

**CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS  
IN CONNECTION WITH THE APPROVAL OF THE  
DESIGN AND CONSTRUCTION OF THE CHILLED WATER PHASE 7 PROJECT,  
DAVIS CAMPUS**

**I. ADOPTION OF THE 2008-2009 CENTRAL CAMPUS MAJOR CAPITAL IMPROVEMENT PROJECT MITIGATED NEGATIVE DECLARATION**

The findings set forth below support the approval of the Chilled Water Phase 7 project (the Project) and adoption of the 2008-2009 Central Campus Major Capital Improvement Project 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 an Initial Study was prepared for the project in compliance with the California Environmental Quality Act, Public Resources Code Sections 21000 et seq. (CEQA) on the basis of which the adoption of the Mitigated Negative Declaration is proposed.

The Project is one of four major projects analyzed in the Initial Study for the 2008-2009 Central Campus Major Capital Improvement Projects and proposed for implementation in the central campus at UC Davis. The Initial Study is tiered from UC Davis’ Long Range Development Plan (LRDP) Environmental Impact Report (EIR), which was certified by The Regents in November 2003. The Project is consistent with the 2003 LRDP, which describes the scope and nature of campus development through 2015-16, as well as land use principles and policies to guide the location, scale and design of individual capital projects, and identifies measures to mitigate the significant adverse impacts and cumulative impacts associated with that growth.

The University received the proposed Mitigated Negative Declaration, the Initial Study, and the 2003 LRDP EIR, and reviewed and considered the information contained in these documents and any comments on these documents prior to approving the design of the Project. The University hereby finds that the Initial Study and proposed Mitigated Negative Declaration reflect 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 Project is one of four projects evaluated in the 2008-2009 Central Campus Major Capital Improvement Projects Initial Study and is the first of the four projects considered for approval. The four projects described and evaluated in the Initial Study are summarized below.

**Chilled Water Phase 7.** The Chilled Water Phase 7 development would extend underground chilled water and steam utilities through the core campus to provide increased distribution for the chilled water system. The Chilled Water Phase 7 would require approximately 3,500 linear feet of chilled water and steam piping and the construction process would occupy a corridor approximately 30 feet in width.

**Segundo Services Center.** The Segundo Services Center would provide a new building to serve ancillary functions for campus housing occupants and would install a new landscaped area within the core of the Segundo housing area on approximately 3.5 acres east of La Rue Road. The Segundo Services Center development would involve the construction of a three-story building on a site immediately west of the existing Segundo Dining commons and occupy a portion of an existing parking lot that would be decreased from approximately 40 to approximately 10 spaces after construction. The existing Segundo Dining Commons building would be demolished as a part of the project allowing for completion of a central quad area consistent with the district master plan. The development is approximately 33,300 gross square feet (gsf) and 23,100 assignable square feet (asf) and includes a new mechanical room for steam generation to serve the proposed Segundo Services Center building and the for adjacent existing Segundo dormitory buildings.

**Student Community Center.** The Student Community Center would occupy a site of approximately two acres to provide space for student support functions such as food service, lounges, studying space, and counseling space. The Center would construct an approximately 40,000 gsf (26,300 asf) facility for several student service programs that focus on student life, campus diversity, and campus community development. The Center will enhance the quality of student life by providing inviting spaces that reinforce academic success while offering a relaxed, comfortable and informal environment. The Center would be located within the core campus and would include landscaping along the perimeter of the development site. The site currently includes a collection of 15 one-story temporary buildings that would be demolished prior to construction.

**Music Instruction and Recital Building.** The Music Instruction and Recital Building (MIRB) would occupy a site of approximately one acre within the core campus near the existing Music Building. The MIRB would be located within the core campus and would include landscaping along the perimeter of the development site. The MIRB would provide approximately 18,000 gsf (10,100 asf) located adjacent to the existing Music Building on Hutchison Drive. The MIRB would include a recital hall designed for appropriate acoustical standards, built specifically to accommodate small to medium-sized instrumental and choral performances. The existing

building at the site was previously a campus steam generation building but is currently unused and will be demolished as part of the development and an adjacent temporary building (the Old Firehouse) will also be demolished.

## **B. Environmental Review Process**

A Tiered Initial Study (State Clearinghouse No. 2008112090) was prepared for the four above-described projects, which includes the proposed Chilled Water Phase 7 project, in accordance with CEQA and the University of California Procedures for Implementation of CEQA. The Initial Study, 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 Central Campus Major Capital Improvement Projects are 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 Initial Study for the Central Campus Major Capital Improvement Projects 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 Central Campus Major Capital Improvement Projects with respect to the existing 2003 LRDP EIR analysis in order to determine what level of additional environmental review, if any, would be appropriate.

As one of the four Central Campus Major Capital Improvement Projects analyzed in the Tiered Initial Study, the potential impacts of the Project are analyzed for 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.

Based on the analysis contained in the Tiered Initial Study, it is determined that the proposed Project would result in one potentially significant effect on the environment that was not previously addressed in the 2003 LRDP EIR, and that a new project-specific mitigation measure

would reduce this potentially significant impact to a less-than-significant level. In addition, the University found that the proposed Project may incrementally contribute to, but would not exceed, significant environmental cumulative impacts previously identified in the 2003 LRDP EIR with regard to the following topic areas: air quality, archaeological resources, groundwater, water quality, noise, public services, traffic levels, and wastewater treatment. Based on this analysis, the University prepared a Mitigated Negative Declaration that reflects these conclusions.

The 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 November 21, 2008 and concluding on December 22, 2008. During that time, the document was available for review by various state and local agencies, as well as by interested individuals and organizations. During the 30-day review period, the Yolo-Solano Air Quality Management District submitted a letter indicating that the commenting agency had no comments on the proposed project. A copy of the letter is provided in Appendix C of the Initial Study.

### **C. Relation of the Chilled Water Phase 7 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 direct and cumulative impacts associated with that growth. The Chilled Water project would not result in an increase to the campus population. The current campus population is consistent with the campus population that was anticipated in the 2003 LRDP and evaluated in the 2003 LRDP EIR.

The Tiered Initial Study for the 2008-2009 Central Campus Major Capital Improvement Projects 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, one project-specific impact is identified and a project-specific mitigation measure is proposed.

### **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 Chilled Water Phase 7 Project**

The Initial Study did not identify any direct significant impacts associated with implementing the 2008-2009 Central Campus Major Capital Improvement Projects, but did recognize that the all four projects, including the Chilled Water Phase 7 Project, would contribute to several significant and unavoidable adverse cumulative impacts when combined with development associated with full 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, are currently being implemented, and are identified and briefly discussed below. For a detailed description of these mitigation measures, please see the text in the Initial Study. The Tiered Initial Study did not identify any additional Project-level mitigation measures that would further reduce or avoid these cumulative impacts.

All of the significant and unavoidable cumulative impacts to which the Project contributes, discussed below in Finding II.D.a-j were adequately analyzed and addressed in the 2003 LRDP EIR and its associated Findings and Statement of Overriding Considerations adopted by The Regents in connection with its approval of the 2003 LRDP and certification of the 2003 LRDP EIR. The University affirms its determination in 2003 LRDP Findings and Statement of Overriding Considerations that the remaining unmitigated significant and unavoidable cumulative impacts associated with growth pursuant to the 2003 LRDP, including the proposed Project, is acceptable and the benefits of the Project outweigh its contribution to the unavoidable significant cumulative impacts for the reasons set forth in Section II.F of these Findings.

**a. 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 Chilled Water Phase 7 Project, as part of the overall 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.

**b. 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 impacts associated with a cumulatively considerable increase of non-attainment pollutants. The Chilled Water Phase 7 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.a) 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.

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

The 2003 LRDP EIR identified significant and unavoidable adverse cumulative impacts associated with disturbances to archaeological resources. The Chilled Water Phase 7 Project, as part of the overall 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 (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 still 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, the potential for the Project to contribute to this cumulative 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.

**d. 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 and 4.18-14)**

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

Water Phase 7 Project, as part of the overall growth pursuant to the 2003 LRDP, would facilitate campus growth and development that will result in an increased 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) and 4.8-14 address cumulative withdrawals associated with both campus and City of Davis water. 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. 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.

**e. 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 increased storm water runoff. The Chilled Water Phase 7 Project, as part of the overall growth pursuant to the 2003 LRDP, would facilitate campus growth and development that will result in 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.

**f. 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 traffic noise. The Chilled Water Phase 7 Project, as part of the overall

growth pursuant to the 2003 LRDP, would facilitate campus growth and development that will result in 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.

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

The 2003 LRDP EIR identified significant and unavoidable adverse impacts associated with increased campus population. The Chilled Water Phase 7 Project, as part of the overall growth pursuant to the 2003 LRDP, would facilitate campus growth and development that will result in 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.

**h. 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 public service demands. The Chilled Water Phase 7 Project, as part of the overall growth pursuant to the 2003 LRDP, would facilitate campus growth and development that will 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.

**i. 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 cumulative impacts associated with traffic congestion. The Chilled Water Phase 7 Project, as part of the overall growth pursuant to the 2003 LRDP, would facilitate campus growth and development that 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.

**j. 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 increased demand at wastewater treatment facilities. The Chilled Water Phase 7 Project, as part of the overall growth pursuant to the 2003 LRDP, would facilitate campus growth and development that will result in an increased 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.

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

The Tiered Initial Study for the 2008-2009 Central Campus Major Capital Improvement Projects identified the following significant and potentially significant impacts associated with the

Chilled Water Phase 7 Project that would be reduced to "less-than-significant" levels by the continued implementation of previously adopted 2003 LRDP mitigation measures and project level mitigation, described below. The impacts resulting from the projects would be no greater than the level of impacts described in the 2003 LRDP EIR and were included within the analysis of the overall development in the 2003 LRDP EIR. For a detailed description of these mitigation measures, please see the text in the Tiered Initial Study for the 2008-2009 Central Campus Major Capital Improvement Projects.

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

The Chilled Water Phase 7 Project would facilitate campus growth and development that will contribute to a regional increase in toxic air contaminants. 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 increased pollutant concentrations. As analyzed in the TIS the Chilled Water Phase 7 Project incorporates 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) to 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. As a result, the Chilled Water Phase 7 Project contribution to this impact will be less-than-significant level.

**b. Development under the 2003 LRDP could result in the disruption of nesting efforts or loss of nesting sites for Swainson's hawks or other birds of prey (LRDP Impacts 4.4-4 and 4.4-5)**

The Chilled Water Phase 7 Project includes tree removal and construction activities that could potentially result in the loss of active nest sites for Swainson's hawk or disrupt nesting efforts. Swainson's hawks have not nested on the Chilled Water Phase 7 Project site, but they have nested within ½ mile of the project site. Previously adopted 2003 LRDP Mitigation Measures 4.4-4 (a)-(b), and 4.4-5 require the campus to 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. Implementation of the mitigation measures would reduce the Chilled Water Phase 7 Project contribution to this impact to a less-than-significant level.

**c. Development under the 2003 LRDP could result in the removal of specimen trees (LRDP Impact 4.4-11)**

The Chilled Water Phase 7 Project could contribute to removal of specimen trees. Campus development allowed under the 2003 LRDP would result in tree removal that could potentially include removal of trees identified as heritage and specimen trees. In accordance with previously adopted 2003 LRDP Mitigation Measure 4.4-11, a tree survey of the project site was conducted to identify heritage and specimen trees, and the project is being designed to protect in place all of the trees on site that were identified as heritage or specimen trees. Accordingly, the project's incorporation of this mitigation measure ensures that the Chilled Water Phase 7 Project contribution to this impact to a less-than-significant level.

**d. 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).**

The Chilled Water Phase 7 Project does not have any historic buildings on the proposed sites and the sites were previously disturbed for construction of the existing landscaping and buildings. The Chilled Water Phase 7 Project would require excavation and grading and, although unlikely, could result in damage, destruction, or substantial adverse change in the significance of archaeological resources. As analyzed in the TIS, the Project incorporates previously adopted 2003 LRDP Mitigation Measures 4.5-1 (a)-(b) and 4.5-2 which require the campus to evaluate and monitor project sites for archaeological resources and protect discovered resources. These mitigation measures will ensure adequate protection of archaeological resources and would reduce the Chilled Water Phase 7 Project contribution to this impact to a less-than-significant level.

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

The Chilled Water Phase 7 Project would require excavation and grading and, although unlikely, could result in disturbance of human remains undiscovered during survey testing. Campus development allowed under the 2003 LRDP facilitate by the Project could result in disturbance of human remains, including those interred outside of formal cemeteries. As analyzed in the TIS, the Project incorporates previously adopted 2003 LRDP Mitigation Measure 4.5-4 (a, b) requiring 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. As a result, the Chilled Water Phase 7 Project contribution to this impact will be at a less-than-significant level.

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

The Chilled Water Phase 7 Project could introduce activity that could 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. Implementation of the mitigation measure will ensure that the Chilled Water Phase 7 Project contribution to this impact to a less-than-significant level.

**g. 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).**

The Chilled Water Phase 7 Project would result in a slight increase to impervious surfaces. Campus development allowed under the 2003 LRDP would increase stormwater runoff and pollution. As analyzed in the TIS, with the Project incorporates previously adopted 2003 LRDP Mitigation Measure 4.8-2 which requires the campus to comply with storm water management plan measures to minimize additional pollutants. This mitigation measure would reduce the Chilled Water Phase 7 Project contribution to this impact to a less-than-significant level.

**h. 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).**

The Chilled Water Phase 7 Project would slightly increase impervious surfaces. 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. As analyzed in the TIS with the Project incorporates previously adopted 2003 LRDP Mitigation Measure 4.8-3 (a, b) which requires the campus to perform storm drainage studies for each new development and design and implement any needed improvements. Implementation of the mitigation measure would reduce both the Chilled Water Phase 7 Project contribution and cumulative impacts to a less-than-significant level.

**i. 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).**

The Project will facilitate development allowed under the 2003 LRDP in combination with regional development that 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 the Chilled Water Phase 7 Project contribution and cumulative impacts to a less-than-significant level.

**j. 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).**

Noise from construction of the proposed Chilled Water Phase 7 Project, would be audible and would temporarily elevate the local ambient noise level. Campus development allowed under the 2003 LRDP would be facilitated by the Project and could increase the potential for noise impacts near construction sites. As analyzed in the TIS the Project incorporates previously adopted 2003 LRDP Mitigation Measure 4.10-1 which requires the campus to enact a construction noise mitigation program to minimize the effects of construction noise. Implementation of the mitigation measure would reduce the contribution from the Chilled Water Phase 7 Project to this impact to a less-than-significant level.

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

The Project would facilitate Campus development allowed under the 2003 LRDP which 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 Chilled Water Phase 7 Project contribution to this impact to a less-than-significant level.

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

The Chilled Water Phase 7 Project would facilitate campus growth and development that will result in an increased parking demand at UC Davis by approximately 70 spaces parking spaces. As analyzed in the TIS, parking demand as part of the Chilled Water Phase 7 Project will become part of the overall assessment for the previously adopted 2003 LRDP Mitigation Measure 4.14-3(a-b) which requires the campus to continue to pursue Transportation Demand

Management strategies to reduce parking demand, and provide additional parking as needed. Implementation of these mitigation measures would reduce the Chilled Water Phase 7 Project contribution to this impact to a less-than-significant level.

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

The Chilled Water Phase 7 Project would facilitate campus growth and development that will result in additional population to the core campus and 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. Implementation of this mitigation measure would reduce the contribution from the Chilled Water Phase 7 Project to this impact to a less-than-significant level.

**n. Implementation of the 2003 LRDP would result in increased conflicts between bicyclists, pedestrians, and transit vehicles (LRDP Impact 4.14-5).**

The Chilled Water Phase 7 Project would result in additional activity in the core campus. Growth in population levels in the core area of the central campus associated with campus development allowed under the 2003 LRDP, including operation of the proposed project, would result in increased conflicts between bicyclists, pedestrians, and transit vehicles, causing increased congestion and safety problems. Previously adopted 2003 LRDP Mitigation Measure 4.14-5 requires the campus to continue to monitor core area pedestrian and bike activity and accidents, and to improve bike and pedestrian facilities or alter transit operations to avoid increased bicycle accident rates or safety problems. Implementation of this mitigation measure would reduce the contribution from the Chilled Water Phase 7 Project to this impact to a less-than-significant level.

**Project-Specific Impact 1: Project construction may result in hazards to pedestrians or cyclists in the core campus.**

The TIS for the 2008-2009 Central Campus Major Capital Improvement Projects identified that the Chilled Water Phase 7 project could result in a potentially significant impact due to closure of campus sidewalks and bikepaths. The TIS included the following mitigation measure to reduce this potential impact to a less-than-significant level

*Project-Specific Mitigation Measure 1: The proposed project shall include a detour plan for all sidewalk and bikepath closures. The detour plan will be approved by the campus Facilities and Enterprise Policy Coordinating Committee and will include appropriate signage, surfacing, and width to accommodate the expected volume of pedestrians, wheelchairs, and bikes.*

### **3. Less-than-Significant Impacts Associated with the Project.**

The TIS for the 2008-2009 Central Campus Major Capital Improvement Projects identified the following less-than-significant impacts associated with the proposed Project. The impacts resulting from the Chilled Water Phase 7 Project would be no greater than the level of impacts described in the 2003 LRDP EIR and the impacts of the proposed project were included within the analysis of the overall development in the 2003 LRDP EIR. Although not required, 2003 LRDP EIR Mitigation Measures have been incorporated into the Project to further reduce less-than-significant impacts. The mitigation measures identified below are presented in summary form. For a detailed description of these measures, please see the TIS.

- 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 Chilled Water Phase 7 Project, as a component 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 TIS for the 2008-2009 Central Campus Major Capital Improvement Projects 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, the Project incorporates previously adopted 2003 LRDP Mitigation Measure 4.7-1 (implementation of chemical safety plans and programs) which will 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 Chilled Water Phase 7 Project, as a component of growth under the 2003 LRDP, would include use of building construction materials, which would not expose employees or campus occupants to significant levels of potentially hazardous materials. This impact was determined in the TIS 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, the Project incorporates 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) that will 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 2008 Chilled Water Phase 7 Project, as a component of growth under the 2003 LRDP, would include transport of building construction 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 TIS 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, the Project incorporates 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) that will 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 Chilled Water Phase 7 Project, as a component of growth under the 2003 LRDP, would include use and transport of building construction and cleaning materials to and from the project site, which could expose employees or campus occupants to significant levels of potentially hazardous materials. This impact was determined in the TIS to be less-than-significant and, although not required, the Project incorporates previously adopted 2003 LRDP Mitigation Measure 4.7-9 (standard practices for storage and transportation of hazardous materials) that 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 Chilled Water Phase 7 Project, as a component 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. The project, as part of growth under the 2003 LRDP, would include soil disturbance which could expose construction workers or campus occupants to contaminated soils or groundwater. This impact was determined in the TIS to be less-than-significant because of the low hazard risk. The impact continues to be less-than-significant and, although not required, the Project incorporates previously adopted 2003 LRDP Mitigation Measure 4.7-12 (performance of due diligence assessments of sites where ground-disturbing construction is proposed) that will further reduce this less-than-significant impact.

**f. Demolition or renovation of buildings under the 2003 LRDP would not expose construction workers or campus occupants to contaminated soils or building materials (LRDP Impact 4.7-13).**

The Chilled Water Phase 7 Project, as a component of growth under the 2003 LRDP, would include ground-disturbing construction and demolition activities which could expose construction workers or campus occupants to contaminated soils or building materials. The project, as part of growth under the 2003 LRDP, would facilitate building renovation or demolition which could expose construction workers or campus occupants to contaminated soils or building materials. 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 4.7-13 (preconstruction surveys for potential contamination before any demolition work is performed) will continue to further reduce this less-than-significant impact.

**g. 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 Chilled Water Phase 7 Project, as a component of growth under the 2003 LRDP, would contribute to sediment in stormwater runoff. This impact was determined in the TIS 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, the Project incorporates previously adopted 2003 LRDP Mitigation Measure 4.8-1 (implementation of erosion control for construction projects) that will further reduce this less-than-significant impact.

**h. Implementation of the 2003 LRDP would require the expansion of campus domestic/fire water and utility water extraction and conveyance systems, which would not cause significant environmental impacts (LRDP Impacts 4.15-1 and 4.15-2).**

The Chilled Water Phase 7 Project, as a component growth under the 2003 LRDP, would contribute to the potential future expansion of the campus domestic and utility water extraction and conveyance systems. This impact was determined in the TIS 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, the Project incorporates previously adopted 2003 LRDP Mitigation Measure 4.15-1 (a and b) and 4.15-2 (a and b) (conducting utility assessments prior to connecting new projects and implementing conservation strategies) that will further reduce this less-than-significant impact.

- i. 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 Chilled Water Phase 7 Project, as a component 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 TIS to be less-than-significant and, although not required, the Project incorporates previously adopted 2003 LRDP Mitigation Measure 4.15-3 (conducting utility assessments prior to connecting new projects) that will continue to further reduce this less-than-significant impact.

- j. 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 Chilled Water Phase 7 Project, as a component 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 TIS 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, the Project incorporates previously adopted 2003 LRDP Mitigation Measure 4.15-4 (conducting utility assessments prior to connecting new projects) that will 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 Chilled Water Phase 7 Project, as a component of growth under the 2003 LRDP, would contribute to the potential future expansion of the campus electrical system. This impact was determined in the TIS 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, the Project incorporates previously adopted 2003 LRDP Mitigation Measure 4.15-6 (a and b) (conducting utility assessments prior to connecting new projects and implementing conservation measures) that will 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 Chilled Water Phase 7 Project, as a component of growth under the 2003 LRDP, would contribute to the potential future expansion of the natural gas system. This impact was

determined in the TIS to be less-than-significant and, although not required, the Project incorporates previously adopted 2003 LRDP Mitigation Measure 4.15-7 (a) (conducting utility assessments prior to connecting new projects) that will continue to further reduce this less-than-significant impact.

**l. Implementation of the 2003 LRDP would require the expansion of campus chilled water and steam generation and conveyance facilities, which would not result in significant environmental impacts (LRDP Impact 4.15-8).**

The Chilled Water Phase 7 Project, as a component of growth under the 2003 LRDP, would contribute to the potential future expansion of campus chilled water and steam generation. 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 4.15-8 (conducting utility assessments prior to connecting new projects) will continue to further reduce this less-than-significant impact.

**m. 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 Chilled Water Phase 7 Project, as a component of growth under the 2003 LRDP, would contribute to the potential future expansion of the campus communication facilities. This impact was determined in the TIS to be less-than-significant and, although not required, the Project incorporates previously adopted 2003 LRDP Mitigation Measure 4.15-9 (conducting utility assessments prior to connecting new projects) that 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 Initial Study and Mitigated Negative Declaration for the 2008-2009 Central Campus Major Capital Improvement Projects; 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 proposed Project includes one project-specific mitigation measure and accordingly, a mitigation monitoring program is required. The mitigation monitoring program includes details of the timing and responsibilities for completing the identified project-specific mitigation measure and is included as Appendix A to the Initial Study. In addition, the Project incorporates all applicable mitigation measures contained in the 2003 LRDP EIR Mitigation Monitoring Program. All relevant 2003 LRDP EIR mitigation measures identified in the Final Tiered Initial Study and Mitigated Negative Declaration will be monitored through the LRDP EIR Mitigation Monitoring Program adopted by the University in connection with its approval of the 2003 LRDP in order to ensure compliance during Project implementation.

## **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.

## **4. Additional Considerations**

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 NOP, Initial Study, Negative Declaration, 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 and certification of the 2003 LRDP EIR previously addressed all of the significant and unavoidable impacts associated with implementation of the LRDP and the Initial Study and Mitigated Negative Declaration for the 2008-2009 Central Campus Major Capital Improvement Projects concluded that the impacts associated the Project are within the scope of impacts analyzed in the 2003 LRDP EIR. The University has balanced the benefits of the LRDP implementation against the significant and unavoidable adverse environmental effects, discussed in the Findings and Statement of Overriding Considerations adopted by The Regents in

connection with its approval of the 2003 LRDP, in determining that specific economic, legal, social, technological, and other benefits of this project outweigh these adverse environmental effects, and finds those Findings and Statement of Overriding Considerations are equally relevant to, and are reaffirmed as a part of, this Project.

## **G. Summary**

Based on the foregoing Findings and the information contained in the record, it is hereby determined that:

- a. All significant impacts on the environment due to the project have been eliminated or substantially lessened where feasible.
- b. The Mitigated Negative Declaration for the 2008-2009 Central Campus Major Capital Improvement Projects identified a project-specific impact and mitigation measure to mitigate a potentially significant project-specific impact to a less-than-significant level.
- c. Any significant impacts to which the Chilled Water Phase 7 Project contributes and that are found to be unavoidable were fully analyzed and adequately addressed in the 2003 LRDP EIR, as documented in the Initial Study and Negative Declaration for the 2008-2009 Central Campus Major Capital Improvement Projects, and are acceptable due to the factors described and adopted in the Findings and Statement of Overriding Considerations in adopted in connection with The Regents' approval of the 2003 LRDP as described in Section II.F, above.
- d. Beyond the project-specific impact identified in item (b) above, which is mitigated to a less than significant level with identified project-specific mitigation, the Chilled Water Phase 7 Project will not result in any new significant environmental effects or substantially increase the severity of the significant environmental effects previously identified in the 2003 LRDP EIR.
- e. This determination reflects the University's independent judgment and analysis.

## **III. APPROVAL**

The University hereby takes the following actions:

- A.** Adopts the Mitigated Negative Declaration for the Chilled Water Phase 7 Project as described in Section 1 above.
- B.** Approves and incorporates into the Project all project elements, Project-Specific Mitigation Measure 1, the Mitigation Monitoring Program for the 2008-2009 Central Campus Major Capital Improvement Projects, and relevant 2003 LRDP EIR mitigation measures identified in the 2008-2009 Central Campus Major Capital Improvement Projects Initial Study/Mitigated Negative Declaration.
- C.** Adopts the Findings in their entirety as set forth in Section II, above.
- D.** Having adopted the Mitigated Negative Declaration for the 2008-2009 Major Capital Improvement Projects, independently reviewed and analyzed the Mitigated Negative Declaration and Tiered Initial Study and any comments received on these documents, and adopted the Findings, the University hereby approves the design and construction of the Chilled Water Phase 7.