

**CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS
IN CONNECTION WITH THE APPROVAL OF THE DESIGN AND CONSTRUCTION
OF THE ADVANCED TRANSPORTATION INFRASTRUCTURE RESEARCH
PROJECT, DAVIS CAMPUS**

I. ADOPTION OF THE MITIGATED NEGATIVE DECLARATION

Pursuant to Title 14, California Code of Regulations, Section 15074(b), the Facilities and Enterprise Policy Committee (FEPC) of the University of California, Davis campus (the campus), pursuant to authority delegated from the Board of Regents of the University of California (The Regents) (hereinafter referred to collectively as “The University”), hereby finds that the Tiered Mitigated Negative Declaration and the Initial Study prepared for the proposed Advanced Transportation Infrastructure Research Center (ATIRC) (the project) have been completed in compliance with the California Environmental Quality Act, Public Resources Code Sections 21000 et seq. (CEQA). The University further finds that it reviewed and considered the information contained in the Tiered Mitigated Negative Declaration and Initial Study, and any comments on these documents prior to approving the design of the project. The University hereby finds that the Mitigated Negative Declaration reflects the independent judgment and analysis of the University and adopts the Mitigated Negative Declaration.

II. FINDINGS

The University hereby adopts the following Findings pursuant to Title 14, California Code of Regulations, Section 15074, in conjunction with the approval of the project, which is set forth in Section III, below.

A. Background

The UC Davis Advanced Transportation Infrastructure Research Center (ATIRC) project would provide a facility for two research programs: the Pavement Research Center and the Advanced Highway Maintenance and Construction Technology Research Center (AHMCT).

The Pavement Research Center is now in the process of moving from the UC Berkeley campus to UC Davis. Research at the PRC will be conducted in a variety of areas including geotechnical engineering, construction engineering and management, traffic engineering, material, mechanics, performance modeling, systems analysis and economics, information management, and planning. Undergraduate and graduate courses would be taught at the facility.

Investigators at the AHMCT conduct research on the methods for automating highway maintenance and construction activities for the purposes of improving the highway safety, efficiency, and the safety of highway maintenance and construction activities, and reliability of highway infrastructure, and of minimizing congestion delays, and minimizing the environmental impacts of highway maintenance and construction activities.

The four-acre ATIRC project includes (1) the construction of two test tracks for pavement testing and equipment evaluation, (2) construction of 42,800 gross square feet (gsf) (26,000 assignable square feet (asf)) of new buildings to provide laboratory space, offices, meeting rooms, and shop space; and (3) site development (parking areas, drainage facilities, access roads, landscaping, lighting, and fencing) needed to support the proposed facilities. Construction of the proposed facilities would occur in phases with the first phase expected to start construction in late 2007 and future phases to be constructed as funding becomes available. The proposed project would increase the campus population by approximately 40 people (faculty and staff). The ATIRC project would be located on the West Campus at UC Davis, approximately 1,000 feet west of Hopkins Road and the Airport Road.

B. Environmental Review Process

A Tiered Initial Study (State Clearinghouse No. 2007012104) was prepared for the project in accordance with CEQA and the University of California Procedures for Implementation of CEQA. The Initial Study for the project, in accordance with Section 15168 of the CEQA Guidelines, is tiered from the campus 2003 Long Range Development Plan Environmental Impact Report (2003 LRDP EIR) (State Clearinghouse No. 2002109092), which was certified by The Regents in connection with the approval of the 2003 LRDP in November 2003.

The project is part of the physical development proposed in the 2003 LRDP; therefore, the environmental analysis for the project is presented and analyzed within the context of the 2003 LRDP and incorporates by reference applicable portions of the 2003 LRDP EIR. The 2003 LRDP EIR, which is a program EIR pursuant to Section 15168 of the CEQA Guidelines, analyzes the overall effects of campus growth and facility development through 2015-16, and identifies measures to mitigate the significant adverse impacts and cumulative impacts associated with that growth.

As a tiered document, the Mitigated Negative Declaration and Initial Study for the project relies on the 2003 LRDP EIR for: (1) a discussion of general background and setting information for environmental topic areas; (2) overall growth-related issues; (3) issues that were evaluated in sufficient detail in the 2003 LRDP EIR for which there are no significant new information, changes in the project, or changes in circumstances that would require further analysis; and (4) cumulative impacts. The purpose of the Tiered Initial Study is to evaluate the potential environmental impacts of the project with respect to the existing 2003 LRDP EIR analysis in order to determine what level of additional environmental review, if any, would be appropriate.

The Tiered Initial Study analyzed the potential impacts of the project and the adequacy of the existing environmental analysis in the 2003 LRDP EIR with regard to the following environmental topic areas: (1) aesthetics, (2) agricultural resources, (3) air quality, (4) biological resources, (5) cultural resources, (6) geology, soils, and seismicity, (7) hazards and hazardous materials, (8) hydrology and water quality, (9) land use and planning, (10) mineral resources,

(11) noise, (12) population and housing, (13) public services, (14) recreation, (15) transportation, circulation and parking, and (16) utilities and service systems.

The project's proposed Mitigated Negative Declaration and Draft Tiered Initial Study were submitted to the State Clearinghouse in the Governor's Office of Planning and Research and circulated for a 30-day public review period beginning on January 25, 2007 and concluding on February 23, 2007. During that time, the document was available for review by various state and local agencies, as well as by interested individuals and organizations. One letter was received during the comment period from the Department of Water Resources commenting on a possible requirement for a flood plain encroachment permit to reconfigure existing stormwater drains. The comment from the Department of Water Resources resulted in no changes to the Initial Study. A response to the comment can be found in Appendix C of the Initial Study.

Based on the analysis contained in the Tiered Initial Study, it is determined that the proposed project could have one significant effect on the environment that has not been previously addressed in the 2003 LRDP EIR, and a new project-specific noise mitigation measure, in addition to those previously identified in the 2003 LRDP EIR, is required to reduce this effect to a less-than-significant level. The project-specific mitigation is proposed to reduce potential noise impacts from the ATIRC test tracks to a less-than-significant level. Project-specific mitigation measure MM-1 would require a detailed noise assessment for future developments within 500 feet of the ATIRC test tracks. Based on these test, noise reduction equipment could be added to the ATIRC test machinery in order to reduce the anticipated noise levels to a less-than-significant level.

Aside from the potential noise impact, the project would not result in any other significant impacts that would not be mitigated to less-than-significant levels by previously adopted 2003 LRDP mitigation measures currently being implemented, or that are not sufficiently addressed by the 2003 LRDP EIR. Based on this analysis, the University prepared a Mitigated Negative Declaration that reflects these conclusions.

C. Relation of the Project to the LRDP EIR

The 2003 LRDP EIR is a Program EIR, prepared pursuant to Section 15168 of the CEQA Guidelines (Title 14, California Code of Regulations, Sections 15000 et seq.) and Section 21080.09 of the Public Resources Code. The 2003 LRDP EIR analyzed full implementation of uses and physical development proposed under the 2003 LRDP through the year 2015-16 to accommodate a projected total enrollment level of 31,500 students, and identified measures to mitigate the significant adverse project and cumulative impacts associated with that growth. The project would result in an increase in the campus population of approximately 40 people, which would not exceed the population increase projected in the 2003 LRDP EIR. Additionally, the proposed project is consistent with and is part of the campus development that was anticipated in the 2003 LRDP and evaluated in the 2003 LRDP EIR.

The Initial Study for the project is tiered from the 2003 LRDP EIR in accordance with Sections 15152 and 15168(d) of the CEQA Guidelines and Public Resources Code Section 21094. Based on the analysis presented in the Tiered Initial Study, the 2003 LRDP mitigation measures already being implemented in addition to the proposed project-specific mitigation measure will substantially lessen or avoid any significant project-specific environmental effects.

D. Environmental Summary

The following sections summarize the environmental evaluation provided in the Tiered Initial Study for the proposed project.

1. Significant and Unavoidable Adverse Impacts Associated with the 2003 LRDP and Related Mitigation Measures

The Tiered Initial Study recognized significant and unavoidable adverse impacts associated with implementation of the 2003 LRDP, including the project, and identified related mitigation measures. All of these significant and unavoidable impacts that are discussed below were adequately analyzed in the 2003 LRDP EIR and were fully addressed by the Findings and Statement of Overriding Considerations adopted by The Regents in connection with approval of the 2003 LRDP and certification of the 2003 LRDP EIR. Most of the significant and unavoidable adverse impacts identified in the Tiered Initial Study relate to cumulative development. The Tiered Initial Study evaluated the impact of cumulative development, defined by the CEQA Guidelines as "the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects" (California Code of Regulations, Title 14, Section 15355(b)). The cumulative impact analysis in the Tiered Initial Study analyzed the proposed project combined with growth allowed under the 2003 LRDP and growth anticipated in the region. In accordance with the CEQA Guidelines, the Tiered Initial Study used a "plan" approach as a framework for its cumulative impact analysis which is based on a "summary of projections contained in an adopted general plan or related planning document which is designed to evaluate regional or area-wide conditions" (California Code of Regulations, Title 14, Section 15130(b)).

Because the project implements a portion of the 2003 LRDP, the cumulative impact analysis in the Tiered Initial Study relies on the 2003 LRDP EIR, which includes an analysis of campus development projected through 2015-16 in the 2003 LRDP and related cumulative development in the campus vicinity. The cumulative impact analysis from the 2003 LRDP EIR is incorporated by reference in the Tiered Initial Study pursuant to California Code of Regulations, Title 14, Section 15130(d).

The Tiered Initial Study recognizes that the project would contribute to several significant and unavoidable adverse impacts associated with the implementation of the 2003 LRDP. The 2003 LRDP EIR identified mitigation measures that would reduce to the extent feasible, but not avoid, these significant and unavoidable adverse impacts. These mitigation measures were adopted as part of the approval of the 2003 LRDP and are currently being implemented. The Tiered Initial Study did not identify any additional project-specific mitigation measures that would further reduce or avoid these impacts. All of these significant and unavoidable impacts, discussed below in Finding II.D, were adequately addressed in the 2003 LRDP EIR and by the Findings and Statement of Overriding Considerations adopted by The Regents in connection with approval of the 2003 LRDP and certification of the 2003 LRDP EIR. 2003 LRDP EIR mitigation measures are also identified and briefly discussed below. For a detailed description of these mitigation measures, please see the text in the Initial Study.

a. Cumulative Impacts on aesthetics from effects on scenic vistas west across agricultural lands to the Coast Range and changes in overall visual character (LRDP Impacts 4.1-1 and 4.1-4).

The project, as part of the growth from the 2003 LRDP, would contribute to loss of views across open agricultural lands. Previously adopted LRDP Mitigation Measures 4.1-1 and 4.1-4(a-b), would reduce impacts on scenic views, and local jurisdictions can and should implement policies that support the long-term establishment and preservation of scenic vistas. While these measures would reduce the magnitude of this cumulative impact, it is considered significant and unavoidable. The Tiered Initial Study did not identify any additional project-specific mitigation measures that would avoid or substantially lessen the project's contribution to this impact. While the 2003 LRDP mitigation measures would reduce the magnitude of this cumulative impact, it is still considered significant and unavoidable.

This impact was adequately analyzed and addressed the 2003 LRDP EIR and in the Findings and Overriding Considerations adopted by The Regents in connection with its approval of the 2003 LRDP and certification of the 2003 LRDP EIR. The University finds that the remaining significant and unavoidable cumulative impact associated with growth pursuant to the 2003 LRDP, including the proposed project, continues to be acceptable and the benefits of the project outweigh this and other unavoidable environmental impacts for the reasons set forth in Section II.F of these Findings.

b. Cumulative impacts on aesthetics from increased light and glare (LRDP Impact 4.1-6).

The 2003 LRDP EIR identified significant and unavoidable adverse cumulative impacts associated with increased light sources that would create new sources of light and glare that could adversely affect daytime and nighttime views. The proposed project, as part of the overall campus growth pursuant to the 2003 LRDP, would contribute to increased light and glare. Previously adopted LRDP Mitigation Measures 4.1-3 (a-c) (design shall use nonreflective exterior surfaces and glass, use shielded and cutoff type light fixtures for outdoor lighting, and any use of non-cutoff, non-shielded lighting fixtures shall require review by the Campus Design Review Committee to ensure that a minimum amount of such lighting needed to achieve the desired nighttime emphasis and that such lighting creates no adverse effect on nighttime views) and 4.1-6(a-b) (implementation of 4.1-3(a-b) and surrounding jurisdictions should implement standards and guidelines which support minimal use of site lighting) would continue to be implemented and would aid in reducing the potential lighting impact identified in the 2003 LRDP. The Tiered Initial Study did not identify any additional project-specific mitigation measures that would avoid or substantially lessen the project's contribution to this impact. While the 2003 LRDP mitigation measures would reduce the magnitude of this cumulative impact, it is still considered significant and unavoidable.

This impact was adequately analyzed and addressed the 2003 LRDP EIR and in the Findings and Overriding Considerations adopted by The Regents in connection with its approval of the 2003 LRDP and certification of the 2003 LRDP EIR. The University finds that the remaining significant and unavoidable cumulative impact associated with growth pursuant to the 2003 LRDP, including the proposed project, continues to be acceptable and the benefits of the project outweigh this and other unavoidable environmental impacts for the reasons set forth in Section II.F of these Findings.

c. Impacts on agricultural resources from loss of Prime Farmland (LRDP Impacts 4.2-1 and 4.2-3).

The proposed ATIRC would be built on Prime Farmland and would contribute both to the project-level impact identified in the LRDP and to the cumulative impact in the region. These impacts are considered significant and unavoidable because they are considered irreversible. Previously adopted LRDP EIR and Mitigation measures 4.2-1 and 4.2-3 are relevant to the proposed project to reduce the significance of agricultural impacts to the extent feasible. The campus continues to investigate land areas that would be appropriate to designate as prime farmland in compliance with LRDP Mitigation Measure 4.2-1. At this time, the Russell Ranch or Kidwell parcels may still be used for this purpose. Prior to converting the teaching and research fields at the ATIRC site, the Chancellor will select a site for ATIRC farmland preservation. The Tiered Initial Study did not identify any additional project-specific mitigation measures that would avoid or substantially lessen the project's contribution to this impact. While the 2003 LRDP mitigation measures would reduce the magnitude of this cumulative impact, it is still considered significant and unavoidable.

These impacts were adequately analyzed and addressed the 2003 LRDP EIR and in the Findings and Overriding Considerations adopted by The Regents in connection with its approval of the 2003 LRDP and certification of the 2003 LRDP EIR. The University finds that the remaining significant and unavoidable project-level impact and cumulative impact associated with growth pursuant to the 2003 LRDP, including the proposed project, continues to be acceptable and the benefits of the project outweigh this and other unavoidable environmental impacts for the reasons set forth in Section II.F of these Findings.

d. Impacts on air quality from emissions that exceed YSAQMD Thresholds (LRDP Impacts 4.3-1 and 4.3-3).

The 2003 LRDP EIR identified significant and unavoidable adverse impacts associated with increased emissions of criteria pollutants that could contribute to overall operational emissions exceeding the Yolo-Solano Air Quality Management District Thresholds. The proposed project, as part of the overall campus growth pursuant to the 2003 LRDP, would contribute to increased emissions of criteria pollutants. Previously adopted LRDP Mitigation Measures 4.3-1(a) (requiring the campus to reduce emissions from vehicles), (b) (requiring reduction of emissions from area sources) and (c) (requiring the campus to participate in YSAQMD planning efforts) are continuing to be implemented and will aid in reducing the potential impact to air quality identified in the 2003 LRDP. Previously adopted LRDP Mitigation Measures 4.3-3(a-c) (requiring the campus to reduce emissions from construction activities) are continuing to be implemented and will aid in reducing the potential impact to air quality identified in the 2003 LRDP. The Tiered Initial Study did not identify any additional project-specific mitigation measures that would avoid or substantially lessen the project's contribution to this impact. While the 2003 LRDP mitigation measures would reduce the magnitude of this impact, it is still considered significant and unavoidable.

This impact was adequately analyzed and addressed the 2003 LRDP EIR and in the Findings and Overriding Considerations adopted by The Regents in connection with its approval of the 2003 LRDP and certification of the 2003 LRDP EIR. The University finds that the remaining significant and unavoidable impact associated with growth pursuant to the 2003 LRDP, including the proposed project, continues to be acceptable and the benefits of the project outweigh this and other unavoidable environmental impacts for the reasons set forth in Section II.F of these Findings.

e. Cumulative impacts on air quality from emissions that exceed YSAQMD Thresholds (LRDP Impact 4.3-6).

The 2003 LRDP EIR identified significant and unavoidable adverse cumulative impacts associated with a cumulatively considerable increase of non-attainment pollutants. The proposed

project, as part of the overall campus growth pursuant to the 2003 LRDP, would contribute to emissions of non-attainment pollutants. Previously adopted LRDP Mitigation Measure 4.3-6 (requiring the campus to implement Measure 4.3-1(a-c), described in the above item II.D.1.c) would continue to be implemented and would aid in reducing emissions. The Tiered Initial Study did not identify any additional project-specific mitigation measures that would avoid or substantially lessen the project's contribution to this impact. While the 2003 LRDP mitigation measures would reduce the magnitude of this cumulative impact, it is still considered significant and unavoidable.

This impact was adequately analyzed and addressed the 2003 LRDP EIR and in the Findings and Overriding Considerations adopted by The Regents in connection with its approval of the 2003 LRDP and certification of the 2003 LRDP EIR. The University finds that the remaining significant and unavoidable cumulative impact associated with growth pursuant to the 2003 LRDP, including the proposed project, continues to be acceptable and the benefits of the project outweigh this and other unavoidable environmental impacts for the reasons set forth in Section II.F of these Findings.

f. Cumulative loss of habitat for Swainson's hawk and burrowing owl (LRDP Impact 4.4-12).

The proposed ATIRC, as part of the growth from the 2003 LRDP, in combination with expected regional growth, would contribute to the loss of agricultural land that provides habitat for Swainson's hawk and burrowing owl. Previously adopted LRDP Mitigation Measure 4.4-12 would preserve habitat, which would reduce LRDP impacts to less than significant. However, cumulative loss of agricultural land in the region is irreversible and was determined to be a cumulatively significant impact. The Tiered Initial Study did not identify any additional project-specific mitigation measures that would avoid or substantially lessen the project's contribution to this impact. While the 2003 LRDP mitigation measures would reduce the magnitude of this cumulative impact, it is still considered significant and unavoidable.

This impact was adequately analyzed and addressed the 2003 LRDP EIR and in the Findings and Overriding Considerations adopted by The Regents in connection with its approval of the 2003 LRDP and certification of the 2003 LRDP EIR. The University finds that the remaining significant and unavoidable cumulative impact associated with growth pursuant to the 2003 LRDP, including the proposed project, continues to be acceptable and the benefits of the project outweigh this and other unavoidable environmental impacts for the reasons set forth in Section II.F of these Findings.

g. Impacts on archaeological resources (LRDP Impact 4.5-3).

The 2003 LRDP EIR identified significant and unavoidable adverse impacts associated with a substantial adverse change to historical or archaeological resources on the project site. The proposed project, as part of the overall campus growth pursuant to the 2003 LRDP, could

contribute to potential changes to archaeological resources. Previously adopted LRDP Mitigation Measures 4.5-1 through 4.5-5 (requiring the campus to evaluate project sites for historic buildings and archaeological resources and protect discovered resources; to take appropriate steps to minimize the potential for such disturbance and; if disturbance occurs, to follow all requirements to protect the human remains and complete the proper reinterment procedures) would continue to be implemented and would aid in reducing disturbance to archaeological resources. The campus would prefer to preserve significant resources where possible; however, because there may be cases in which avoidance or preservation of such a resource is not feasible, this project-level impact is considered significant and unavoidable. The Tiered Initial Study did not identify any additional project-specific mitigation measures that would avoid or substantially lessen the project's contribution to this impact. While the 2003 LRDP mitigation measures would reduce the magnitude of this impact, it is still considered significant and unavoidable.

This impact was adequately analyzed and addressed the 2003 LRDP EIR and in the Findings and Overriding Considerations adopted by The Regents in connection with its approval of the 2003 LRDP and certification of the 2003 LRDP EIR. The University finds that the remaining significant and unavoidable impact associated with growth pursuant to the 2003 LRDP, including the proposed project, continues to be acceptable and the benefits of the project outweigh this and other unavoidable environmental impacts for the reasons set forth in Section II.F of these Findings.

h. Cumulative impacts on archaeological resources (LRDP Impact 4.5-5).

The 2003 LRDP EIR identified significant and unavoidable adverse cumulative impacts associated with disturbance to archaeological resources in the region. The proposed project, as part of the overall campus growth pursuant to the 2003 LRDP, could contribute to disturbance of archaeological resources. Previously adopted LRDP Mitigation Measures 4.5-1 through 4.5-5 (as described in the above item II.D.1.e) would still be implemented and would aid in reducing disturbance to archaeological resources. The Tiered Initial Study did not identify any additional project-specific mitigation measures that would avoid or substantially lessen the project's contribution to this impact. While the 2003 LRDP mitigation measures would reduce the magnitude of this cumulative impact, it is still considered significant and unavoidable.

This impact was adequately analyzed and addressed the 2003 LRDP EIR and in the Findings and Overriding Considerations adopted by The Regents in connection with its approval of the 2003 LRDP and certification of the 2003 LRDP EIR. The University finds that the remaining significant and unavoidable cumulative impact associated with growth pursuant to the 2003 LRDP, including the proposed project, continues to be acceptable and the benefits of the project outweigh this and other unavoidable environmental impacts for the reasons set forth in Section II.F of these Findings.

i. Groundwater impacts associated with increase in withdrawals from the deep and shallow/intermediate aquifers (LRDP Impacts 4.8-5, 4.8-6, and 4.8-13)

The 2003 LRDP EIR identified significant and unavoidable adverse project level and cumulative impacts associated with increased withdrawals from the deep and shallow/intermediate aquifers.

The proposed project, as part of the overall campus growth pursuant to the 2003 LRDP, would contribute to the demand for water from the shallow/intermediate aquifers and would increase the amount of impermeable surfaces which could substantially interfere with recharge of both the deep and shallow/intermediate aquifers. Previously adopted LRDP Mitigation Measures 4.8-5(b, d) and 4.8-6 (a-e) would require continued water conservation efforts, efforts to determine the ability of the both aquifers to provide for the campus' long-term water needs, efforts to minimize withdrawals by UC Davis and the City of Davis from the same deep aquifer, monitoring of both aquifers, and identification of alternative water sources, including surface water and recycled water. Regardless of these mitigation measures, UC Davis' future demand for water could reduce groundwater levels in one or both of these aquifers, contributing to a net deficit in the overall groundwater budget. Previously adopted LRDP Mitigation Measure 4.8-13 (a, b) addresses cumulative withdrawals associated with both campus and City of Davis water demand.

However, the combined effects are not well understood, and could result in a long term reduction in groundwater levels. Therefore, this impact is considered significant and unavoidable, both on a project and cumulative level. The Tiered Initial Study did not identify any additional project-specific mitigation measures that would avoid or substantially lessen the project's contribution to this impact. While the 2003 LRDP mitigation measures would reduce the magnitude of this project level and cumulative impact, it is still considered significant and unavoidable.

This impact was adequately analyzed and addressed the 2003 LRDP EIR and in the Findings and Overriding Considerations adopted by The Regents in connection with its approval of the 2003 LRDP and certification of the 2003 LRDP EIR. The University finds that the remaining significant and unavoidable project-level impact and cumulative impact associated with growth pursuant to the 2003 LRDP, including the proposed project, continues to be acceptable and the benefits of the project outweigh this and other unavoidable cumulative environmental impacts for the reasons set forth in Section II.F of these Findings.

j. Cumulative impacts on water quality associated with increased impervious surface resulting in increased storm water runoff (LRDP Impact 4.8-10)

The 2003 LRDP EIR identified significant and unavoidable adverse cumulative impacts associated with impacts on water quality associated with increased impervious surface resulting in increased storm water runoff. The proposed project, as part of the overall campus growth pursuant to the 2003 LRDP, would contribute to increased storm water runoff. Previously adopted LRDP Mitigation Measure 4.8-10 (a-c) requires the campus and regional jurisdictions to

comply with NPDES Phase II requirements and implement SWPPPs for specified industrial and construction activities. However, implementation of LRDP Mitigation Measure 4.8-10(b) and (c) cannot be guaranteed by the University of California because it falls within other jurisdictions to enforce and monitor. Therefore, the impact is considered significant and unavoidable. The Tiered Initial Study did not identify any additional project-specific mitigation measures that would avoid or substantially lessen the project's contribution to this impact. While the 2003 LRDP mitigation measures would reduce the magnitude of this cumulative impact, it is still considered significant and unavoidable.

This impact was adequately analyzed and addressed the 2003 LRDP EIR and in the Findings and Overriding Considerations adopted by The Regents in connection with its approval of the 2003 LRDP and certification of the 2003 LRDP EIR. The University finds that the remaining significant and unavoidable cumulative impact associated with growth pursuant to the 2003 LRDP, including the proposed project, continues to be acceptable and the benefits of the project outweigh this and other unavoidable environmental impacts for the reasons set forth in Section II.F of these Findings.

k. Cumulative increases in traffic noise associated with increased vehicular traffic (LRDP Impact 4.10-2 and 4.10-5)

The 2003 LRDP EIR identified significant and unavoidable adverse cumulative impacts associated with increased vehicle traffic and, therefore, ambient noise levels. The proposed project, as part of the overall campus growth pursuant to the 2003 LRDP, would contribute to increased noise levels. LRDP Mitigation Measure 4.10-2(a-b) would address this impact by requiring specific noise abatement and noise control programs on campus and in the City of Davis. However, the campus cannot ensure that LRDP Mitigation Measure 4.10-2(a) would be implemented by the City, and it is uncertain whether this measure would effectively reduce noise to acceptable levels. Therefore, the impact would still be considered significant and unavoidable. The Tiered Initial Study did not identify any additional project-specific mitigation measures that would avoid or substantially lessen the project's contribution to this impact. While the 2003 LRDP mitigation measures would reduce the magnitude of this cumulative impact, it is still considered significant and unavoidable.

This impact was adequately analyzed and addressed the 2003 LRDP EIR and in the Findings and Overriding Considerations adopted by The Regents in connection with its approval of the 2003 LRDP and certification of the 2003 LRDP EIR. The University finds that the remaining significant and unavoidable cumulative impact associated with growth pursuant to the 2003 LRDP, including the proposed project, continues to be acceptable and the benefits of the project outweigh this and other unavoidable environmental impacts for the reasons set forth in Section II.F of these Findings.

l. Growth associated with increased campus population (LRDP Impact 4.11-1)

The effect of direct population growth associated with the 2003 LRDP, including the proposed project, is considered a significant and unavoidable impact. The proposed project, as part of the overall campus growth pursuant to the 2003 LRDP, would contribute to increased population growth. The 2003 LRDP EIR did not identify any mitigation measures to reduce the significance of impacts associated with population and housing. Therefore, the impact would still be considered significant and unavoidable. The Tiered Initial Study did not identify any additional project-specific mitigation measures that would avoid or substantially lessen the project's contribution to this impact.

This impact was adequately analyzed and addressed the 2003 LRDP EIR and in the Findings and Overriding Considerations adopted by The Regents in connection with its approval of the 2003 LRDP and certification of the 2003 LRDP EIR. The University finds that the significant and unavoidable impact associated with growth pursuant to the 2003 LRDP, including the proposed project, continues to be acceptable and the benefits of the project outweigh this and other unavoidable environmental impacts for the reasons set forth in Section II.F of these Findings.

m. Cumulative demands on public services including regional fire and police protection schools, and parks (LRDP Impact 4.12-6, 4.12-7, and 4.13-2)

The 2003 LRDP EIR identified significant and unavoidable adverse cumulative impacts associated with cumulative demands on public services including regional fire and police protection schools, and parks. The proposed project, as part of the overall campus growth pursuant to the 2003 LRDP, would contribute to cumulative demand for public services by contributing to the regional demand for fire and police services and to the requirement for new school and park facilities. Construction of those new facilities could result in development of agricultural areas and loss of habitat. Previously adopted LRDP Mitigation Measures 4.12-6, 4.12-7 and 4.13-2 would provide for UC Davis to contribute a fair share of costs for feasible mitigation to reduce environmental effects of providing those services. However, impacts associated with loss of prime farmland and habitat would be irreversible, and the cumulative impacts are thus considered significant and unavoidable. The Tiered Initial Study did not identify any additional project-specific mitigation measures that would avoid or substantially lessen the project's contribution to this impact. While the 2003 LRDP mitigation measures would reduce the magnitude of this cumulative impact, it is still considered significant and unavoidable.

This impact was adequately analyzed and addressed the 2003 LRDP EIR and in the Findings and Overriding Considerations adopted by The Regents in connection with its approval of the 2003 LRDP and certification of the 2003 LRDP EIR. The University finds that the remaining significant and unavoidable cumulative impact associated with growth pursuant to the 2003

LRDP, including the proposed project, continues to be acceptable and the benefits of the project outweigh this and other unavoidable environmental impacts for the reasons set forth in Section II.F of these Findings.

n. Traffic impacts resulting in unacceptable level of service (LOS) at off-campus intersections and roadways (LRDP Impact 4.14-2)

The 2003 LRDP EIR identified significant and unavoidable adverse impacts associated with traffic impacts resulting in unacceptable level of service (LOS) at off-campus intersections and roadways. The proposed project, as part of the overall campus growth pursuant to the 2003 LRDP, would contribute to increased traffic levels. Previously adopted LRDP Mitigation Measures 4.14-1(a-c) and 4.14-2(a-c) would address these impacts by requiring the campus to continue to pursue Transportation Demand Management strategies to reduce vehicle-trips, monitor peak hour traffic operations at critical locations, review individual projects to determine if operations will degrade to unacceptable levels, and contribute fair share costs to roadway improvements if operations degrade. Because the feasibility and/or implementation of off-campus roadway and intersection improvements is ultimately within the jurisdiction of other authorities and cannot be guaranteed by the University, this impact is considered significant and unavoidable. The Tiered Initial Study did not identify any additional project-specific mitigation measures that would avoid or substantially lessen the project's contribution to this impact. While the 2003 LRDP mitigation measures would reduce the magnitude of this cumulative impact, it is still considered significant and unavoidable.

This impact was adequately analyzed and addressed the 2003 LRDP EIR and in the Findings and Overriding Considerations adopted by The Regents in connection with its approval of the 2003 LRDP and certification of the 2003 LRDP EIR. The University finds that the remaining significant and unavoidable cumulative impact associated with growth pursuant to the 2003 LRDP, including the proposed project, continues to be acceptable and the benefits of the project outweigh this and other unavoidable environmental impacts for the reasons set forth in Section II.F of these Findings.

o. Cumulative demands for wastewater treatment facilities in the region, construction of which could result in significant environmental impacts (LRDP Impact 4-15-10)

The 2003 LRDP EIR identified significant and unavoidable adverse cumulative impacts associated with demands for wastewater treatment facilities in the region, construction of which could result in significant environmental impact. The proposed project, as part of the overall campus growth pursuant to the 2003 LRDP, would contribute to cumulative demand for wastewater treatment facilities. Previously adopted LRDP Mitigation Measure 4.15-10 would provide for UC Davis to contribute a fair share of costs for feasible mitigation. However, impacts associated with an irreversible loss of prime farmland and habitat could not be mitigated to less-than-significant levels, and the cumulative impacts are thus considered significant and

unavoidable. The Tiered Initial Study did not identify any additional project-specific mitigation measures that would avoid or substantially lessen the project's contribution to this impact. While the 2003 LRDP mitigation measures would reduce the magnitude of this cumulative impact, it is still considered significant and unavoidable.

This impact was adequately analyzed and addressed the 2003 LRDP EIR and in the Findings and Overriding Considerations adopted by The Regents in connection with its approval of the 2003 LRDP and certification of the 2003 LRDP EIR. The University finds that the remaining significant and unavoidable cumulative impact associated with growth pursuant to the 2003 LRDP, including the proposed project, continues to be acceptable and the benefits of the project outweigh this and other unavoidable environmental impacts for the reasons set forth in Section II.F of these Findings.

2. Significant and Potentially Significant Impacts that would be Mitigated to "Less-than-Significant" Levels and Related Mitigation Measures

The Tiered Initial Study identifies the following significant and potentially significant impacts associated with the project that would be reduced to "less-than-significant" levels by the continued implementation of previously adopted 2003 LRDP mitigation measures. The associated mitigation measures are identified and briefly discussed below. For a detailed description of these mitigation measures, please see the text in the Initial Study.

a. Development under the 2003 LRDP could create substantial light and glare on campus that could adversely affect daytime or nighttime views in the area (LRDP Impact 4.1-3)

The proposed project design calls for glass and lighting to be used in the building entrance, which would result in additional glare and nighttime lighting on the campus. Campus development allowed under the 2003 LRDP could create substantial light or glare that could adversely affect daytime or nighttime views in the area. Outdoor lighting installed as part of the project would use directional lighting methods to minimize glare and upward directed light. Previously adopted 2003 LRDP Mitigation Measure 4.1-3 (b)-(c) requires the campus to utilize directional lighting methods with shielded and cutoff type light fixtures, and to require review of any non-directional lighting elements by the Campus Design Review Committee. The campus continues to implement this mitigation measure when needed to avoid adversely impacting daytime or nighttime views in the area. Implementation of the mitigation measure would reduce the impact to a less-than-significant level.

b. Regional growth could result in an increase in toxic air contaminants (LRDP Impact 4.3-8).

Growth from the 2003 LRDP, in combination with expected regional growth, could result in a cumulatively considerable increase of toxic air contaminants which could expose sensitive receptors to pollutant concentrations. Previously adopted LRDP Mitigation Measure 4.3-8 (requiring the campus to monitor new regulations and programs from responsible regulating agencies and implement appropriate changes on campus) would be implemented and would aid in reducing toxic air contaminants (TAC) impacts to a less-than-significant level. Because the responsible regulating agencies (California Air Resources Board (CARB), Federal Environmental Protection Agency) are giving priority to air toxics regulation, there are reduction programs under development and/or in effect, and technologies are available to achieve substantial additional TAC reductions, CARB's projections of continuing regional TAC reductions are well supported, resulting in a less-than-significant cumulative impact.

c. Development under the 2003 LRDP could result in the loss of special-status plant species or species that may be added to the special-status plant list in the future (LRDP Impacts 4.4-1)

Campus development allowed under the 2003 LRDP could result in loss of habitat special-status plant species. In accordance with previously adopted 2003 LRDP Mitigation Measure 4.4-1(a and b), the ATIRC site was surveyed for special-status plant potential and determined to not have any potential for special-status plants. The campus continues to implement this mitigation measure when needed to ensure adequate protection special-status plant species. Implementation of the mitigation measures would reduce the potential impact to a less-than-significant level.

d. Development under the 2003 LRDP could result in the loss of habitat and disruption of nesting efforts and the loss of active nest sites for burrowing owls, Swainson's hawks or other birds of prey (LRDP Impacts 4.4-2, 4.4-3, 4.4-4 and 4.4-5)

The project would result in loss of agricultural land that could serve as foraging habitat for Swainson's hawk and nesting area for burrowing owl. Campus development allowed under the 2003 LRDP could disrupt nesting efforts or result in the loss of active nest sites for Swainson's hawk. Burrowing owls have not been found on the ATIRC site. Swainson's hawks have not nested on the ATIRC site, but they have nested within ½ mile of the project site. Previously adopted 2003 LRDP Mitigation Measures 4.4-2, 4.4-3 (a)-(d), 4.4-4 (a)-(b), and 4.4-5 require the campus to preserve agricultural land and conduct pre-construction and annual surveys for nesting birds, to take feasible action if potential disturbance to nesting raptors is identified, and to allow the campus to minimize the potential impact. The campus continues to implement this mitigation measure when needed to ensure adequate protection of nesting efforts by burrowing owls, Swainson's hawks and other birds of prey. Implementation of the mitigation measures would reduce the impact to a less-than-significant level.

e. Development allowed under the 2003 LRDP would result in the loss of potential habitat for the VELB (LRDP Impact 4.4-6).

Campus development allowed under the 2003 LRDP could result in loss of habitat for the Valley Elderberry Longhorn Beetle (VELB). In accordance with previously adopted 2003 LRDP Mitigation Measure 4.4-6(a), the ATIRC site was surveyed for VELB habitat. There are five elderberry bushes at the ATIRC site. The elderberry bushes at the ATIRC site would be preserved and there would be no contribution to the identified effect on VELB habitat. Implementation of the mitigation measure would reduce the impact to a less-than-significant level.

f. Implementation of the 2003 LRDP could damage, destroy or cause a substantial adverse change in the significance of an archaeological resource or historic building or structure as the result of grading, excavation, ground disturbance or other project development (LRDP Impacts 4.5-1, 4.5-2).

Campus development allowed under the 2003 LRDP could disrupt, damage or destroy archaeological resources. Previously adopted 2003 LRDP Mitigation Measures 4.5-1 (a)-(b) and 4.5-2 require the campus to evaluate project sites for historic buildings and archaeological resources and protect discovered resources. The campus continues to implement these mitigation measures when needed to ensure adequate protection of historic buildings and archaeological resources. Implementation of these mitigation measures would reduce the impact to a less-than-significant level.

g. Implementation of the 2003 LRDP could disturb human remains, including those interred outside of formal cemeteries (LRDP Impact 4.5-4).

Campus development allowed under the 2003 LRDP could result in disturbance of human remains, including those interred outside of formal cemeteries. Previously adopted 2003 LRDP Mitigation Measure 4.5-4 (a, b) requires the campus to take appropriate steps to minimize the potential for such disturbance and, if disturbance occurs, to follow all requirements to protect the human remains and complete the proper reinterment procedures. The campus continues to implement this mitigation measure during project planning and construction. Implementation of the mitigation measure would reduce the impact to a less-than-significant level.

h. Implementation of the 2003 LRDP could include campus development within two miles of public use airports, which could result in safety hazards for people residing or working in the area, and would include lighting on recreation fields that could result in a hazard for aircraft (LRDP Impact 4.7-15).

Campus development could occur within two miles of the public use airports. The ATIRC would be constructed adjacent to the University Airport. Previously adopted 2003 LRDP

Mitigation Measure 4.7-15 will require that lighting for the ATIRC be tested by night flights and adjusted as necessary to eliminate glare that could pose a hazard for aircraft. Implementation of the mitigation measure would reduce the impact to a less-than-significant level.

i. Campus development under the 2003 LRDP could physically interfere with the campus Emergency Operations Plan (LRDP Impact 4.7-17).

Campus development allowed under the 2003 LRDP could physically interfere with the campus Emergency Operations Plan. Previously adopted 2003 LRDP Mitigation Measure 4.7-17 requires the campus to either maintain existing access routes for emergency vehicles or provide suitable construction related detours for emergency vehicles. The campus continues to implement this mitigation measure when needed to ensure adequate emergency vehicle access for the campus. Implementation of the mitigation measure would reduce the impact to a less-than-significant level.

j. Campus development under the 2003 LRDP would increase impervious surfaces on the campus and could alter drainage patterns, thereby increasing runoff and loads of pollution in storm water, which could affect water quality (LRDP Impact 4.8-2).

Campus development allowed under the 2003 LRDP would increase stormwater runoff and pollution. Previously adopted 2003 LRDP Mitigation Measure 4.8-2 requires the campus to comply with storm water management plan measures to minimize additional pollutants. The campus continues to implement this mitigation measure when needed so that storm water pollution effects are minimized. Implementation of the mitigation measure would reduce the impact to a less-than-significant level.

k. Implementation of the 2003 LRDP in combination with regional development could alter drainage patterns in the project area and increase impervious surfaces, which could exceed the capacity of storm water drainage systems and result in localized flooding and contribution to offsite flooding (LRDP Impacts 4.8-3 and 4.8-11).

Campus development allowed under the 2003 LRDP in combination with regional development would increase impervious surfaces which could result in runoff exceeding the capacity of storm drainage systems. Previously adopted 2003 LRDP Mitigation Measure 4.8-3 (a, b) requires the campus to perform storm drainage studies for each new development and design and implement any needed improvements. The campus continues to implement this mitigation measure when needed so that flooding effects are minimized. Implementation of the mitigation measure would reduce both project and cumulative impacts to a less-than-significant level.

- l. Campus growth under the 2003 LRDP in combination with regional development would increase discharge of treated effluent from the campus wastewater treatment plant into the South Fork of Putah Creek, which could exceed waste discharge requirements and degrade receiving water quality. (LRDP Impacts 4.8-4 and 4.8-12).**

Campus development allowed under the 2003 LRDP in combination with regional development would increase discharge of treated effluent which could degrade receiving water quality. Previously adopted 2003 LRDP Mitigation Measure 4.8-4 (a, b) requires the campus to continue to monitor and modify its pretreatment program, Wastewater Treatment Plant operation, and/or treatment processes as necessary to comply with waste discharge requirements. The campus continues to implement this mitigation measure so that water quality effects of discharge are minimized. Implementation of the mitigation measure would reduce both project and cumulative impacts to a less-than-significant level.

- m. Development under the 2003 LRDP could place non-residential structures within a 100-year floodplain, which could expose people and structures to risks associated with flooding and/or impede or redirect flows, contributing to flood hazards. (LRDP Impacts 4.8-9).**

Campus development allowed under the 2003 LRDP could increase flood hazards for buildings constructed within a 100-year floodplain. In accordance with LRDP Impacts 4.8-9 (a and b), the campus continues to evaluate the final site selection for proposed buildings and, where necessary, implement flood protection measures to minimize the flood hazard to non-residential structures. Implementation of the mitigation measure would reduce the potentially significant impact to a less-than-significant level.

- n. Construction of campus facilities under the 2003 LRDP could expose nearby receptors to excessive groundborne vibration and airborne or groundborne noise (LRDP Impact 4.10-1).**

Campus development allowed under the 2003 LRDP could increase the potential for noise impacts near construction sites. Previously adopted 2003 LRDP Mitigation Measure 4.10-1 requires the campus to enact a construction noise mitigation program to minimize the effects of construction noise. The campus continues to implement this mitigation measure when needed so that the effects of construction noise are minimized. Implementation of the mitigation measure would reduce the impact to a less-than-significant level.

- o. Operation of the ATIRC test track equipment could result in elevated noise levels in excess of 65 dBA CNEL within 500 feet of**

the proposed test tracks. This impact could be potentially significant (Project Impact 1).

Within 500 feet of the ATIRC test tracks, future land uses could include noise sensitive uses such as research laboratories or outside research functions. Based on the proximity of future development to the test tracks, the potential noise levels could exceed the significance threshold of 65 dBA CNEL, and the noise impact from the proposed test tracks could be potentially significant. Project-specific Mitigation Measure 1 would require that prior to approval of future development within 500 feet of the ATIRC test tracks the campus conduct a detailed noise assessment and, if needed, install noise attenuation equipment to the ATIRC equipment. With implementation of Project –Specific Mitigation Measure 1, the noise impact caused by the ATIRC test equipment would be reduced to a less-than-significant level.

p. Implementation of the 2003 LRDP would result in unacceptable intersection operations at on-campus intersections (LRDP Impact 4.14-1).

Campus development allowed under the 2003 LRDP would increase traffic and could increase the potential for unacceptable operation of on-campus intersections. Previously adopted 2003 LRDP Mitigation Measures 4.14-1(a-c) and 4.14-2 (a-c) require the campus to continue to pursue Transportation Demand Management strategies to reduce vehicle-trips, monitor peak hour traffic operations at critical locations, and review individual projects to determine if operations will degrade to unacceptable levels. The campus continues to implement these mitigation measure when needed so that the traffic impacts are minimized. Implementation of these mitigation measures would reduce the impact to a less-than-significant level.

q. Implementation of the 2003 LRDP would create additional parking demand (LRDP Impact 4.14-3).

Campus development allowed under the 2003 LRDP would create demand for parking. Previously adopted 2003 LRDP Mitigation Measure 4.14-3(a-b) requires the campus to continue to pursue Transportation Demand Management strategies to reduce parking demand, and provide additional parking as needed. The campus continues to implement this mitigation measure when needed so that the traffic impacts are minimized. Implementation of these mitigation measures would reduce the impact to a less-than-significant level.

r. Implementation of the 2003 LRDP would create increase demand for transit services (LRDP Impact 4.14-4).

Campus development allowed under the 2003 LRDP would create demand for transit services. Previously adopted 2003 LRDP Mitigation Measure 4.14-4 requires the campus to continue to provide additional transit services or new transit routes as needed. The campus continues to implement this mitigation measure when needed so that the traffic impacts are minimized.

Implementation of this mitigation measure would reduce the impact to a less-than-significant level.

3. Less-than-Significant Impacts for which Mitigation Measures Have Been Incorporated and Related Mitigation Measures

The Initial Study identifies the following less-than-significant impacts for which 2003 LRDP mitigation measures have been incorporated as part of the project. Mitigation to further reduce less-than-significant impacts is not required by CEQA. The mitigation measures identified below are presented in summary form. For a detailed description of these measures, please see the Initial Study.

- a. Implementation of the 2003 LRDP would increase routine hazardous chemical use on campus by UC Davis laboratories and departments and in maintenance and support operations, which would not create significant hazards to the public or the environment (LRDP Impact 4.7-1).**

The project, as part of growth under the 2003 LRDP, would include use of building construction and cleaning materials, which would not expose employees or campus occupants to significant levels of potentially hazardous materials. This impact was determined in the 2003 LRDP EIR to be less-than-significant because of the low hazard risk to the public and to the environment. The impact continues to be less-than-significant and, although not required, implementation of previously adopted 2003 LRDP Mitigation Measure 4.7-1 (implementation of chemical safety plans and programs) will continue to further reduce this less-than-significant impact.

- b. Implementation of the 2003 LRDP could increase routine generation of hazardous wastes on campus by UC Davis laboratories and departments and from maintenance and support operations, which would not create significant hazards to the public or the environment (LRDP Impact 4.7-2).**

The project, as part of growth under the 2003 LRDP, would include use of building construction and cleaning materials, which would not expose employees or campus occupants to significant levels of potentially hazardous materials. This impact was determined in the 2003 LRDP EIR to be less-than-significant because of the low hazard risk to the public and to the environment. The impact continues to be less-than-significant and, although not required, continued implementation of previously adopted 2003 LRDP Mitigation Measure 4.7-2 (a and b) (continued implementation of chemical safety plans and programs and continued implementation of hazardous waste management programs) will continue to further reduce this less-than-significant impact.

- c. Implementation of the 2003 LRDP would increase the routine transport of hazardous materials to and from campus, which would not significantly increase hazards to the public or the environment (LRDP Impact 4.7-8).**

The project, as part of growth under the 2003 LRDP, would include transport of building construction and cleaning materials to and from the project site, which would not expose employees or campus occupants to significant levels of potentially hazardous materials. This impact was determined in the 2003 LRDP EIR to be less-than-significant because of the low hazard risk to the public and to the environment. The impact continues to be less-than-significant and, although not required, continued implementation of previously adopted 2003 LRDP Mitigation Measure 4.7-8 (continued implementation of requirement to transport chemicals on public roads in conformance with all legal transportation requirements) will continue to further reduce this less-than-significant impact.

- d. Implementation of the 2003 LRDP would not create a significant hazard to the public or to the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment (LRDP Impact 4.7-9).**

The project, as part of growth under the 2003 LRDP, would include use and transport of building construction and cleaning materials to and from the project site, which would not expose employees or campus occupants to significant levels of potentially hazardous materials. This impact was determined in the 2003 LRDP EIR to be less-than-significant because of the low hazard risk to the public and to the environment. The impact continues to be less-than-significant and, although not required, implementation of previously adopted 2003 LRDP Mitigation Measure 4.7-9 (standard practices for storage and transportation of hazardous materials) will continue to further reduce this less-than-significant impact.

- e. Construction activities on campus under the 2003 LRDP would not expose construction workers or campus occupants to contaminated soils or groundwater (LRDP Impact 4.7-12).**

The project, as part of growth under the 2003 LRDP, would include ground-disturbing construction activities which could expose construction workers or campus occupants to contaminated soils or groundwater. This impact was determined in the 2003 LRDP EIR to be less-than-significant because of the low hazard risk. The impact continues to be less-than-significant and, although not required, continued implementation of previously adopted 2003 LRDP Mitigation Measure 4.7-12 (performance of due diligence assessments of sites where ground-disturbing construction is proposed) will continue to further reduce this less-than-significant impact.

- f. Campus construction activities associated with implementation of the 2003 LRDP would not contribute substantial loads of sediment or other pollutants in storm water runoff that could degrade receiving water quality (LRDP Impact 4.8-1).**

The project, as part of growth under the 2003 LRDP, would contribute to sediment in stormwater runoff. This impact was determined in the 2003 LRDP EIR to be less-than-significant because the campus will continue to implement erosion control measures to eliminate or reduce non-storm and storm water discharges to receiving waters. The impact continues to be less-than-significant and, although not required, implementation of previously adopted 2003 LRDP Mitigation Measure 4.8-1 (implementation of erosion control for construction projects) will continue to further reduce this less-than-significant impact.

- g. Implementation of the 2003 LRDP would require the expansion of campus domestic/fire water extraction and conveyance systems, which would not cause significant environmental impacts (LRDP Impact 4.15-1).**

The project, as part of growth under the 2003 LRDP, would contribute to the potential future expansion of the campus domestic/fire water extraction and conveyance systems. This impact was determined in the 2003 LRDP EIR to be less-than-significant because of the multiple options available for completing system improvements. The impact continues to be less-than-significant and, although not required, continued implementation of previously adopted 2003 LRDP Mitigation Measure 4.15-1 (a and b) (conducting utility assessments prior to connecting new projects and implementing conservation strategies) will continue to further reduce this less-than-significant impact.

- h. Implementation of the 2003 LRDP would require the expansion of wastewater treatment and conveyance facilities, the construction and operation of which would not result in significant environmental impacts (LRDP Impact 4.15-3).**

The project, as part of growth under the 2003 LRDP, would contribute to the potential future expansion of the campus wastewater treatment and conveyance facilities. This impact was determined in the 2003 LRDP EIR to be less-than-significant because of the multiple options available for completing system improvements. The impact continues to be less-than-significant and, although not required, continued implementation of previously adopted 2003 LRDP Mitigation Measure 4.15-3 (conducting utility assessments prior to connecting new projects) will continue to further reduce this less-than-significant impact.

- i. Implementation of the 2003 LRDP would require the expansion of campus storm water drainage conveyance and detention facilities,**

which would not result in significant environmental impacts (LRDP Impact 4.15-4).

The project, as part of growth under the 2003 LRDP, would contribute to the potential future expansion of the campus storm drainage conveyance and retention facilities. This impact was determined in the 2003 LRDP EIR to be less-than-significant because of the multiple options available for completing system improvements. The impact continues to be less-than-significant and, although not required, continued implementation of previously adopted 2003 LRDP Mitigation Measure 4.15-4 (conducting utility assessments prior to connecting new projects) will continue to further reduce this less-than-significant impact.

j. Implementation of the 2003 LRDP would require the expansion of the campus electrical system, which would not result in significant adverse environmental impacts (LRDP Impact 4.15-6).

The project, as part of growth under the 2003 LRDP, would contribute to the potential future expansion of the campus electrical system. This impact was determined in the 2003 LRDP EIR to be less-than-significant because of the multiple options available for completing system improvements. The impact continues to be less-than-significant and, although not required, continued implementation of previously adopted 2003 LRDP Mitigation Measure 4.15-6 (a and b) (conducting utility assessments prior to connecting new projects and implementing conservation measures) will continue to further reduce this less-than-significant impact.

k. Implementation of the 2003 LRDP would require the expansion of the natural gas system, which would not result in significant adverse environmental impacts (LRDP Impact 4.15-7).

The project, as part of growth under the 2003 LRDP, would contribute to the potential future expansion of the natural gas system. This impact was determined in the 2003 LRDP EIR to be less-than-significant because of the multiple options available for completing system improvements. The impact continues to be less-than-significant and, although not required, continued implementation of previously adopted 2003 LRDP Mitigation Measure 4.15-7 (a) (conducting utility assessments prior to connecting new projects) will continue to further reduce this less-than-significant impact.

l. Implementation of the 2003 LRDP would require expansion of campus communication facilities, which would not result in significant environmental impacts (LRDP Impact 4.15-9).

The project, as part of growth under the 2003 LRDP, would contribute to the potential future expansion of the campus communication facilities. This impact was determined in the 2003 LRDP EIR to be less-than-significant because of the multiple options available for completing system improvements. The impact continues to be less-than-significant and, although not

required, continued implementation of previously adopted 2003 LRDP Mitigation Measure 4.15-9 (conducting utility assessments prior to connecting new projects) will continue to further reduce this less-than-significant impact.

E. Additional Findings

1. Incorporation by Reference

These Findings incorporate by reference in their entirety the text of the Mitigated Negative Declaration for the project; the Tiered Initial Study for the project; the 2003 LRDP; the 2003 LRDP EIR, the 2003 LRDP Mitigation Monitoring Program, and the Findings and Statement of Overriding Considerations adopted by The Regents in connection with its approval of the 2003 LRDP. Without limitation, this incorporation is intended to elaborate on the scope and nature of mitigation measures, project and cumulative impacts, and the basis for determining the significance of impacts, and the reasons for approving the project.

2. Mitigation Monitoring Program

When making findings, a lead agency must adopt a reporting or monitoring program for the changes to the project that it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment. The University hereby adopts the Mitigation Monitoring Program for the ATIRC Project, set forth in Appendix B of the Tiered Initial Study. To the extent that this project incorporates relevant 2003 LRDP EIR mitigation measures previously adopted by The Regents, implementation of these mitigation measures would be monitored pursuant to the 2003 LRDP EIR monitoring program, previously adopted by The Regents in connection with its approval of the 2003 LRDP and certification of the 2003 LRDP EIR. The 2003 LRDP EIR identified mitigation measures that would further reduce environmental impacts determined to be less-than-significant. While there is no requirement in CEQA to mitigate insignificant environmental impacts, mitigation measures further reducing less-than-significant impacts are included in the approval of the project to further enhance environmental quality. The 2003 LRDP EIR Mitigation Monitoring Program is designed to reduce or eliminate cumulative significant and unavoidable, significant, and potentially significant impacts, as well as impacts determined to be less-than-significant.

3. Record of Proceedings

Various documents and other materials constitute the record of proceedings upon which the University bases its findings and decisions contained herein. Most documents related to this project are located in the campus Office of Resource Management and Planning, University of California, One Shields Avenue, 376 Mrak Hall, Davis, California 95616. The record of proceedings for the 2003 LRDP approval is also located in the Office of Resource Management and Planning. The custodian for these documents is the Office of Resource Management and Planning.

F. Statement of Overriding Considerations

The University has balanced the benefits of the project against the significant and unavoidable adverse environmental effects, discussed in Section II. D. above, in determining that the specific economic, legal, social, technological, and other benefits of the project outweigh these adverse environmental effects. Section 15093(b) of the State CEQA Guidelines provides that when the decision of the public agency results in the occurrence of significant impacts that are not avoided or substantially lessened, the agency must state in writing the reasons to support its actions based on the Initial Study and/or other information in the record. The Findings and Statement of Overriding Considerations adopted by The Regents in connection with its approval of the 2003 LRDP are equally relevant to, and are reaffirmed as a part of, this project. All significant and unavoidable impacts were previously addressed in the Findings and Statement of Overriding Considerations adopted by the University in connection with its approval of the 2003 LRDP and certification of the 2003 LRDP EIR. These Findings and Statement of Overriding Considerations have been re-evaluated and are found to be current and valid Findings and Statement of Overriding Considerations.

Despite the occurrence of significant and unavoidable adverse environmental effects, the additional benefits of and reasons for the approval of the project are as follows:

1. The project implements a portion of the 2003 LRDP and is consistent with the analysis in the 2003 LRDP EIR.
2. The proposed project would provide a research facility for pavement and highway maintenance research to allow efficient program management and scientific collaboration.
3. The research facility would include adequate building space in close proximity the proposed test tracks to allow highly efficient testing and research programs that would expand the usefulness of the on-going research.

G. Summary

Based on the foregoing Findings and the information contained in the record, the University finds with respect to the project:

1. There is no substantial evidence, in light of the whole record before the lead agency, that the project, as revised, may have a significant effect upon the environment that was not previously identified and adequately analyzed in the 2003 LRDP EIR.

2. The mitigated negative declaration reflects the University's independent judgment and analysis.

3. Any significant impacts to which the project contributes and that are found to be unavoidable were fully analyzed in the 2003 LRDP EIR and are acceptable due to the factors described and adopted in the Findings and Statement of Overriding Considerations in Section II.F, above.

III. APPROVAL

The University hereby takes the following actions:

- A.** Adopts the Mitigated Negative Declaration for the project as described in Section 1 above.
- B.** Approves and incorporates into the project all project elements, relevant 2003 LRDP EIR mitigation measures, project-specific mitigation measures, and the project-specific monitoring program identified in the project's Tiered Initial Study.
- C.** Adopts the Findings in their entirety as set forth in Section II, above.
- D.** Having adopted the Mitigated Negative Declaration, independently reviewed and analyzed the Mitigated Negative Declaration and Final Initial Study, and adopted the Findings, the University hereby approves the construction and design of the ATIRC.