

**CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS
IN CONNECTION WITH THE APPROVAL OF THE DESIGN AND CONSTRUCTION
OF BUILDING J-1 RENOVATION AND UPGRADE PROJECT,
DAVIS CAMPUS**

**I. ADOPTION OF THE BUILDING J-1 RENOVATION AND UPGRADE
NEGATIVE DECLARATION AND APPROVAL OF PROJECT**

The findings set forth below support the approval of the Building J-1 Renovation and Upgrade Project (the project). Pursuant to Title 14, California Code of Regulations, Section 15074(b), the Facilities and Enterprise Policy Committee 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 a Negative Declaration is proposed.

The Initial Study for the Building J-1 Renovation and Upgrade Project is tiered from UC Davis’ LRDP EIR, which was approved 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 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 Negative Declaration reflect the independent judgment and analysis of the University, and adopts the 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 adoption of the Negative Declaration and approval of the project, which is set forth in Section III, below.

A. Background

The proposed UC Davis Building J-1 Renovation and Upgrade would renovate and expand an existing building to provide increased laboratory and office space. The existing Building J-1 consists of approximately 23,000 square feet that was designed, constructed, and operated for infectious organism containment research. However, the north wing is currently being used as storage space due to deficiencies in meeting current standards for containment of infectious organisms. The proposed project would renovate approximately 1,550 square feet within the north wing of Building J-1 to provide improved animal holding, laboratory containment rooms,

and upgraded air handling capabilities. The project would expand the building approximately 400 square feet by constructing an exterior corridor along the north and east sides of the north wing of Building J-1. The new exterior corridors would facilitate the renovation project for research with infectious organisms requiring Biosafety Level 3 (BSL 3) containment. Biosafety ratings range from Level 1 to Level 4 and indicate the varying degrees of building containment and laboratory precautions that must be followed while conducting research with particular organisms. In total, the proposed project would provide a total of approximately 1,900 square feet of BSL 3 space. Building J-1 is located on the South Campus at UC Davis at the Center for Laboratory Animal Science and is approximately 150 feet east of Old Davis Road and approximately 300 feet south of Interstate 80.

Research studies at the renovated building would involve cultured experimentation using pathogenic organisms as well as the holding of infected birds, mammals (potentially rodents and cats), and insects (such as mosquitoes). The long range plans for laboratory operations are to transition various on-going research projects on bird and mosquito hosts for western equine encephalomyelitis (requiring BSL 2 laboratory design and operation measures) and St. Louis and West Nile viruses (requiring BSL 3 laboratory design and operation measures) from marginally adequate facilities outside of the Davis area to the renovated containment area within Building J-1. Pathogen transmission studies with mosquitoes will require adult mosquito holding facilities as well as limited rearing insectaries. In addition, studies with additional pathogenic organisms could occur within the renovated Building J-1.

B. Environmental Review Process

A Tiered Initial Study (State Clearinghouse No. 2006062022) was prepared for the project in accordance with CEQA and the University of California Procedures for Implementation of CEQA. The Initial Study for the project, in accordance with Section 15168 of the CEQA Guidelines, is tiered from the campus 2003 Long Range Development Plan Environmental Impact Report (2003 LRDP EIR) (State Clearinghouse No. 2002109092), which was certified by The Regents in connection with the approval of the 2003 LRDP in November 2003.

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

As a tiered document, the 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 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 analysis contained in the Initial Study, it was determined that the proposed project would result in no potentially significant effects on the environment or result in impacts not previously addressed in the 2003 LRDP EIR, and that no new project-specific mitigation measures were required. The University found that the project may incrementally contribute to, but would not exceed, significant environmental impacts previously identified in the 2003 LRDP EIR. Based on this analysis, the University prepared a Negative Declaration that reflects these conclusions.

The project's Proposed Negative Declaration and Draft 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 June 7, 2006 and concluding on July 6, 2006. 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 comment period, no comment letters were received.

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 Building J-1 Renovation and Upgrade project is tiered from the 2003 LRDP EIR in accordance with Sections 15152 and 15168(d) of the CEQA Guidelines and Public Resource Code Section 21094. Based on the analysis presented in the Initial Study, no project-specific impacts are identified and no project-specific mitigation measures are proposed.

D. Environmental Summary

The following sections summarize the environmental evaluation provided in the Building J-1 Renovation and Upgrade Initial Study.

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

The Initial Study did not identify any significant impacts associated with implementing the Building J-1 Renovation and Upgrade Project, but did recognize that the project would contribute to several significant and unavoidable adverse cumulative 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 Initial Study for the Building J-1 Renovation and Upgrade Project did not identify any additional project-specific mitigation measures that would further reduce or avoid these cumulative significant impacts. All of the cumulative significant and unavoidable impacts, discussed below in Finding II.D, were adequately addressed in the 2003 LRDP EIR and its associated Findings and Statement of Overriding Considerations. The 2003 LRDP EIR mitigation measures are also identified and briefly discussed below. For a detailed description of these mitigation measures, please see the text in the Initial Study.

a) Impacts on air quality from emissions that exceed YSAQMD Thresholds (LRDP Impact 4.3-1).

The Initial Study analyzed the impacts of the project and concluded that as part of overall campus growth pursuant to the 2003 LRDP it would contribute to overall operational emissions exceeding the Yolo-Solano Air Quality Management District Thresholds (YSAQMD). As a component of the 2003 LRDP, the Project incorporates previously adopted LRDP Mitigation Measures 4.3-1(a-c) (requiring the campus to reduce emissions vehicles and area sources as well as on-going coordination with the YSAQMD planning efforts) that will aid in reducing the potential impact to air quality identified in the 2003 LRDP. The Initial Study for the Building J-1 Renovation and Upgrade Project did not identify any feasible additional project-specific mitigation measures that would avoid or substantially lessen the Building J-1 Renovation and Upgrade's contribution to this impact. While the 2003 LRDP mitigation measures would reduce the magnitude of both of this impact, it is still considered significant and unavoidable.

The Initial Study concluded that the incremental contribution of the Building J-1 Renovation and Upgrade Project to this significant unavoidable impact was identified and adequately analyzed in the 2003 LRDP EIR and fully addressed in the Findings and Statement of Overriding Considerations adopted by The Regents in connection with its approval of the 2003 LRDP. The

University therefore finds that the Building J-1 Renovation and Upgrade's contribution to this 2003 LRDP impact to be acceptable for the reasons set forth in Section II.F of these Findings.

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

The Initial Study concluded that as part of overall campus growth pursuant to the 2003 LRDP, the Project would contribute to emissions of non-attainment pollutants. The Initial Study identified significant and unavoidable adverse cumulative impacts associated with a cumulatively considerable increase of non-attainment pollutants. As a component of the 2003 LRDP, the Project incorporates 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) that would aid in reducing emissions. The Initial Study for the Building J-1 Renovation and Upgrade Project did not identify any additional mitigation measures that would avoid or substantially lessen the Building J-1 Renovation and Upgrade'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 Initial Study concluded that the incremental contribution of the Building J-1 Renovation and Upgrade Project to this significant unavoidable cumulative impact was identified and adequately analyzed in the 2003 LRDP EIR and fully addressed in the Findings and Statement of Overriding Considerations adopted by The Regents in connection with its approval of the 2003 LRDP. The University therefore finds that the Building J-1 Renovation and Upgrade's contribution to this 2003 LRDP cumulative impact to be acceptable for the reasons set forth in Section II.F of these Findings.

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

The Initial Study for the Building J-1 Renovation and Upgrade Project analyzed the impacts of the project and concluded that as part of overall campus growth pursuant to the 2003 LRDP it 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 aquifer. Previously adopted 2003 LRDP EIR Mitigation Measure 4.8-5(b, d) would require continued water conservation efforts, efforts to determine the ability of the aquifer 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 the aquifer, and identification of alternative water sources, including surface water and recycled water. Previously adopted LRDP Mitigation Measure 4.8-13 (a, b) addresses cumulative withdrawals associated with both campus and City of Davis water demand. The Initial Study did not identify any feasible additional mitigation measures that would avoid or substantially lessen this

cumulative impact. While the 2003 LRDP mitigation measures would reduce the magnitude of both of these impacts, they are both still considered significant and unavoidable.

The Initial Study for the Building J-1 Renovation and Upgrade Project concluded that the incremental contribution of the project to this significant unavoidable impact was identified and adequately analyzed in the 2003 LRDP EIR and fully addressed in the Findings and Statement of Overriding Considerations adopted by The Regents in connection with its approval of the 2003 LRDP. The University therefore finds that the Building J-1 Renovation and Upgrade's contribution to this 2003 LRDP impact to be acceptable for the reasons set forth in Section II.F of these Findings.

d) Noise impacts from increased vehicular traffic (LRDP Impact 4.10-2)

The Initial Study for the Building J-1 Renovation and Upgrade Project analyzed the impacts of the project and concluded that as part of overall campus growth pursuant to the 2003 LRDP it would contribute to the ambient noise level increase caused by increased vehicle trips on the regional road network. Previously adopted 2003 LRDP EIR Mitigation Measure 4.10-2 (a) would require campus' fair share participation in noise reduction efforts along Russell Boulevard. The Initial Study did not identify any feasible additional mitigation measures that would avoid or substantially lessen this cumulative impact. While the 2003 LRDP mitigation measures would reduce the magnitude of both of these impacts, they are both still considered significant and unavoidable.

The Initial Study for the Building J-1 Renovation and Upgrade Project concluded that the incremental contribution of the project to this significant unavoidable impact was identified and adequately analyzed in the 2003 LRDP EIR and fully addressed in the Findings and Statement of Overriding Considerations adopted by The Regents in connection with its approval of the 2003 LRDP. The University therefore finds that the Building J-1 Renovation and Upgrade's contribution to this 2003 LRDP impact to be acceptable for the reasons set forth in Section II.F of these Findings.

e) 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 Initial Study for the Building J-1 Renovation and Upgrade Project analyzed the impacts of the project and concluded that as part of overall campus growth pursuant to the 2003 LRDP it would contribute to cumulative demands on public services including regional fire and police protection schools, and parks. The proposed project, as part of the overall campus growth pursuant to the 2003 LRDP, would contribute to cumulative demand for public services by contributing to the regional demand for fire and police services and to the requirement for new

school and park facilities. Construction of those new facilities could result in development of agricultural areas and loss of habitat. Previously adopted LRDP Mitigation Measures 4.12-6, 4.12-7 and 4.13-2 would provide for UC Davis to contribute a fair share of costs for feasible mitigation to reduce environmental effects of providing those services. However, impacts associated with loss of prime farmland and habitat would be irreversible, and the cumulative impacts are thus considered significant and unavoidable. The Initial Study did not identify any feasible additional mitigation measures that would avoid or substantially lessen this cumulative impact. While the 2003 LRDP mitigation measures would reduce the magnitude of both of these impacts, they are both still considered significant and unavoidable.

The Initial Study for the Building J-1 Renovation and Upgrade Project concluded that the incremental contribution of the project to this significant unavoidable cumulative impact was identified and adequately analyzed in the 2003 LRDP EIR and fully addressed in the Findings and Statement of Overriding Considerations adopted by The Regents in connection with its approval of the 2003 LRDP. The University therefore finds that the Building J-1 Renovation and Upgrade's contribution to this 2003 LRDP cumulative impact to be acceptable for the reasons set forth in Section II.F of these Findings.

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

The Initial Study for the Building J-1 Renovation and Upgrade Project analyzed the impacts of the project and concluded that as part of overall campus growth pursuant to the 2003 LRDP it would contribute to traffic impacts resulting in unacceptable level of service (LOS) at off-campus intersections and roadways. Previously adopted LRDP Mitigation Measures 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 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.

The Initial Study for the Building J-1 Renovation and Upgrade Project concluded that the incremental contribution of the project to this significant unavoidable impact was identified and adequately analyzed in the 2003 LRDP EIR and fully addressed in the Findings and Statement of Overriding Considerations adopted by The Regents in connection with its approval of the 2003

LRDP. The University therefore finds that the Building J-1 Renovation and Upgrade's contribution to this 2003 LRDP impact to be acceptable for the reasons set forth in Section II.F of these Findings.

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

The Initial Study for the Building J-1 Renovation and Upgrade Project analyzed the impacts of the project and concluded that as part of overall campus growth pursuant to the 2003 LRDP it would contribute to cumulative demands for wastewater treatment facilities in the region. 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 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.

The Initial Study for the Building J-1 Renovation and Upgrade Project concluded that the incremental contribution of the project to this significant unavoidable cumulative impact was identified and adequately analyzed in the 2003 LRDP EIR and fully addressed in the Findings and Statement of Overriding Considerations adopted by The Regents in connection with its approval of the 2003 LRDP. The University therefore finds that the Building J-1 Renovation and Upgrade's contribution to this 2003 LRDP cumulative impact to be acceptable 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 Initial Study for the Building J-1 Renovation and Upgrade Project identified the following significant and potentially significant impacts associated with 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 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 Initial Study for the Building J-1 Renovation and Upgrade Project.

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

The Building J-1 Renovation and Upgrade 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 increased pollutant concentrations. As analyzed in the Initial Study the Building J-1 Renovation and Upgrade 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, resulting in a less-than-significant cumulative impact.

b. Development allowed under the 2003 LRDP could result in the failure of nesting efforts by nesting raptors, including Swainson's hawks or other birds of prey (LRDP Impact 4.4-4).

The Building J-1 Renovation and Upgrade Project does not have any Swainson's hawk nest sites in trees on or adjacent to the project site. However, it is possible they could nest in the area before construction starts. As analyzed in the Initial Study the Project incorporates previously adopted 2003 LRDP Mitigation Measure 4.4-4 (a,b) requiring that active nests are not disturbed and will reduce this potential impact to a less-than-significant level. Implementation of the mitigation measure would reduce the potential impact to a less-than-significant level.

c. Campus growth under the 2003 LRDP would increase discharge of treated effluent to the South Fork of Putah Creek (LRDP Impact 4.8-4 and 4.8-12).

Increased wastewater from the proposed Building J-1 Renovation and Upgrade, would contribute to increased discharge of treated effluent to the South Fork of Putah Creek. As analyzed in the Initial Study the Project incorporates previously adopted 2003 LRDP Mitigation Measure 4.8-4 (a) and (b) which require the campus to continue full operation of the campus wastewater treatment program and implement a monitoring program for specific constituents. Implementation of the mitigation measure would reduce the impact to a less-than-significant level.

d. 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 Building J-1 Renovation and Upgrade, 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. As analyzed in the Initial Study 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 impact to a less-than-significant level.

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

The Building J-1 Renovation and Upgrade Project would increase traffic and could increase the potential for unacceptable operation of on-campus intersections. As analyzed in the Initial Study, parking intersection monitoring for future improvements will continue and the growth from the Building J-1 Renovation and Upgrade Project will become part of the overall assessment for the previously adopted 2003 LRDP Mitigation Measures 4.14-1(a-c) and 4.14-2(a-c) which 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. The Project incorporates this mitigation measure so that on-campus traffic impacts are reduced to a less-than-significant level.

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

The Building J-1 Renovation and Upgrade Project would add to the parking demand by approximately 10 spaces. As analyzed in the Initial Study, parking demand as part of the Building J-1 Renovation and Upgrade 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. The Project incorporates this mitigation measure so that the parking impacts reduce to a less-than-significant level.

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

The Building J-1 Renovation and Upgrade Project would add to demand for transit services. Previously adopted 2003 LRDP Mitigation Measure 4.14-4 requires the campus to continue to provide additional transit services or new transit routes as needed. The campus continues to

implement this mitigation measure when needed so that the traffic impacts are minimized. Implementation of this mitigation measure would reduce the impact to a less-than-significant level.

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

The Initial Study for the Building J-1 Renovation and Upgrade Project 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 Building J-1 Renovation and Upgrade 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 Initial Study.

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

The Building J-1 Renovation and Upgrade, 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 Initial Study for the Building J-1 Renovation and Upgrade Project 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 Building J-1 Renovation and Upgrade, 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 Initial Study 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 use of biohazardous wastes on campus, which would not significantly increase hazards to the public or the environment (LRDP Impact 4.7-5).**

The Building J-1 Renovation and Upgrade, as a component of growth under the 2003 LRDP, would increase the routine use of biohazardous wastes on campus, which would not create hazards to the public or the environment. This impact was determined in the Initial Study 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 4.7-5 (continued implementation of laboratory management and biosafety control programs) that will further reduce this less-than-significant impact.

- d. Implementation of the 2003 LRDP would increase the routine generation of biohazardous wastes on campus, which would not significantly increase hazards to the public or the environment (LRDP Impact 4.7-6).**

The Building J-1 Renovation and Upgrade, as a component of growth under the 2003 LRDP, would increase the routine generation of biohazardous wastes on campus, which would not create hazards to the public or the environment. This impact was determined in the Initial Study 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 4.7-6 (continued implementation of laboratory management and biosafety control programs) that will further reduce this less-than-significant impact.

- e. Implementation of the 2003 LRDP could increase routine use of laboratory animals on campus by UC Davis laboratories, which would not significantly increase hazards to the public or the environment (LRDP Impact 4.7-7).**

The Building J-1 Renovation and Upgrade, as a component of growth under the 2003 LRDP, would increase routine use of laboratory animals on campus by UC Davis laboratories, which would not significantly increase risk of animal bites, escapes, and disease transmission. This impact was determined in the Initial Study 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 4.7-7 (implementation of all required animal care and handling programs) that will further reduce this less-than-significant impact.

f. 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 Building J-1 Renovation and Upgrade, 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 Initial Study 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.

g. 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 Building J-1 Renovation and Upgrade, 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 would not expose employees or campus occupants to significant levels of potentially hazardous materials. This impact was determined in the 2003 LRDP EIR to be less-than-significant because of the low hazard risk to the public and to the environment. The impact continues to be less-than-significant and, although not required, implementation of previously adopted 2003 LRDP Mitigation Measure 4.7-9 (standard practices for storage and transportation of hazardous materials) will continue to further reduce this less-than-significant impact.

h. Implementation of the 2003 LRDP would not expose construction workers or campus occupants to contaminated building materials (LRDP Impact 4.7-13).

The Building J-1 Renovation and Upgrade, as a component of growth under the 2003 LRDP, would include renovation of an existing building, which would not expose construction workers or campus occupants to significant levels of potentially hazardous materials. This impact was determined in the 2003 LRDP EIR to be less-than-significant because of the low hazard risk to people. The impact continues to be less-than-significant and, although not required, implementation of previously adopted 2003 LRDP Mitigation Measure 4.7-13 (surveys of campus buildings prior to demolition or renovation work) will continue to further reduce this

less-than-significant impact.

- i. 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 Building J-1 Renovation and Upgrade, as a component of growth under the 2003 LRDP, would contribute to sediment in stormwater runoff. This impact was determined in the Initial Study 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.

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

The Building J-1 Renovation and Upgrade, as a component growth under the 2003 LRDP, would contribute to the potential future expansion of the campus utility water extraction and conveyance systems. This impact was determined in the Initial Study 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) (conducting utility assessments prior to connecting new projects and implementing conservation strategies) that will further reduce this less-than-significant impact.

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

The Building J-1 Renovation and Upgrade, as a component of growth under the 2003 LRDP, require the expansion of wastewater treatment and conveyance facilities. This impact was determined in the Initial Study 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 4.15-3 (conducting utility assessments prior to connecting new projects) that will further reduce this less-than-significant impact.

- l. 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 Building J-1 Renovation and Upgrade, 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 Initial Study 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.

m. 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 Building J-1 Renovation and Upgrade, 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 Initial Study 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.

n. 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 Building J-1 Renovation and Upgrade, as a component of growth under the 2003 LRDP, would contribute to the potential future expansion of the campus natural gas system. This impact was determined in the Initial Study 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 4.15-7(a) (conducting utility assessments prior to connecting new projects) that will further reduce this less-than-significant impact.

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

The Building J-1 Renovation and Upgrade, 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 Initial Study 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 4.15-9 (conducting telecommunication assessments prior to connecting new projects) that will 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 Negative Declaration for the project; the Initial Study for the project; the 2003 LRDP; the 2003 LRDP EIR, the 2003 LRDP Mitigation Monitoring Program, and the Findings and Statement of Overriding Considerations adopted by The Regents in connection with its approval of the 2003 LRDP. Without limitation, this incorporation is intended to elaborate on the scope and nature of mitigation measures, project and cumulative impacts, and the basis for determining the significance of impacts, and the reasons for approving the project.

2. Mitigation Monitoring Program

When making findings, a lead agency must adopt a reporting or monitoring program for the changes to the project that it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment. The proposed project includes no project-specific mitigation measures and accordingly, no mitigation monitoring program is required for the project. 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 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.

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, 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. Those Findings and Statement of Overriding Considerations are equally relevant to, and are reaffirmed as a part of, this project.

The University has balanced the benefits of the proposed Building J-1 Renovation and Upgrade 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, and Negative Declaration 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 Building J-1 Renovation and Upgrade 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 a necessary laboratory facility to support identified growth of campus population at UC Davis.
3. The remodel project of an existing building presents an efficient use of campus resources and would best serve the needs of the proposed research.

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 Building J-1 Renovation and Upgrade 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.

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 Negative Declaration for the Building J-1 Renovation and Upgrade Project did not identify any additional, feasible, project-specific mitigation measures to mitigate significant impacts to less-than-significant levels.

c. Any significant impacts to which the project contributes and that are found to be unavoidable were fully analyzed and adequately addressed in the Initial Study and Negative Declaration for the Building J-1 Renovation and Upgrade Project 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 adopted in connection with The Regents' approval of the 2003 LRDP as described in Section II.F, above.

d. The Building J-1 Renovation and Upgrade 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 Negative Declaration 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 Tiered Initial Study.
- C.** Adopts the Findings in their entirety as set forth in Section II, above.
- D.** Having adopted the Negative Declaration, independently reviewed and analyzed the 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 Building J-1 Renovation and Upgrade.