus Park area will be scheduled within the allowable construction hours designated in the noise ordinance of the local jurisdiction to the full feasible extent, and exceptions will be avoided except where necessary. •As feasible, construction equipment will be required to be muffled or controlled. •The intensity of potential noise sources will be reduced where feasible by selection of quieter equipment (e.g. gas or electric equipment instead of diesel powered, low noise air compressors). •Functions such as concrete mixing and equipment repair will be performed off-site whenever possible. For projects requiring pile driving: •With approval of the project structural engineer, pile holes will be pre-drilled to minimize the number of impacts necessary to seat the pile. •Pile driving will be scheduled to have the least impact on nearby sensitive receptors. •Pile drivers with the best available noise control technology will be used. For example, pile driving noise control may be achieved by shrouding the pile hammer point of impact, by placing resilient padding directly on top of the pile cap, and/or by reducing exhaust noise with a sound-absorbing muffler. •Alternatives to impact hammers, such as oscillating or rotating pile installation systems, will be used where possible.	a) Has construction been scheduled to minimize disruption to surrounding uses, and -- if outside the Campus Park -- scheduled within the applicable jurisdiction's noise ordinance allowable construction hours to the full feasible extent, and exceptions avoided b) Has construction equipment been muffled, controlled, or selected as the quieter feasible equipment option? c) Have noisy construction functions been performed off-site whenever possible? d) Does the project avoid the use of pile driving? e) If the answer to (d) is "no", have pile holes been pre-drilled; pile-driving scheduled to minimize impacts on sensitive receptors; quietest technology been used; and, oscillating or rotating pile installation been used rather than impact hammers?	CAP HMA PM	C W
CBP NOI-4-b: UC Berkeley will continue to precede all new construction projects with community outreach and notification, with the purpose of ensuring that the mutual needs of the particular construction project and of those impacted by construction noise are met, to the extent feasible.	a) Has this construction project conducted meaningful community outreach and notification, with the purpose of ensuring that the mutual needs of the particular construction project and of those impacted by construction noise are met, to the extent feasible? b) Have any suggested noise mitigation measures been excluded as "infeasible"? c) If the answer to "b" is yes, please explain rationale in comment field	CAP PM	C P W

Mitigation Measure or Continuing Best Practice	Question for Checklist	Responsible for Implementation	When Implemented
LRDP MM NOI-4, Part 2: UC Berkeley will develop a comprehensive construction noise control specification to implement additional noise controls, such as noise attenuation barriers, siting of construction laydown and vehicle staging areas, and the measures outlined in Continuing Best Practice NOI-4-a as appropriate to specific projects. The specification will include such information as general provisions, definitions, submittal requirements, construction limitations, requirements for noise and vibration monitoring and control plans, noise control materials and methods. This document will be modified as appropriate for a particular construction project and included within the construction specification.	a) Has the noise specification been modified as appropriate for this project and included within the construction specification for this project?	CAP PM	W
LRDP MM NOI-5: The following measures will be implemented to mitigate construction vibration: •UC Berkeley will conduct a pre-construction survey prior to the start of pile driving. The survey will address susceptibility ratings of structures, proximity of sensitive receivers and equipment/ operations, and surrounding soil conditions. This survey will document existing conditions as a baseline for determining changes subsequent to pile driving. •UC Berkeley will establish a vibration checklist for determining whether or not vibration is an issue for a particular project. •Prior to conducting vibration-causing construction, UC Berkeley will evaluate whether alternative methods are available, such as: •Using an alternative to impact pile driving such as vibratory pile drivers or oscillating or rotating pile installation methods. •Jetting or partial jetting of piles into place using a water injection at the tip of the pile. •If vibration monitoring is deemed necessary, the number, type, and location of vibration sensors would be determined by UC Berkeley	a) Will the project avoid the use of pile driving? b) If the answer to "a" is "no", has the site been surveyed for susceptibility ratings of structures, proximity of sensitive receivers and equipment/ operations, and surrounding soil conditions? c) If the answer to "a" is "no", has the project evaluated such alternative methods as: oscillating, rotating or vibrating pile driving; and jetting piles into place via water-injections? d) Will the project construction avoid the generation of vibration? e) In the answer to "d" is no and if vibration monitoring has been deemed necessary, has the project determined/implemented the appropriate number, type, and location of vibration sensors?	CAP PM	P W
Public Services			
CBP PUB-2.4: To the extent feasible, for all projects in the City Environs, the University would include the undergrounding of surface utilities along project street frontages, in support of Berkeley General Plan Policy S-22.	a) If the project is in the City Environs, will it underground utilities along street frontages?	PM PEP	P

Mitigation Measure or Continuing Best Practice	Question for Checklist	Responsible for Implementation	When Implemented
CBP PUB-4.3: Any new UC Berkeley recreation facilities would be developed in accordance with design principles and guidelines established in the 2020 LRDP. All relevant 2020 LRDP mitigation measures and continuing best practices would be incorporated into the design and construction of new facilities. For each individual project, the University would evaluate potential environmental impacts and prepare all required documents in full accordance with CEQA.	a) Has this recreation facility project been planned and designed according to 2020 LRDP design principles and guidelines? b) Does the recreation facility project incorporate all relevant 2020 LRDP mitigation measures and continuing best practices? c) Has the University evaluate the project for potential environmental impacts and prepared all required documents in full accordance with CEQA?	PEP	P
LRDP MM PUB-2.4-a: In order to ensure adequate access for emergency vehicles when construction projects would result in temporary lane or roadway closures, campus project management staff would consult with the UCPD, campus EH&S, the BFD and ACFD to evaluate alternative travel routes and temporary lane or roadway closures prior to the start of construction activity. UC Berkeley will ensure the selected alternative travel routes are not impeded by UC Berkeley activities.	a) Has the project consulted UCPD, EH&S, BFD and ACFD to evaluate alternative travel routes and temporary lane or roadway closures prior to the start of construction activity? b) Has the project ensured that the selected alternative travel routes are not impeded by UC Berkeley activities?	CAP HMA PM	C W
LRDP MM PUB-2.4: Before implementing any change to the use of any existing recreational facility, UC Berkeley would conduct a study to ensure that the loss of recreational use would not result in increased use at other facilities to the extent it would result in the physical deterioration of those facilities. If such deterioration is found to have the potential to occur, then the University would build replacement recreation facilities or take other measures to minimize overuse and deterioration of existing facilities in connection with removal of or reduction in use at the recreation facility in question. Any such facilities and/or measures would be reviewed in accordance with CEQA.	a) Does this project avoid any change to an existing recreational facility? b) If the answer to (a) is "no", has the project conducted a study to ensure that any loss of recreational use would not result in increased use at other facilities to the extent it would result in the physical deterioration of those facilities? c) If the answer to (b) is "yes", has the University built replacement recreation facilities or taken other measures to minimize overuse and deterioration of existing facilities, and reviewed these measures in accordance with CEQA?	PEP	P
Transportation & Traffic			
CBP TRA-1-b, Part 2: UC Berkeley will continue to do strategic bicycle access planning. Issues addressed include bicycle access, circulation and amenities with the goal of increasing bicycle commuting and safety. Planning considers issues such as bicycle access to the campus from adjacent streets and public transit; bicycle, vehicle, and pedestrian interaction; bicycle parking; bicycle safety; incentive programs; education and enforcement; campus bicycle routes; and amenities such as showers. The scoping and budgeting of individual projects will include consideration of improvements to bicycle access.	a) Have bicycle access improvements been considered in the scoping and budgeting of the project?	CAP PM PEP	P

Mitigation Measure or Continuing Best Practice	Question for Checklist	Responsible for Implementation	When Implemented
CBP TRA-3-a: Early in construction period planning UC Berkeley shall meet with the contractor for each construction project to describe and establish best practices for reducing construction-period impacts on circulation and parking in the vicinity of the project site.	a) Early in construction period planning, did the project meet with the contractor to describe and establish best practices for reducing construction-period impacts on circulation and parking in the vicinity of the project site?	CAP HMA PM	C W
CBP TRA-3-b: For each construction project, UC Berkeley will require the prime contractor to prepare a Construction Traffic Management Plan which will include the following elements: •Proposed truck routes to be used, consistent with the City truck route map. •Construction hours, including limits on the number of truck trips during the a.m. and p.m. peak traffic periods (7:00 – 9:00 a.m. and 4:00 – 6:00 p.m.), if conditions demonstrate the need. •Proposed employee parking plan (number of spaces and planned locations). •Proposed construction equipment and materials staging areas, demonstrating minimal conflicts with circulation patterns. •Expected traffic detours needed, planned duration of each, and traffic control plans for each phase of construction	a) Has the project required the prime contractor to prepare a Construction Traffic Management Plan (CTMP)? b) Has such a plan been prepared? c) Does the CTMP include: truck routes consistent with City route map; construction hours w/# truck trips limited 7:00 – 9:00 a.m., 4:00 – 6:00 p.m.; crew parking plan (# of spaces, locations); staging areas minimizing conflicts; detours, including duration	CAP PM	W
CBP TRA-3-c: UC Berkeley will manage project schedules to minimize the overlap of excavation or other heavy truck activity periods that have the potential to combine impacts on traffic loads and street system capacity, to the extent feasible.	a) To the extent feasible, has the project schedule minimized overlap of excavation or other heavy truck activity that could cumulatively impact traffic loads and street system capacity?	CAP PM	C W
Utilities & Service Systems			
CAC SEIR USS-1: Backwash activities shall not occur within 24 hours before an anticipated rain event or within 48 hours after a rain event, until implementation of a regional wet weather flow reduction program in the affected sub-basin is completed.	a) Have backwashing activities of pool and spa filters been managed to avoid occurrence within 24 hours of an expected rain event or 48 hours after a rain event?	ATH	O
CAC SEIR USS-2: Any new or replacement wastewater collection system infrastructure required to serve the project, including sewer lateral lines, shall be constructed to prevent infiltration/inflow to the maximum extent feasible.	a) Have new or replacement wastewater collection system infrastructure required to serve the project, including sewer lateral lines, been constructed to prevent infiltration/inflow to the maximum extent feasible?	PM	C W

Mitigation Measure or Continuing Best Practice	Question for Checklist	Responsible for Implementation	When Implemented
CBP USS-1.1, Part 1: For campus development that increases water demand, UC Berkeley would continue to evaluate the size of existing distribution lines as well as pressure of the specific feed affected by development on a project-by-project basis, and necessary improvements would be incorporated into the scope of work for each project to maintain current service and performance levels. The design of the water distribution system, including fire flow, for new buildings would be coordinated among UC Berkeley staff, EBMUD, and the Berkeley Fire Department.	a) Has UC Berkeley continued to evaluate size of existing distribution lines as well as pressure of specific feeds affected by development on a project-by-project basis? b) Has the design of the water distribution system, including fire flow, been coordinated among UC Berkeley staff, EBMUD, and the Berkeley Fire Department?	PP-CS CAP PM	C W
CBP USS-1.1, Part 2: For campus development that increases water demand, UC Berkeley would continue to evaluate the size of existing distribution lines as well as pressure of the specific feed affected by development on a project-by-project basis, and necessary improvements would be incorporated into the scope of work for each project to maintain current service and performance levels. The design of the water distribution system, including fire flow, for new buildings would be coordinated among UC Berkeley staff, EBMUD, and the Berkeley Fire Department.	a) Have necessary improvements been incorporated into the scope of work for each project to maintain current water service and performance levels?	PM	C W
CBP USS-2.1-b: UC Berkeley will analyze water and sewer systems on a project-by-project basis to determine specific capacity considerations in the planning of any project proposed under the 2020 LRDP.	a) Has the project analyzed water and sewer systems to determine specific capacity considerations?	PP-CS CAP PM PEP	C W
CBP USS-2.1-d: UC Berkeley will continue to incorporate specific water conservation measures into project design to reduce water consumption and wastewater generation. This could include the use of special air-flow aerators, water-saving shower heads, flush cycle reducers, low-volume toilets, weather based or evapotranspiration irrigation controllers, drip irrigation systems, the use of drought resistant plantings in landscaped areas, and collaboration with EBMUD to explore suitable uses of recycled water.	a) Has the project incorporated specific water conservation measures into project design?	CAP PM	P
CBP USS-3.1, Part 1: UC Berkeley shall continue to manage runoff into storm drain systems such that the aggregate effect of projects implementing the 2020 LRDP is no net increase in runoff over existing conditions.	a) Has the project been designed to ensure that it will not contribute to net increase in runoff over existing conditions?	CAP PM	P

Mitigation Measure or Continuing Best Practice	Question for Checklist	Responsible for Implementation	When Implemented
CBP USS-5.2, Part 2: In accordance with the Regents-adopted green building policy and the policies of the 2020 LRDP, the University would develop a method to quantify solid waste diversion. Contractors working for the University would be required under their contracts to report their solid waste diversion according to the University's waste management reporting requirements.	a) Does the project contract require that the contractors working for the University to report their solid waste diversion according to the University's waste management reporting requirements?	CAP PM	C W
LRDP MM USS-5.2: Contractors on future UC Berkeley projects implemented under the 2020 LRDP will be required to recycle or salvage at least 50% of construction, demolition, or land clearing waste. Calculations may be done by weight or volume, but must be consistent throughout.	a) Has at least 50% of construction, demolition or land clearing waste associated with the project been recycled or salvaged?	CAP HMA PM	C W

GENERAL ACRONYMS

ABAG - Association of Bay Area Governments	CR - UC Community Relations
ATH – Intercollegiate Athletics	DRC - UC Design Review Committee
BAAQMD - Bay Area Air Quality Management District	DRS - UC Dep't. of Recreational Sports
BAS - UC Administration	ECPC - UC Executive Chancellor's Planning Committee
BFD - Berkeley Fire Department	EH&S - UC Environment Health and Safety
BMP - Best Management Practice	HMA - Hill Management Authority
BPD - Berkeley Police Department	MM - UC CEQA Mitigation Measure
CAP – Asst. Director, Capital Projects	P&T - UC Parking & Transportation
CDFG - California Department of Fish and Game	PEP - UC Physical & Environmental Planning
CFM - Campus Fire Marshal	PM - Project Manager
CHAN – UCB Chancellors Office	PPCS - UC Physical Plant & Campus Services
CLA - Campus Landscape Architect	RES – Real Estate Services
CoB - City of Berkeley	RSSP - Residential & Student Services Program
CoO - City of Oakland	UCPD - UC Police Department
Corps - US Army Corps of Engineers	USFWS - US Fish and Wildlife Service

ENVIRONMENTAL IMPACT REPORT ACRONYMS

ARH	Angelo Reserve Visitor Housing Mitigated Negative Declaration
55 LAG	55 Laguna St. San Francisco
CAC SEIR	Cal Aquatics Center Subsequent EIR
CBP	Continuing Best Practice
DAP MM	Downtown Area Plan Mitigation Measures (informational only)
IP CBP	SCIP Continuing Best Practice
IP MM	SCIP Mitigation Measure
IPE MM	SCIP Mitigation Measure East
IPW MM	SCIP Mitigation Measure West
IP SEIR	Subsequent Recirculated SCIP EIR MM and CBP
LSA	Litigation Settlement Agreement
LRDP MM	LRDP Mitigation Measure
NAF	Northwest Animal Facility EIR
NEQSS	NE Quadrant Seismic Safety
UND	Underhill Area Projects
UVA MP	University Village Master Plan

MONITORING PHASES

P: Planning and Schematic Design
W: CDs and Bid
C: Construction
O: Post-Occupancy

ATTACHMENTS:

Draft Subsequent Environmental Impact Report