2.3.13 Findings and Statement of Overriding Considerations

Findings

Findings required by CEQA are the conclusions made regarding the significance of a project in light of the impacts and mitigation measures that have been identified; they establish the analytical link between the CEQA document and a decision derived from the document.

CEQA requires that a public agency, when approving a project, make Findings for each significant environmental effect identified in the EIR, as described in the CEQA Guidelines Section 15091, [http://ceres.ca.gov/topic/env_law/ceqa/guidelines/art7.html](http://ceres.ca.gov/topic/env_law/ceqa/guidelines/art7.html), and shown in Figure 8. The Findings should set forth the underlying rationale used by the UC decision maker to approve or deny the project. Specifically, the Findings must explain whether and why mitigation measures and project alternatives have been accepted or rejected.

For each significant effect and alternative, the campus should make one or more of the following Findings accompanied by a brief explanation of each Finding:

- Changes or alterations have been required in, or incorporated into the project that mitigate or avoid the significant environmental effects thereof as identified in the completed EIR.

- Such changes or alterations are within the responsibility and jurisdiction of another public agency, and such changes have been adopted by such other agency or can and should be adopted by such other agency.

- Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the EIR.

The Findings should also include a general statement that a Mitigation Monitoring Program has been adopted to ensure implementation of feasible mitigation measures identified in the EIR.

Findings must also specify the location and custodian of the administrative record. (See CEQA Statutes Section 21081.6(a)(2)) [http://ceres.ca.gov/ceqa/stat/chap2_6.html](http://ceres.ca.gov/ceqa/stat/chap2_6.html)

Findings are to be drafted by campus planning staff and/or their consultants, given their relative familiarity with the project and its environmental impacts. Substantial assistance from counsel may be required on findings for complex projects or in situations that present novel legal issues, as well as findings for LRDP revisions. Draft Findings should be submitted for review by the Office of Planning, Design and Construction and the General Counsel several weeks before the applicable deadline (the environmental document deadline for projects approved by The Regents, or the anticipated approval date for projects to be approved by the Chancellor or the President). See UC CEQA Handbook Section 2.4 for information about processing Findings and Section 3.4 for Findings content.

Statement of Overriding Considerations

Where significant effects are unavoidable, a detailed statement of overriding considerations is separately required in addition to the Findings required by CEQA Statutes Section 21081 (a)(3)
A “statement of overriding considerations” indicates that even though a project would result in one or more unavoidable adverse impacts, specific economic, social or other stated benefits are sufficient to warrant project approval. The statement explains the justification for proceeding with the project despite the significant adverse environmental impacts.

A statement of overriding considerations provides specific reasons why the benefit of a proposed project outweighs the adverse effect. If the benefits of a project outweigh the unavoidable adverse environmental effects, those effects may be considered “acceptable” (*CEQA Guidelines Section 15093 (a)*) [http://ceres.ca.gov/topic/env_law/ceqa/guidelines/art7.html](http://ceres.ca.gov/topic/env_law/ceqa/guidelines/art7.html).

Findings must clearly state whether any significant impacts remain after mitigation measures have been applied. They also provide the basis for making a statement of overriding considerations.

The decision maker must make the Findings, including the statement of overriding consideration, before approving or carrying out a project for which an EIR has been completed.