

**CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS
IN CONNECTION WITH THE APPROVAL OF THE DESIGN AND CONSTRUCTION
OF THE WEST CAMPUS UTILITIES PROJECT,
DAVIS CAMPUS**

I. CERTIFICATION OF THE FINAL EIR

Pursuant to Title 14, California Code of Regulations, Section 15090(a), the UC Davis Facilities and Enterprise Policy Committee (the FEPC) pursuant to authority delegated by the Board of Regents of the University of California (The Regents) (hereinafter referred to collectively as “The University”), as lead agency, hereby certifies that the Focused Tiered Environmental Impact Report (FTEIR) (State Clearinghouse No. 2006102076) for the proposed West Campus Utilities Project (the project) has 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 FTEIR, and any comments on these documents, prior to approving the design of the project. The University hereby finds that the FTEIR reflects the independent judgment and analysis of the University regarding the environmental impacts of the CNPRC 2007 Research Laboratory Project.

II. FINDINGS

The University hereby adopts the following Findings pursuant to Title 14, California Code of Regulations, Section 15090, in conjunction with the approval of the project, which is set forth in Section III, below.

A. Background

UC Davis proposes to construct five buildings and provide new utility connections at the UC Davis California National Primate Research Center (CNPRC). The first building would encompass 10,000 gross square feet (gsf) (6,700 assignable square feet (asf)) and would include 1,200 asf of office and office support space, 5,300 asf of laboratory space and laboratory support space, and 200 asf of building support space. The proposed laboratory space would include approximately 1,100 asf that would be designed as a biosafety level 3 laboratory suite for research involving potentially infectious agents.

The other four buildings would be 1,500 gsf modular buildings. Two would be laboratory buildings and two would be office support buildings. These four modular buildings would provide; 1) additional laboratory and office space for existing research programs that currently require increased space, and 2) general biomedical research with activities including NIH supported studies utilizing stem and progenitor cells.

The proposed expansion would increase the campus population by approximately 20 employees. None of the proposed buildings would provide housing for animals and the proposed projects would not increase the number of laboratory research animals at the CNPRC. The buildings

would be located west of County Road 98 and approximately two miles west of the UC Davis main campus within the developed area of the CNPRC north of the existing Primate Center Laboratory building. These expansions are planned at the CNRPC but would require improved utility services in order to supply adequate telecommunications, natural gas, and domestic water service.

To satisfy the needed utility services, UC Davis has proposed the West Campus Utilities Project. The project includes utility upgrades to serve the growth at the CNRPC. The proposed utilities include new telecommunications, natural gas, and domestic water mains. These improvements would be installed with connections extending west, across County Road 98 to connection points in Hutchison Drive.

B. Environmental Review Process

UC Davis prepared a Notice of Preparation (NOP) and issued a Tiered Initial Study (State Clearinghouse No. 2006102076) for this project on October 16, 2006, in accordance with CEQA and the University of California Procedures for Implementation of CEQA (see Appendix A of the Draft FTEIR).

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. CEQA Guidelines Section 15152 allows for the tiering of environmental analysis from other EIRs. Tiering is appropriate when an EIR has been prepared for a program or plan, and a subsequent project would be consistent with the program or plan.

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 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. Based on the Tiered IS prepared for the proposed project, it has been determined that the project, with mitigation, would not result in any new potentially significant impacts or impacts that were not sufficiently addressed and mitigated to the extent feasible by the 2003 LRDP EIR. The Initial Study identified potential impacts related to Hazards and Hazardous Materials to which the proposed project may contribute. UC Davis prepared a Draft Focused Tiered EIR to re-evaluate potential Hazards and Hazardous Materials impacts to determine whether there are any additional project-specific mitigation or alternatives to the proposed project that would eliminate or reduce the project's contribution to those impacts.

The NOP and 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 October 16, 2006 and concluding on November 15, 2006. 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 upon 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. One letter was received from Susan Cohen requesting improved transit and road connections to the UC Davis CNRPC. A response to the comments can be found in Appendix B of the FTEIR. In addition, a public scoping meeting was held on February 22, 2007 to receive additional comments on the scope of the EIR. One member of the community provided comments at the public hearing objecting to the use of animals in research conducted at the CNRPC. The Draft FTEIR was circulated for a 45-day public and agency review period from January 22, 2007 to March 7, 2007. During the review period, one comment letter was received. The comment letter was submitted by the same individual who had attended the public hearing and expanded on the comments provided at the public hearing. The transcript from the public hearing and the written comment are provided in Appendix A of the FTEIR.

The Focused Tiered Environmental Impact Report (FTEIR) for the CNPRC 2007 Research Laboratory Project is comprised of the Tiered Initial Study (TIS), the Notice of Preparation (NOP), the Draft Focused Tiered Environmental Impact Report (Draft FTEIR), the Response to Comments, and the Final Focused Tiered Environmental Impact Report (Final FTEIR). The FTEIR incorporates by reference all of these documents, as well as the 2003 Long Range Development Plan (2003 LRDP), the 2003 LRDP EIR, and the Findings and Statement of Overriding Considerations for the 2003 LRDP.

The University found that the project may incrementally contribute to, but would not exceed, significant environmental impacts previously identified in the 2003 LRDP. The FTEIR further concluded that the impacts of growth pursuant to the 2003 LRDP, including the proposed project, were adequately addressed in the 2003 LRDP EIR and that the project will not result in any new impacts or increase the severity of any previously identified impacts. The FTEIR did not identify any new information or change in circumstances that would require further analysis pursuant to Section 15162 of the CEQA Guidelines.

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 not result in any increase to the campus population, and accordingly, 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 was tiered from the 2003 LRDP EIR in accordance with Sections 15152 and 15168(d) of the CEQA Guidelines and Public Resources Code Section 21094. As discussed above in Section B, based on the analysis in the TIS, a Focused Tiered EIR was prepared for the CNPRC 2007 Research Laboratory Project. Based on the analysis presented in the FTEIR, the 2003 LRDP mitigation measures already being implemented will substantially lessen or avoid many significant project-specific environmental effects. For the significant and unavoidable impacts identified in the areas of Aesthetics, Air Quality, Cultural Resources, Hydrology, Noise, Population and Housing, Public Services, Recreation, Traffic, and Utilities the 2003 LRDP mitigation measures will lessen the contribution to those impacts resulting from the CNPRC 2007 Research Laboratory Project; however, the impacts will remain significant and unavoidable after all feasible mitigation has been implemented. The FTEIR did not identify any project-specific mitigation measures that could further reduce these significant and unavoidable impacts.

D. Environmental Summary

The following sections summarize the environmental evaluation provided in the Focused Tiered Environmental Impact Report for the proposed project.

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

The FTEIR for the project 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 FTEIR and are fully addressed in these Findings and Statement of Overriding Considerations. Most of the significant and unavoidable adverse impacts identified in the FTEIR relate to cumulative development. The FTEIR 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 FTEIR 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 FTEIR 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 FTEIR 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 FTEIR pursuant to California Code of Regulations, Title 14, Section 15130(d).

The FTEIR did not identify any project-specific significant impacts, but did recognize 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 FTEIR 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 FTEIR and reviewed in these Findings and Statement of Overriding Considerations. 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, which can be found in Appendix A of the Draft FTEIR.

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

The proposed project, as part of the overall campus growth pursuant to the 2003 LRDP, would contribute to increased light and glare. The FTEIR 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. Previously adopted 2003 LRDP EIR Mitigation Measures 4.1-3 (a-c) (design shall use non-reflective 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 FTEIR 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.

The University finds this remaining significant impact to be acceptable because the benefits of the project outweigh this unavoidable environmental impact of the project for the reasons set forth in Section II.F of these Findings.

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

The proposed project, as part of the overall campus growth pursuant to the 2003 LRDP, would contribute to increased emissions of criteria pollutants. The FTEIR 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. Previously adopted 2003 LRDP EIR 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. Impacts 4.3-1 and 4.3-3 were evaluated in the FTEIR for the project. The FTEIR did not identify any feasible additional project-specific mitigation measures that would avoid or substantially lessen the project's contribution to these impacts. While the 2003 LRDP mitigation measures would reduce the magnitude of both of these impacts, they are both still considered significant and unavoidable.

The University finds this remaining significant impact to be acceptable because the benefits of the project outweigh this unavoidable environmental impact of the project for the reasons set forth in Section II.F of these Findings.

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

The proposed project, as part of the overall campus growth pursuant to the 2003 LRDP, would contribute to emissions of non-attainment pollutants. The FTEIR identified significant and unavoidable adverse cumulative impacts associated with a cumulatively considerable increase of non-attainment pollutants. Previously adopted 2003 LRDP EIR 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 FTEIR 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.

The University finds this remaining significant impact to be acceptable because the benefits of the project outweigh this unavoidable environmental impact of the project for the reasons set forth in Section II.F of these Findings.

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

The proposed project, as part of the overall campus growth pursuant to the 2003 LRDP, could contribute to potential changes to archaeological resources. The FTEIR identified significant and unavoidable adverse impacts associated with a substantial adverse change to historical or archaeological resources on the project site. Previously adopted 2003 LRDP EIR Mitigation Measures 4.5-1 through 4.5-5 (requiring the campus to evaluate project sites for 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. Impact 4.5-3 was evaluated in the FTEIR for the project. The FTEIR 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.

The University finds this remaining significant impact to be acceptable because the benefits of the project outweigh this unavoidable environmental impact of the project for the reasons set forth in Section II.F of these Findings.

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

The proposed project, as part of the overall campus growth pursuant to the 2003 LRDP, could contribute to disturbance of archaeological resources. The FTEIR identified significant and unavoidable adverse cumulative impacts associated with disturbance to archaeological resources in the region. Previously adopted 2003 LRDP EIR 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 FTEIR 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.

The University finds this remaining significant impact to be acceptable because the benefits of the project outweigh this unavoidable environmental impact of the project for the reasons set forth in Section II.F of these Findings.

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

The proposed project, as part of the overall campus growth pursuant to the 2003 LRDP, would contribute to the demand for water from the deep and 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. The FTEIR identified significant and unavoidable adverse project level impacts associated with increased withdrawals from the deep and shallow/intermediate aquifers. Previously adopted 2003 LRDP EIR 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 Measures 4.8-13 (a, b) and 4.8-14 (a, b) address 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 on a project level. Impacts 4.8-5 and 4.8-6 were evaluated in the FTEIR for the project. The FTEIR did not identify any additional project-specific mitigation measures that would avoid or substantially lessen the project's contribution to these impacts. While the 2003 LRDP mitigation measures would reduce the magnitude of these impacts, they are still considered significant and unavoidable.

The University finds this remaining significant impact to be acceptable because the benefits of the project outweigh this unavoidable environmental impact of the project for the reasons set forth in Section II.F of these Findings.

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

The proposed project, as part of the overall campus growth pursuant to the 2003 LRDP, would contribute to increased storm water runoff. The FTEIR identified significant and unavoidable adverse cumulative impacts associated with impacts on water quality associated with increased impervious surface resulting in increased storm water runoff. Previously adopted 2003 LRDP EIR 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 FTEIR 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.

The University finds this remaining significant impact to be acceptable because the benefits of the project outweigh this unavoidable environmental impact of the project for the reasons set forth in Section II.F of these Findings.

h. Groundwater impacts associated with increase in withdrawals from the deep and shallow/intermediate aquifers (LRDP Impacts 4.8-13 and 4.8-14)

The proposed project, as part of the overall campus growth pursuant to the 2003 LRDP, would contribute to the demand for water from the deep and 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. The FTEIR identified significant and unavoidable adverse cumulative impacts associated with increased withdrawals from the deep and shallow/intermediate aquifers. Previously adopted 2003 LRDP EIR 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 Measures 4.8-13 (a, b) and 4.8-14 (a, b) address 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, these impacts are considered significant and unavoidable on a cumulative level. The FTEIR 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 these cumulative impacts, they are still considered significant and unavoidable.

The University finds this remaining significant impact to be acceptable because the benefits of the project outweigh this unavoidable environmental impact of the project for the reasons set forth in Section II.F of these Findings.

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

The proposed project, as part of the overall campus growth pursuant to the 2003 LRDP, would contribute to increased noise levels caused by increased vehicle traffic. The FTEIR identified a significant and unavoidable adverse cumulative impact associated with increased regional development and, therefore, ambient 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. The FTEIR did not identify any additional project-specific mitigation measures that would avoid or substantially lessen the project's contribution to this cumulative impact. While the 2003 LRDP mitigation measures would reduce the magnitude of this cumulative impact, it is still considered significant and unavoidable.

The University finds this remaining significant impact to be acceptable because the benefits of the project outweigh this unavoidable environmental impact of the project for the reasons set forth in Section II.F of these Findings.

j. Cumulative increases in ambient noise levels associated with regional development (LRDP Impact 4.10-5)

The proposed project, as part of the overall campus growth pursuant to the 2003 LRDP, would contribute to increased noise levels. The FTEIR identified a significant and unavoidable adverse cumulative impact associated with increased regional development and, therefore, ambient noise levels. 2003 LRDP EIR Mitigation Measure 4.10-1 would address this impact by requiring specific construction noise abatement and noise control programs on campus. However, the campus cannot ensure that noise abatement and control programs would be implemented by the City of Davis and other regional entities, 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 FTEIR did not identify any additional project-specific mitigation measures that would avoid or substantially lessen the project's contribution to this

cumulative impact. While the 2003 LRDP mitigation measures would reduce the magnitude of this cumulative impact, it is still considered significant and unavoidable.

The University finds this remaining significant impact to be acceptable because the benefits of the project outweigh this unavoidable environmental impact of the project for the reasons set forth in Section II.F of these Findings.

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

The proposed project, as part of the overall campus growth pursuant to the 2003 LRDP, would contribute to campus population growth. The FTEIR identified a significant and unavoidable adverse cumulative impact associated with 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 FTEIR did not identify any additional project-specific mitigation measures that would avoid or substantially lessen the project's contribution to this cumulative impact. While the 2003 LRDP mitigation measures would reduce the magnitude of this cumulative impact, it is still considered significant and unavoidable.

The University finds this remaining significant impact to be acceptable because the benefits of the project outweigh this unavoidable environmental impact of the project for the reasons set forth in Section II.F of these Findings.

l. 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 proposed project, as part of the overall campus growth pursuant to the 2003 LRDP, would contribute to cumulative demand on public services including regional fire and police protection, schools, and parks. The FTEIR identified significant and unavoidable adverse cumulative impacts associated with cumulative demands on public services including regional fire and police protection schools, and parks. 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 FTEIR did not identify any additional project-specific mitigation measures that would avoid or substantially lessen the project's contribution to this cumulative impact. While the 2003 LRDP mitigation measures would reduce the magnitude of this cumulative impact, it is still considered significant and unavoidable.

The University finds this remaining significant impact to be acceptable because the benefits of the project outweigh this unavoidable environmental impact of the project for the reasons set forth in Section II.F of these Findings.

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

The proposed project, as part of the overall campus growth pursuant to the 2003 LRDP, would contribute to traffic impacts resulting in unacceptable level of service (LOS) at off-campus intersections and roadways. The FTEIR identified a significant and unavoidable adverse cumulative impact associated with unacceptable level of service (LOS) at off-campus intersections and roadways. 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 FTEIR did not identify any additional project-specific mitigation measures that would avoid or substantially lessen the project's contribution to this cumulative impact. While the 2003 LRDP mitigation measures would reduce the magnitude of this cumulative impact, it is still considered significant and unavoidable.

The University finds this remaining significant impact to be acceptable because the benefits of the project outweigh this unavoidable environmental impact of the project for the reasons set forth in Section II.F of these Findings.

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

The proposed project, as part of the overall campus growth pursuant to the 2003 LRDP, would contribute to demands for wastewater treatment facilities in the region, construction of which could result in significant environmental impact. The FTEIR identified a significant and unavoidable adverse cumulative impact associated 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 FTEIR did not identify any additional project-specific mitigation measures that would avoid or substantially lessen the project's contribution to this cumulative impact. While the 2003 LRDP

mitigation measures would reduce the magnitude of this cumulative impact, it is still considered significant and unavoidable.

The University finds this remaining significant impact to be acceptable because the benefits of the project outweigh this unavoidable environmental impact of the project 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 FTEIR 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 impacts resulting from the 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. The associated mitigation measures are identified and briefly discussed below. For a detailed description of these mitigation measures, please see the text in the FTEIR.

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, which would result in additional glare and nighttime lighting on the campus. Outdoor lighting installed as part of the project would use directional lighting methods to minimize glare and upward directed light. Campus development allowed under the 2003 LRDP could create substantial light or glare that could adversely affect daytime or nighttime views in the area. 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).**

The project would 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

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. 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 and 4.5-2).

The project does not have any historic buildings on the proposed site, and an archaeological survey was conducted for the site, with no cultural resource finds during testing; however, the project would require excavation and grading and could result in damage, destruction, or substantial adverse change in the significance of archaeological resources undiscovered during survey testing. 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 archaeological resources and protect discovered resources. The campus continues to implement these mitigation measures when needed to ensure adequate protection of archaeological resources. Implementation of these mitigation measures would reduce the impact to a less-than-significant level.

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

An archaeological survey was conducted for the site, with no cultural resource finds during testing; however, the project would require excavation and grading and could result in disturbance of human remains undiscovered during survey testing. 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.

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

The project would require periodic road lane closures during construction. 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.

f. 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 project would construct approximately 1.25 acres of impervious surfaces. 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.

g. 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 project would construct approximately 1.25 acres of 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. 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.

h. 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 would construct wet labs and restrooms and could result in a slight increase in effluent. 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.

- i. 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.**

The project would construct new non-residential structures within the FEMA designated 100-year floodplain. Campus development allowed under the 2003 LRDP could increase the potential for flood risks due to the locations of new non-residential buildings. Previously adopted 2003 LRDP Mitigation Measure 4.8-9(a) and (b) require the campus to reduce flood hazards to non-residential buildings and redirect flows toward areas where flood hazards will be minimal. The campus continues to implement this mitigation measure when needed so that effects of potential flooding are minimized. Implementation of the mitigation measure would reduce the impact 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 project would be audible and would temporarily elevate the local ambient noise level. 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.

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

The project could result in changes to intersection operations at on-campus intersections based on different on-campus travel patterns, but it is anticipated that overall trips would not increase. 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 measures when needed so that the traffic impacts are minimized. Implementation of these mitigation measures would reduce the impact to a less-than-significant level.

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

The proposed project would not add to the campus population, but it would relocate members of the campus population from the core campus to the Health Sciences District, which could result in changes in parking patterns on campus. 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.

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

The project would relocate members of the campus population to the Health Sciences District, and that could contribute to added demand for intercampus transit. 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 FTEIR identified 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 impacts resulting from the 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. The mitigation measures identified below are presented in summary form. For a detailed description of these measures, please see the FTEIR.

- 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 FTEIR 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 FTEIR 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 could increase routine generation of radioactive materials on campus by UC Davis laboratories, which would not create significant hazards to the public or the environment. (LRDP Impact 4.7-3).

The project, as part of growth under the 2003 LRDP, would increase routine generation of radioactive materials on campus. This impact was determined in the FTEIR 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 4.7-3 (a and b) (continued implementation of hazardous materials plans and programs and continued implementation of radioactive materials programs) will continue to further reduce this less-than-significant impact.

d. Implementation of the 2003 LRDP could increase routine generation of radioactive wastes on campus by UC Davis laboratories, which would not create significant hazards to the public or the environment (LRDP Impact 4.7-4).

The project, as part of growth under the 2003 LRDP, would increase routine generation of radioactive wastes on campus. This impact was determined in the FTEIR 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 4.7-4 (a and b) (continued implementation of safety plans and and radioactive materials programs) will continue to further reduce this less-than-significant impact.

e. Implementation of the 2003 LRDP could increase routine generation of biohazardous materials on campus by UC Davis laboratories, which would not create significant hazards to the public or the environment (LRDP Impact 4.7-5).

The project, as part of growth under the 2003 LRDP, would increase routine generation of biohazardous materials on campus. This impact was determined in the FTEIR 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 4.7-5 (a and b) (continued implementation of biohazard safety plans and programs and continued implementation of biosafety programs) will continue to further reduce this less-than-significant impact.

f. Implementation of the 2003 LRDP could increase routine generation of biohazardous wastes on campus by UC Davis laboratories, which would not create significant hazards to the public or the environment (LRDP Impact 4.7-6).

The project, as part of growth under the 2003 LRDP, would increase routine generation of biohazardous wastes on campus. This impact was determined in the FTEIR 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 4.7-6 (a and b) (continued implementation of safety plans and and biosafety programs) will continue to further reduce this less-than-significant impact.

g. 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 FTEIR 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.

h. 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 FTEIR 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.

i. 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 FTEIR 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.

j. 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 FTEIR 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.

k. 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 FTEIR 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.

l. 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 FTEIR 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.

m. 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 FTEIR 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.

n. 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 FTEIR 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.

o. Implementation of the 2003 LRDP would require the expansion of natural gas transmission systems, 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 expand the future campus

natural gas system. This impact was determined in the FTEIR to be less-than-significant because the necessary improvements are located within roadway right-of-way areas that have been previously disturbed and because the proposed project would include construction monitoring for biological and cultural resources. 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 and implementing conservation measures) will continue to further reduce this less-than-significant impact.

p. 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 FTEIR 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 Focused Tiered EIR 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 proposed project includes no project-specific mitigation measures and accordingly, no mitigation monitoring program is required for the project. The campus continues to implement the mitigation measures contained in the 2003 LRDP EIR Mitigation Monitoring Program. All relevant 2003 LRDP EIR mitigation measures identified in the FTEIR 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. Alternatives

The FTEIR evaluated a reasonable range of alternatives to the proposed CNPRC 2007 Research Laboratory Project in Section 6 of the Draft FTEIR. In compliance with CEQA and the CEQA Guidelines, the alternatives analysis also included an analysis of a No Project Alternative and identified the environmentally superior alternative. The Draft FTEIR examined each alternative's feasibility and ability to meet most of the project objectives (as articulated in Section 2.4 of the Draft FTEIR). Those that clearly were found to be infeasible were rejected without further environmental review. Alternatives that might have been feasible and that would attain most of the project objectives were carried forward and analyzed with regard to whether they would reduce or avoid significant impacts of the project. The alternatives considered but rejected included: Computer Based Research and Construction at Non-UC Davis locations. . The alternatives considered and evaluated included: No Project – No Build; Construction at Alternative UC Davis Locations, and Construction of Reduced Facilities. The University certifies that it has independently reviewed and considered the information on alternatives provided in the Focused Tiered EIR and the record of proceedings. Brief summaries of the evaluated alternatives are given below:

a. No Project – No Build

The project would not be constructed. Where feasible, existing laboratories would be used to conduct research projects. The campus would make no modifications to the existing facilities but would attempt to conduct as much of the proposed research as possible utilizing existing facilities.

b. Construction at Alternative UC Davis Locations

This alternative would construct the same facilities for Virology and Immunology and the Biomedical Research Modular Buildings as the proposed project. Rather than constructing these facilities at the CNPRC, the buildings would be located elsewhere at UC Davis and could be placed within the Central Campus, South Campus, or West Campus areas. To provide adequate reliability for previously approved but not yet completed projects, the proposed utility upgrades would still be needed and constructed as part of this alternative. For this alternative, it is assumed that within the Central Campus, South Campus, or West Campus at UC Davis, adequate

building sites could be located that would not need utility upgrades in order to adequately serve the proposed buildings. For this alternative, the Biomedical Research Modular Buildings would be sited together but the Virology and Immunology Building would not need to be sited near the modular buildings and could instead be located at another location.

c. Construction of Reduced Facilities

This alternative would involve construction of a single building to house all of the Virology and Immunology Building research and the research proposed for the Biomedical Research Modular Buildings. The key elements of this alternative would be to construct a single building of only 10,000 gsf instead of the proposed five buildings totaling 16,000 gsf. and to conduct a reduced amount of research. To provide adequate reliability for previously approved but not yet completed projects, the proposed utility upgrades would still be needed and constructed as part of this alternative. This alternative would have similar environmental effects to the proposed project but at a lower intensity because of the reduced construction impacts, a smaller increase in employee population, and a reduction operational impacts. The overall reduction in operational impacts would extend to the hazards and biohazardous materials impacts evaluated in this EIR. Overall, the Construction of Reduced Facilities would further reduce the less than significant environmental effects of the project. The project would require the same hazardous materials and bio-containment protocols as the proposed project and would not create any new environmental effects. .

d. Environmentally Superior Alternative

The University finds that the Construction of Reduced Facilities alternative should be considered the environmentally superior alternative. As stated above, this alternative would have similar environmental effects to the proposed project but at a lower intensity because of the reduced construction impacts, a smaller increase in employee population, and a reduction operational impacts. The overall reduction in operational impacts would extend to the hazards and biohazardous materials impacts evaluated in this EIR and the Construction of Reduced Facilities alternative would further reduce the less than significant environmental effects of the project.

F. Statement of Overriding 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, Draft FTEIR, Final FTEIR, 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. Those Findings and Statement of Overriding Considerations are equally relevant to, and are readopted as a part of, this project.

The University has balanced the benefits of the proposed CNPRC 2007 Research Laboratory Project against the significant and unavoidable adverse environmental effects, discussed in

Section II. D. above, in determining that specific economic, legal, social, technological, and other benefits of the project outweigh these adverse environmental effects. The University finds that each of the overriding considerations set forth below constitutes a separate and independent ground for finding that the benefits of the proposed project outweigh its significant adverse environmental impact. This Finding is supported by substantial evidence in the record that includes, but is not limited to, the NOP, Initial Study, Draft FTEIR and Final FTEIR for the proposed project.

Despite the occurrence of significant and unavoidable adverse environmental effects, the additional benefits of and reasons for the approval of the CNPRC 2007 Research Laboratory 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 and in the Final EIR.
2. The proposed project would provide necessary utilities to support identified growth of buildings within the CNRPC at UC Davis.
3. Increased building space at the CNRPC is necessary to accommodate planned expansion of research programs.
4. There is no other project alternative which would be consistent with the 2003 LRDP and would attain project objectives.

G. Summary

1. Based on the foregoing Findings and the information contained in the record, the University has made one or more of the following Findings with respect to the significant environmental effects of the CNPRC 2007 Research Laboratory Project:

- a. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.
- b. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.
- c. Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

2. 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 FTEIR did not identify any additional, feasible, project-specific mitigation measures to mitigate significant impacts to less-than-significant levels.

c. The environmentally superior alternative would lessen, though not entirely avoid, the significant and unavoidable impacts of the proposed project. The environmentally superior alternative is rejected as infeasible because it fails to accomplish the basic project objectives.

d. Any significant impacts to which the project contributes and that are found to be unavoidable were fully analyzed and adequately addressed in the FTEIR and 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.

e. This determination reflects the University's independent judgment and analysis.

III. APPROVAL

The University hereby takes the following actions:

- A.** Certifies the FTEIR for the project as described in Section I, above.
- B.** Approves and incorporates into the project all project elements and relevant 2003 LRDP EIR mitigation measures identified in the project's FTEIR.
- C.** Adopts these Findings and Statement of Overriding Considerations in their entirety as set forth in Section II, above.
- D.** Readopts the Findings and Statement of Overriding Considerations for the 2003 LRDP EIR in their entirety.
- E.** Having certified the FTEIR, independently reviewed and analyzed the FTEIR and any comments received on these documents, incorporated into the project all project elements and relevant 2003 LRDP EIR mitigation measures, adopted the Findings and Statement of Overriding Considerations, and readopted the Findings and Statement of Overriding Considerations for the 2003 LRDP EIR, the University hereby approves the design and construction of the West Campus Utilities Project.