

# **CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS IN CONNECTION WITH CERTIFICATION OF THE FINAL EIR, FINDINGS, AND APPROVAL OF THE DESIGN OF THE MATHEMATICAL SCIENCES BUILDING, DAVIS CAMPUS**

## **I. CERTIFICATION OF THE FINAL EIR**

Pursuant to Title 14, California Code of Regulations, Section 15090, the Board of Regents of the University of California (The Regents), as a lead agency, hereby certifies that the Final Focused Tiered Environmental Impact Report (Final EIR) for the University of California, Davis (UC Davis) proposed Mathematical Sciences Building has been completed in compliance with the California Environmental Quality Act, Public Resources Code Section 21000, et seq. (CEQA) and the State CEQA Guidelines, Title 14, California Code of Regulations, Section 15000, et seq. (CEQA Guidelines). The Regents further certifies that the Final EIR was presented to The Regents, and that The Regents has reviewed and considered the information contained in the Final EIR prior to approving the design of the Mathematical Sciences Building (the project), as set forth in Section III. As part of this certification, The Regents hereby finds that the Final EIR reflects the independent judgement and analysis of the University of California. The Final EIR includes the September 2002 Draft Environmental Impact Report (Draft EIR) and the December 2002 Final EIR.

## **II. FINDINGS**

The following Findings are hereby adopted by The Regents in conjunction with the approval of the project which is set forth in Section III below.

### **A. Background**

As fully described in Chapter 3 of the Draft EIR as updated in Chapter 3 of the Final EIR, the project includes the construction and operation of a four-story, approximately 65,000 gross square foot (gsf) (38,000 assignable square foot [asf]) Mathematical Sciences Building. The new building would be located in the central campus, south of the Crocker Nuclear Laboratory, west of California Avenue, north of the Academic Surge Building, and east of Engineering Unit 3. The Hog Barn building (a structure that meets the criteria for listing on the California Register of Historic Places) is currently located on the proposed project site. To accommodate the proposed project, the campus would relocate the Hog Barn structure to a site in the central campus located southwest of the Silo complex and renovate the building for administrative office and activity space.

### **B. Environmental Review Process**

A Tiered Initial Study and a Focused Tiered EIR were prepared for the project in accordance with CEQA and the University of California Procedures for Implementation of CEQA. These documents, in accordance with Sections 15152 and 15168(c) of the CEQA Guidelines, were tiered from the UC Davis 1994 Long Range Development Plan (LRDP) EIR, as updated and revised by the 1997 Wastewater Treatment Plant (WWTP) Replacement Project EIR (State Clearinghouse Nos. 95123027 and 96072024), 1997-98 Major Capital Improvements Project Supplemental Environmental Impact Report (SEIR) (State Clearinghouse No. 97122016), Center for the Arts Performance Hall and South Entry Roadway and Parking Improvements Tiered Initial Study and Mitigated Negative Declaration (State Clearinghouse No.

98092016), USDA Western Human Nutrition Research Center Tiered Initial Study and Mitigated Negative Declaration (State Clearinghouse No. 99092060), Veterinary Medicine Laboratory and Equine Athletic Performance Laboratory Facilities Focused Tiered EIR (State Clearinghouse No. 2000022057), Segundo Housing Improvement Projects Tiered Initial Study and Mitigated Negative Declaration (State Clearinghouse No. 2001092063), and Conference Center, Hotel, and Graduate School of Management Building Project Focused Tiered EIR (State Clearinghouse No. 2001082067). Hereafter, references to the 1994 LRDP EIR include the 1994 LRDP EIR as updated and revised by the documents listed above.

The project is part of the physical development proposed in the 1994 LRDP, therefore, the environmental analysis for the project is presented and analyzed within the context of the 1994 LRDP and incorporates by reference applicable portions of the 1994 LRDP EIR. The 1994 LRDP EIR, a program EIR pursuant to Section 15168 of the CEQA Guidelines, analyzed the overall effects of campus growth and facility development through 2005-06 and identified measures to mitigate the significant adverse project and cumulative impacts associated with that growth. As tiered documents, the Initial Study and EIR for the project rely on the 1994 LRDP EIR for: (1) a discussion of general background and setting information for environmental topic areas; and (2) issues that were evaluated in sufficient detail in the 1994 LRDP EIR for which there is no significant new information or change in circumstances that would require further analysis.

The purpose of the Tiered Initial Study was to evaluate the potential environmental impacts of the project with respect to the existing 1994 LRDP EIR analysis to determine what level of additional environmental review, if any, was appropriate. Based on the analysis contained in the project's Tiered Initial Study, the campus determined that further analysis was required to adequately address potential Cultural Resources and Aesthetics impacts associated with potential relocation or demolition of the historic Hog Barn located on the project site. For the other resource areas, the campus identified that the project would not result in any significant impacts that were not mitigated to a less-than-significant level or sufficiently addressed by the 1994 LRDP EIR, as updated and revised. Accordingly, the Focused Tiered EIR for the project further evaluates the significance of impacts in the areas of Cultural Resources and Aesthetics.

The campus published a Notice of Preparation (NOP) and an Initial Study indicating that a Focused Tiered EIR would be prepared for the Mathematical Sciences Building on July 15, 2002. The public and agency review of the NOP and Initial Study extended from July 15, 2002 to August 14, 2002. No comments were received during the public and agency review period. The project was assigned the State Clearinghouse Number 2002072048.

The Notice of Completion (NOC) and Draft EIR for the project were published on September 6, 2002. The official public notice for the project was published in The Davis Enterprise (the local paper of public record) on September 6, 2002 and announced: (1) the availability of the Draft EIR for review and comment by the public and agencies; (2) the date and location of a public hearing on the Draft EIR; and (3) how to obtain copies of the Draft EIR. An electronic memorandum announcing this information was also sent to UC Davis Deans, Directors, and Department Heads on September 6, 2002. The public and agency review period for the NOC and the Draft EIR extended from September 6, 2002 through October 21, 2002.

During that time, the Draft EIR was reviewed by various governmental agencies, as well as by interested individuals and organizations. In addition to correspondence from the State Clearinghouse regarding the completion of the review period, one comment letter from a member of the public was received. In addition, members of the public were invited by formal public notice to submit comments on the Draft EIR in testimony at a public hearing held for that purpose on October 8, 2002. No members of the public attended the hearing and no comments were received at that time.

The comments received during the public review period and the responses thereto are presented in the Final EIR. In addition to correspondence from the State Clearinghouse regarding completion of the draft environmental document's review period, the one comment letter was received during the review period expressing opposition to potential demolition of the historic Hog Barn building.

The Final EIR, which includes, among other components, the Tiered Initial Study published in July 2002, the Draft EIR published in September 2002, and campus responses to comments received during the public review period for the Draft EIR, was published in December 2002. While the Draft EIR evaluated three potential scenarios for handling the Hog Barn building (including two relocation options and demolition), the Final EIR indicates that the campus has decided to relocate the structure to a central campus site and renovate the building for administrative office and activity space. The Final EIR does not include any significant new information regarding project or cumulative impacts or mitigation measures. Therefore, recirculation of the EIR for additional public review is not required.

**C. Significant and Unavoidable Adverse Impacts and Related Mitigation Measures**

The Final EIR recognized significant and unavoidable adverse impacts associated with the approval of the project and identified related mitigation measures. Most of the significant and unavoidable adverse impacts identified in the Final EIR relate to cumulative development. The Final EIR 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 reasonable foreseeable probable future projects" (California Code of Regulations, Title 14, Section 15355(b)). The cumulative context for the cumulative impact analysis in the Final EIR included the proposed project combined with growth allowed under the 1994 LRDP and growth anticipated in the region. In accordance with the CEQA Guidelines, the Final EIR used a "plan" approach as a framework for its cumulative impact analysis that is based upon 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)). The project implements a portion of the 1994 LRDP, the planning document that identifies general types of campus development to support campus growth anticipated through 2005-06. The cumulative impact analysis in the Final EIR, therefore, relies primarily on the 1994 LRDP EIR, which included analysis of campus development projected in the 1994 LRDP and related cumulative development in the campus vicinity. All significant and unavoidable impacts that were analyzed in the 1994 LRDP EIR, including the impacts discussed below in this Part II.C, were fully addressed by the Findings and Overriding Considerations adopted by The Regents in

connection with its approval of the 1994 LRDP and certification of the 1994 LRDP EIR, as subsequently amended and revised.

Because student enrollment through 2014-15 is anticipated to exceed projections in the 1994 LRDP for 2005-06, the campus has closely examined each of the cumulative impacts identified in the 1994 LRDP EIR that could continue through 2014-15 (this Cumulative Impacts Analysis is included as Appendix C to the project's Draft EIR). To the extent that growth and physical development anticipated for 2014-15 were not considered in the 1994 LRDP EIR, additional environmental effects that were not previously identified may occur. However, it would be very speculative to determine these effects now because most components of the next LRDP are not currently known. A new LRDP EIR will fully evaluate the potential environmental impacts associated with the next LRDP.

CEQA Guidelines Section 15088.5 requires a lead agency to recirculate an EIR for further review and comment when significant new information is added to the EIR after public notice is given of the availability of the Draft EIR but before certification. New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect that the project proponent declines to implement. The Guidelines provide examples of significant new information under this standard. Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR. The Regents finds that the Final EIR does not contain significant new information as defined in the Guidelines and that recirculation of the draft EIR therefore is not required. In addition, none of the conditions described in CEQA or the CEQA Guidelines calling for preparation of a subsequent EIR have occurred.

Significant and unavoidable cumulative impacts resulting from the proposed project in combination with growth allowed under the 1994 LRDP and growth anticipated in the region are discussed below. The Regents finds these significant and unavoidable adverse impacts are acceptable because the benefits of the project outweigh the unavoidable environmental impacts for the reasons set forth in Section II. I of these Findings. Associated 1994 LRDP EIR and project-specific mitigation measures are identified and briefly discussed below. For a detailed description of these mitigation measures, please see the text in the Draft EIR and Initial Study.

**1. Cumulative Impact Associated with Loss of Historical Resources (EIR Impact 4.1-2)**

The project, in conjunction with growth allowed under the 1994 LRDP EIR and development in the region, could contribute to a cumulative loss of historical resources in Yolo and Solano Counties. The project incrementally contributes to, but does not exceed, cumulative impacts associated with historic resources previously analyzed in the 1994 LRDP EIR, as updated and revised. The project would include relocation and renovation of the Hog Barn building, a structure that is considered historically significant. Implementation of 1994 LRDP EIR Mitigation Measures 4.10-4(a) and (b) (which require evaluation of potentially historic structures, encourage preservation of historic structures, and provide for adequate

recording of historic structures before any significant changes take place) and Project Mitigation 4.1-2 (ensuring that the Hog Barn relocation and renovation design retains historic integrity) would reduce the project's contribution to this impact. However, because 1994 LRDP EIR Mitigation Measure 4.10-4(b) (encouraging preservation of cultural resources within Yolo and Solano Counties) is outside the jurisdiction of The Regents to enforce, the impact would remain significant and unavoidable. This impact has been adequately addressed in the Findings and Overriding Considerations adopted by The Regents in connection with its approval of the 1994 LRDP and certification of the 1994 LRDP EIR. Campus and regional growth through 2014-15 would likely contribute to the loss of historical resources in the area. The campus will reexamine potential cumulative historical resources impacts and any new mitigation measures that may be required during the LRDP update process. The Regents finds this remaining significant and unavoidable impact is acceptable because the benefits of the project outweigh this and the project's other unavoidable environmental impacts for the reasons set forth in Section II.I of these Findings.

## **2. Cumulative Impacts on the Transportation Network (Initial Study Items 4a and b)**

The project, in conjunction with growth allowed under the 1994 LRDP and development in the region, would lead to significantly increased traffic volumes, which would result in insufficient levels of service at major intersections. The project incrementally contributes to, but does not exceed, cumulative impacts associated with traffic volumes previously analyzed in the 1994 LRDP EIR, as updated and revised. 1994 LRDP EIR Mitigation Measures 4.3-1(a) (requiring continued campus support for Transportation Systems Management strategies to reduce campus motorized vehicle trips and encourage use of alternative modes of transportation) and 4.3-1(b) as revised (requiring traffic monitoring at key intersections on a regular basis and proposed physical changes to roadways and intersections) are incorporated into the proposed project and would reduce the magnitude of level of service exceedances. Because the implementation of certain recommended physical improvements in 1994 LRDP EIR Mitigation Measure 4.3-1(b) are outside The Regent's jurisdiction to enforce, the impact would remain significant and unavoidable at three intersections (Richards Boulevard and I-80 Eastbound ramps, Richards Boulevard and Olive Drive, and Richards Boulevard and First Street). These impacts have been adequately addressed in the Findings and Overriding Considerations adopted by The Regents in connection with its approval of the 1994 LRDP and certification of the 1994 LRDP EIR. Campus growth through 2014-15 would likely cause elements of the roadway system that were not previously addressed in the 1994 LRDP EIR to operate at levels that would exceed the campus' standards of significance. Transportation and circulation mitigation measures identified in the 1994 LRDP EIR would be updated in the next LRDP EIR to mitigate these new exceedances. The campus will reexamine potential cumulative transportation and circulation impacts and any new mitigation measures that may be required during the LRDP update process. The Regents finds this remaining significant and unavoidable impact is acceptable because the benefits of the project outweigh this and the project's other unavoidable environmental impacts for the reasons set forth in Section II.I of these Findings.

**3. Cumulative Impact on the Noise Environment (Initial Study Items 5a, c, and d)**

The project, in conjunction with growth allowed under the 1994 LRDP and other development in the region, would create cumulative noise impacts due to increased traffic and other noise sources. The project would incrementally contribute to, but would not exceed, cumulative impacts associated with noise generation previously analyzed in the 1994 LRDP EIR. Implementation of 1994 LRDP EIR Mitigation Measures 4.4-1, 4.4-3, and 4.4-4 (requiring noise reduction measures in all construction contracts, evaluation of noise contribution of proposed projects, and implementation of further noise reduction strategies if necessary), incorporated as part of the project, would reduce the campus' contribution to this impact. However, 1994 LRDP EIR Mitigation Measure 4.4-4 (c) (requesting the City of Davis, Yolo County, and Solano County to implement land use noise standards as part of the Noise Element of their General Plans) is within the responsibility and jurisdiction of each of the identified public entities, not The Regents, and can and should be adopted by these public entities. Because implementation of this measure by neighboring jurisdictions cannot be guaranteed by The Regents, this cumulative impact is considered significant and unavoidable. This cumulative impact was adequately addressed in the Findings and Overriding Considerations adopted by The Regents in connection with its approval of the 1994 LRDP and certification of the 1994 LRDP EIR. The campus will reexamine potential cumulative noise impacts and any new mitigation measures that may be required during the LRDP update process. The Regents finds this remaining significant and unavoidable impact is acceptable because the benefits of the project outweigh this and the project's other unavoidable environmental impacts for the reasons set forth in Section II.I of these Findings.

**4. Cumulative Impact Associated with Increased Emissions of Criteria Air Pollutants in the Region (Initial Study Items 6b, c, and d)**

The project, in conjunction with growth allowed under the 1994 LRDP and cumulative development in the region, would cause increases in criteria pollutant emissions. These emissions would contribute to the continued exceedance of air quality standards enforced by the Yolo-Solano Air Quality Management District (YSAQMD). The project incrementally contributes to, but does not exceed, the cumulative criteria air pollutant emissions previously identified in the 1994 LRDP EIR. Implementation of 1994 LRDP EIR Mitigation Measures 4.5-3(a) (requiring various Transportation Demand Management measures to reduce automobile use and increase use of public transportation) and 4.5-3(b) (requiring the campus to obtain permits for all stationary and area sources as required by the air district), incorporated as part of the proposed project, will reduce the magnitude of the campus' contribution to this impact. Mitigation Measure 4.5-6(b) (identifying other public entities in addition to UC Davis that should take action to assure compliance with federal and state air quality standards) is outside the jurisdiction of The Regents. This cumulative impact is considered significant and unavoidable due to the non-attainment status of the area with respect to certain pollutants. This significant and unavoidable impact has been adequately addressed in the Findings and Overriding Considerations adopted by The Regents in connection with its approval of the 1994 LRDP and certification of the 1994 LRDP EIR. The campus will reexamine potential air quality impacts and any new mitigation measures that may be required during the LRDP update process. The Regents finds this remaining significant and unavoidable impact is acceptable because the

benefits of the project outweigh this and the project's other unavoidable environmental impacts for the reasons set forth in Section II.I of these Findings.

**5. Cumulative Impact Associated with Hazardous Chemical Use (Initial Study Items 7a and b)**

The project, in conjunction with growth allowed under the 1994 LRDP and development in the region, would increase the cumulative number of people that could potentially be exposed to health hazards associated with increased use of hazardous chemicals. The project incrementally contributes to, but does not exceed, cumulative impacts related to hazardous chemical use previously analyzed in the 1994 LRDP EIR. 1994 LRDP EIR Mitigation Measures 4.6-1(a) through (c) (requiring the campus to strengthen programs that improve compliance with applicable laws and regulations, to establish a self-audit mechanism and reporting system, and to establish independent biennial health and safety audits) have been implemented by the campus and reduce the magnitude of the campus' contribution to this impact. However, the campus cannot guarantee the safe management of additional hazardous chemicals used at locations outside The Regents control. Because this authority falls within other jurisdictions to enforce and monitor, and can and should be enforced and monitored by the appropriate public entities, The Regents conservatively considers this cumulative impact significant and unavoidable. This cumulative impact was adequately addressed in the Findings and Overriding Considerations adopted by The Regents in connection with its approval of the 1994 LRDP and certification of the 1994 LRDP EIR. The campus will reexamine potential cumulative hazard and hazardous materials impacts and any new mitigation measures that may be required during the LRDP update process. The Regents finds this remaining significant and unavoidable impact is acceptable because the benefits of the project outweigh this and the project's other unavoidable environmental impacts for the reasons set forth in Section II.I of these Findings.

**6. Cumulative Impact Associated with Hazardous Waste Management Facilities (Initial Study Items 7a and b)**

The project, in conjunction with growth allowed under the 1994 LRDP and development in the region, could place an additional load on hazardous waste management facilities. The project incrementally contributes to, but does not exceed, cumulative impacts on hazardous waste management facilities previously analyzed in the 1994 LRDP EIR. The 1994 LRDP EIR identified Mitigation Measures 4.6-4(a) and (b) (that require implementation of a hazardous waste minimization plan and completion of the Environmental Services Facility before occupying the first approved project following adoption of the 1994 LRDP) have been implemented and have reduced the campus' contribution to this impact. However, The Regents cannot guarantee the feasibility and implementation of waste management mitigation measures in jurisdictions outside Regents control, although other public entities can and should implement these measures. For this reason, The Regents conservatively considers this cumulative impact significant and unavoidable. This cumulative impact was adequately addressed in the Findings and Overriding Considerations adopted by The Regents in connection with its approval of the 1994 LRDP and certification of the 1994 LRDP EIR. Hazards and hazardous materials mitigation measures identified in the 1994 LRDP EIR will be updated in the next LRDP EIR to reflect current waste management practices. The campus will also reexamine potential

cumulative hazard and hazardous materials impacts and any new mitigation measures that may be required during the LRDP update process. The Regents finds this remaining significant and unavoidable impact is acceptable because the benefits of the project outweigh this and the project's other unavoidable environmental impacts for the reasons set forth in Section II.I of these Findings.

**7. Cumulative Impact on Receiving Water Quality (Initial Study Items 9a and f)**

The project, in conjunction with 1994 LRDP and regional growth, could reduce receiving water quality. The project incrementally contributes to, but does not exceed, cumulative impacts on receiving water quality previously analyzed in the 1994 LRDP EIR. Implementation of 1994 LRDP EIR Mitigation Measures 4.4(a) (requiring compliance with National Pollutant Discharge Elimination System [NPDES] Phase II regulations), 4.8-5(a) (project designs must include a combination of specified Best Management Practices to reduce pollutants in storm water discharge), and 4.8-6(a) to (c) (requiring monitoring of Wastewater Treatment Plant effluent discharge and compliance with Waste Discharge Requirements to ensure compliance with established effluent limits), incorporated as part of the project, would reduce the magnitude of the campus' contribution to this impact. However, 1994 LRDP EIR Mitigation Measures 4.8-8(b) and 4.8-8(c) (recommending that local jurisdictions in the Putah Creek watershed apply for, obtain and implement NPDES Municipal Storm Water Permits and comprehensive pollution prevention plans and monitoring programs) are within the responsibility and jurisdiction of public entities to enforce and monitor, and can and should be adopted by these public entities. Because The Regents cannot guarantee implementation of these measures, this cumulative impact is considered significant and unavoidable. This cumulative impact was adequately addressed in the Findings and Overriding Considerations adopted by The Regents in connection with its approval of the 1994 LRDP and certification of the 1994 LRDP EIR. Campus growth through 2014-15 would likely increase sources of water pollution beyond levels previously anticipated under the 1994 LRDP. The campus will reexamine potential cumulative water quality impacts and the availability of additional feasible mitigation measures during the LRDP update process. The Regents finds this remaining significant and unavoidable impact is acceptable because the benefits of the project outweigh this and the project's other unavoidable environmental impacts for the reasons set forth in Section II.I of these Findings.

**8. Potential Project and Cumulative Impacts on Water Supplied from the Deep Aquifer (Initial Study Item 9b)**

The project, in conjunction with growth allowed under the 1994 LRDP and development in the region, would increase use of groundwater from the deep aquifer. The magnitude of the impact on the aquifer is unknown because the status of the aquifer cannot be determined from available information and data. Continued implementation of 1994 LRDP EIR Mitigation Measure 4.14-1(a) (requiring various water conservation measures), incorporated into the project, will reduce the magnitude of potential impact on the aquifer. However, because the magnitude of this impact is unknown, the project-level and cumulative-level impacts of groundwater extraction from the deep aquifer are considered significant and unavoidable, to preserve a conservative approach. These project-level and cumulative-level impacts were adequately addressed in the Findings and Overriding Considerations adopted by The Regents in

connection with its approval of the 1994 LRDP and certification of the 1994 LRDP EIR. Campus growth through 2014-15 would likely increase water use beyond levels previously anticipated under the 1994 LRDP. The campus will reexamine potential cumulative hydrology impacts and the availability of additional feasible mitigation measures during the LRDP update process. The Regents finds this remaining significant and unavoidable impact is acceptable because the benefits of the project outweigh this and the project's other unavoidable environmental impacts for the reasons set forth in Section II.I of these Findings.

#### **9. Cumulative Impact on Groundwater Recharge Potential (Initial Study Item 9b)**

The project, in conjunction with 1994 LRDP and other development in the Lower Cache-Putah Groundwater Basin, would increase the amount of impervious surface coverage in the basin, reducing the acreage available for groundwater recharge. The project incrementally contributes to, but does not exceed, cumulative impacts on reduced groundwater recharge potential previously analyzed in the 1994 LRDP EIR. Implementation of 1994 LRDP EIR Mitigation Measures 4.8-3(a) and (b) (requiring measures to maximize percolation and infiltration of precipitation into the underlying ground water aquifer), incorporated as part of the project, will reduce the campus' contribution to this impact. However, 1994 LRDP EIR Mitigation Measure 4.8-9(b) (recommending that jurisdictions in the Lower Cache-Putah Creek Ground Water Basin implement similar mitigation measures to maximize groundwater recharge) is within the jurisdiction of other public entities to enforce and monitor, and can and should be adopted by the appropriate public entities. Because the campus cannot guarantee the implementation of this measure, this cumulative impact is considered significant and unavoidable. This cumulative impact was adequately addressed in the Findings and Overriding Considerations adopted by The Regents in connection with its approval of the 1994 LRDP and certification of the 1994 LRDP EIR. Campus growth through 2014-15 would likely increase impervious surfaces beyond levels previously anticipated under the 1994 LRDP. The campus will reexamine potential cumulative groundwater recharge impacts and the availability of additional feasible mitigation measures during the LRDP update process. The Regents finds this remaining significant and unavoidable impact is acceptable because the benefits of the project outweigh this and the project's other unavoidable environmental impacts for the reasons set forth in Section II.I of these Findings.

#### **10. Cumulative Impact of Development and Potential Seismic Effects of Earthquakes (Initial Study Item 10a)**

The project, in conjunction with growth allowed under the 1994 LRDP and other development in the region, would increase the cumulative number of people living and working in the Davis area who would be exposed to strong ground motion and other potential seismic effects from earthquakes on local or regional faults. The project incrementally contributes to, but does not exceed, this cumulative impact previously analyzed in the 1994 LRDP EIR. Implementation of 1994 LRDP EIR Mitigation Measures 4.9-1 (a) to (e) (requiring compliance of final building design with applicable building codes and seismic safety provisions, inclusion of seismic safety policies in the department Injury and Illness Prevention Plan, continuation of seismic rehabilitation activities for identified campus facilities and development of a campus-specific Seismic Safety Policy), incorporated as part of the project, will reduce the

campus' contribution to this impact to a less-than-significant level. However, 1994 LRDP EIR Mitigation Measures 4.9-3 (b) and (c) (recommending that the City of Davis continue to monitor and respond to studies of regional seismic safety, update and enforce Building Code requirements and investigate and mitigate geologic soil hazards) is within the jurisdiction of the City of Davis, and can and should be adopted by this public entity. Because the campus cannot guarantee the implementation of this measure by the City of Davis, this cumulative impact is considered significant and unavoidable. This cumulative impact was adequately addressed in the Findings and Overriding Considerations adopted by The Regents in connection with its approval of the 1994 LRDP and certification of the 1994 LRDP EIR. The campus will reexamine potential cumulative geology and soils impacts and the availability of additional feasible mitigation measures during the LRDP update process. The Regents finds this remaining significant and unavoidable impact is acceptable because the benefits of the project outweigh this and the project's other unavoidable environmental impacts for the reasons set forth in Section II.I of these Findings.

#### **11. Potential Project and Cumulative Impact on Cultural Resources (Initial Study Items 12b and d)**

Excavation, grading, and other activities associated with the construction of the project, 1994 LRDP, and other regional development, would result in the loss of prehistoric and historic resources. The project itself may potentially impact cultural resources, and it may incrementally contribute to, but not exceed, the cumulative impact on cultural resources previously analyzed in the 1994 LRDP EIR. Implementation of 1994 LRDP EIR Mitigation Measures 4.10-1(a) to (d) (generally prescribing measures to protect cultural resources), incorporated into the project, will reduce the project-level impact and the campus' contribution to the cumulative-level impact. However, 1994 LRDP EIR Mitigation Measure 4.10-4(b) (recommending that the City of Davis, Yolo County and Solano County implement policies regarding protection of cultural resources) is within the responsibility and jurisdiction of the City of Davis and Yolo and Solano Counties, not the campus, and can and should be adopted by these public entities. In addition, even if cultural resources were adequately recorded, destruction and/or removal from their place of origin reduces the value of cultural resources. Therefore, potential project-level and cumulative-level impacts on cultural resources are considered significant and unavoidable and were adequately addressed in the Findings and Overriding Considerations adopted by The Regents in connection with its approval of the 1994 LRDP and certification of the 1994 LRDP EIR. The campus will reexamine potential cumulative cultural resources impacts and the availability of additional feasible mitigation measures during the LRDP update process. The Regents finds this remaining significant and unavoidable impact is acceptable because the benefits of the project outweigh this and the project's other unavoidable environmental impacts for the reasons set forth in Section II.I of these Findings.

#### **12. Cumulative Impact on Rural Character of Yolo and Solano Counties (Initial Study Items 13c and e)**

The project, in conjunction with growth allowed under the 1994 LRDP and other development in the region, will result in the loss of the rural character of the region. The project incrementally contributes to, but does not exceed, this cumulative impact previously

analyzed in the 1994 LRDP EIR. Implementation of 1994 LRDP EIR Mitigation Measure 4.11-1 (requiring compliance with campus guidelines to minimize discomfort from light, glare, and heat), would reduce the visual impact contributed by growth under the 1994 LRDP, but would not reduce the campus' contribution to the cumulative impact on loss of rural character. 1994 LRDP EIR Mitigation Measure 4.11-5(b) (recommending implementation of general plan policies regarding preservation and protection of agricultural land by the City of Davis and Yolo and Solano Counties) is within the responsibility and jurisdiction of the City of Davis and Yolo and Solano Counties, not the campus, and can and should be adopted by these public entities. Because The Regents cannot guarantee the implementation of this mitigation by other entities, the impact is considered significant and unavoidable. This impact was adequately addressed in the Findings and Overriding Considerations adopted by The Regents in connection with its approval of the 1994 LRDP and certification of the 1994 LRDP EIR. The campus will reexamine potential cumulative aesthetics impacts and the availability of additional feasible mitigation measures during the LRDP update process. The Regents finds this remaining significant and unavoidable impact is acceptable because the benefits of the project outweigh this and the project's other unavoidable environmental impacts for the reasons set forth in Section II.I of these Findings.

**13. Cumulative Impact on Fire Protection Services (Initial Study Item 14a[i])**

The project, in conjunction with growth allowed under the 1994 LRDP and cumulative growth in the region, could result in decreased level of service from City of Davis fire protection services. The project incrementally contributes to, but does not exceed, the demand for fire protection services previously identified in the 1994 LRDP EIR. Implementation of 1994 LRDP EIR Mitigation Measures 4.12-1 (requiring implementation of measures to maintain current level of fire protection services) and 4.12-2 (requiring verification of appropriate water pressure of the domestic/fire water system serving the project site), incorporated as part of the project, would reduce the campus' contribution to this cumulative impact. However, 1994 LRDP EIR Mitigation Measure 4.12-4(b) (recommending adherence to City of Davis ordinances and policies included in the General Plan to maintain appropriate level of fire protection services) is within the responsibility and jurisdiction of the City of Davis, and can and should be adopted by this public entity. Because the Regents cannot guarantee the implementation of this measure, this cumulative impact is considered significant and unavoidable. This impact was adequately addressed in the Findings and Overriding Considerations adopted by The Regents in connection with its approval of the 1994 LRDP and certification of the 1994 LRDP EIR. The campus will reexamine potential cumulative public service impacts and the availability of additional feasible mitigation measures during the LRDP update process. The Regents finds this remaining significant and unavoidable impact is acceptable because the benefits of the project outweigh this and the project's other unavoidable environmental impacts for the reasons set forth in Section II.I of these Findings.

**14. Cumulative Impact on Police Protection Services (Initial Study Item 14a[ii])**

The project, in conjunction with growth under the 1994 LRDP and development in the region, could result in decreased level of service from UC Davis and City of

Davis police protection services. The project incrementally contributes to, but does not exceed, the demand for police protection services previously identified in the 1994 LRDP EIR. Implementation of 1994 LRDP EIR Mitigation Measure 4.12-3 (requiring implementation of measures to maintain current level of campus police protection services), incorporated into the project, will reduce the campus' contribution to this impact. However, 1994 LRDP EIR Mitigation Measure 4.12-5(b) (recommending the City of Davis hire additional police officers and support staff or increase efficiency as needed to maintain an appropriate level of police protection services) is within the responsibility and jurisdiction of the City of Davis, and can and should be adopted by this public entity. Because the campus cannot guarantee the implementation of this measure, this cumulative impact is considered significant and unavoidable. This impact was adequately addressed in the Findings and Overriding Considerations adopted by The Regents in connection with its approval of the 1994 LRDP and certification of the 1994 LRDP EIR. The campus will reexamine potential cumulative public service impacts and the availability of additional feasible mitigation measures during the LRDP update process. The Regents finds this remaining significant and unavoidable impact is acceptable because the benefits of the project outweigh this and the project's other unavoidable environmental impacts for the reasons set forth in Section II.I of these Findings.

**15. Cumulative Impact on the Davis Joint Unified School District (Initial Study Item 14a[iii])**

The project, in conjunction with growth under the LRDP and other development in the region, would generate an increased number of school age students in the Davis Joint Unified School District (DJUSD). The project incrementally contributes to, but does not exceed, the demand for school services in the DJUSD previously identified in the 1994 LRDP EIR. Implementation of 1994 LRDP EIR Mitigation Measure 4.13-5 (recommending the City of Davis and the DJUSD plan and construct new school facilities as indicated in the General Plan) is within the responsibility and jurisdiction of the City of Davis and the DJUSD, and can and should be adopted by these public entities. Because The Regents cannot guarantee implementation of this measure, this cumulative impact is considered significant and unavoidable. This impact was adequately addressed in the Findings and Overriding Considerations adopted by The Regents in connection with its approval of the 1994 LRDP and certification of the 1994 LRDP EIR. The campus will reexamine potential cumulative public service impacts and the availability of additional feasible mitigation measures during the LRDP update process. The Regents finds this remaining significant and unavoidable impact is acceptable because the benefits of the project outweigh this and the project's other unavoidable environmental impacts for the reasons set forth in Section II.I of these Findings.

**D. Significant and Potentially Significant Impacts that would be Mitigated to "Not Significant" or "Less-than-Significant" Levels and Related Mitigation Measures**

The Final EIR identifies the following significant and potentially significant impacts associated with the project that would be reduced to "not significant" or "less-than-significant" levels by the implementation of 1994 LRDP EIR or project-specific mitigation measures. The associated mitigation measures are identified and briefly discussed below. For a

detailed description of these mitigation measures, please see the text in the Draft EIR and Initial Study.

**1. Project Impact Associated with Loss of Historical Resources (EIR Impact 4.1-1)**

Construction of the proposed Mathematical Sciences Building would result in relocation and renovation of the Hog Barn building. Relocation and renovation could potentially damage the historically significant structure. Implementation of 1994 LRDP EIR Mitigation Measures 4.10-2(a) and (b) (which require evaluation of potentially historic structures, encourage preservation of historic structures, and provide for adequate recordation of historic structures before any significant changes take place) and Project Mitigation 4.1-2 (ensuring that the Hog Barn relocation and renovation design retains historic integrity) would reduce this project impact to a less-than-significant level.

**2. Project and Cumulative Impact Associated with Adverse Change to a Valued Element of the Central Campus' Visual Landscape (EIR Impacts 4.2-1 and 4.2-2)**

The project would include relocation of the Hog Barn building, which is considered a valued element of the central campus landscape pursuant to the 1994 LRDP. Relocation of the building could result in a substantial adverse change in the significance of the structure and could contribute to a cumulative degradation of the campus' overall visual quality. Implementation of 1994 LRDP EIR Mitigation Measures 4.11-1(a) to (d) (providing guidelines and oversight mechanisms for new structure design) and Project Mitigation 4.2-1 (ensuring that the Hog Barn relocation and renovation design retains historic integrity), incorporated into the project, will reduce this impact to a less-than-significant level.

**3. Cumulative Impact of Increased Traffic on Campus (Initial Study Item 4a and b)**

Cumulative growth associated with development under the 1994 LRDP, including the project, would contribute increased traffic volumes on campus that could exceed level of service standards of campus intersections. Implementation of 1994 LRDP EIR Mitigation Measures 4.3-1(b) [a] and [f], as revised, which require future modifications to the California Avenue/realigned Old Davis Road and Health Sciences Drive/Hutchison Drive intersections, would reduce on-campus level of service impacts to less-than-significant levels. Other cumulative traffic impacts associated with the project in conjunction with 1994 LRDP and regional development are discussed in Part II.C, above.

**4. Cumulative Impact on Demand for Transit Services (Initial Study Item 4j)**

Growth in population associated with development allowed under the 1994 LRDP, including the project, would increase demand for transit services. Implementation of 1994 LRDP EIR Mitigation Measure 4.3-5 (specifying actions to be taken to support transit

use), incorporated into the project, will reduce this impact to a less-than-significant level by ensuring that adequate transit services are available to meet campus needs.

**5. Cumulative Impact on Parking Demand (Initial Study Item 4f)**

Growth in population associated with development allowed under the 1994 LRDP, including the proposed project, could increase parking demand. Compliance with 1994 LRDP EIR Mitigation Measure 4.6-3, incorporated into the project, will reduce this impact to a less-than-significant level by ensuring that the campus continue to actively pursue Transportation Demand Management strategies.

**6. Temporary Project Impact on Noise Levels Due to Earthmoving and General Construction Activities (Initial Study Items 5a, c, and d)**

Construction activities associated with the project would result in temporary short-term increases in noise levels that could adversely affect adjacent academic uses and sensitive receptors. Implementation of 1994 LRDP Mitigation Measures 4.4-1(a) through (f) (requiring implementation of noise reduction measures), incorporated into the project, will reduce this impact to a less-than-significant level.

**7. Project Impact on Permanent Noise Levels (Initial Study Items 5a, c, and d)**

The project would result in an increase in vehicle traffic that could expose existing and proposed academic and administrative uses to increased noise levels. Implementation of 1994 LRDP Mitigation Measures 4.4-3(a) and (b) (requiring evaluation of proposed projects for potential exposure to noise levels exceeding 60  $L_{dn}$  and implementation of strategies to achieve an interior noise level of 45  $L_{dn}$ ), incorporated into the project, will reduce this impact to a less-than-significant level.

**8. Temporary Project Impact Associated with Increased Emissions of  $PM_{10}$  Due to Construction Activities (Initial Study Item 6b, c, and d)**

Increased  $PM_{10}$  emissions associated with construction of the proposed project would contribute to the continued exceedance of air quality standards enforced by the YSAQMD. In addition, nearby sensitive receptors (including student housing) would be exposed to short-term elevated levels of  $PM_{10}$ . However, air quality impacts associated with construction would be temporary and short-term. Implementation of 1994 LRDP EIR Mitigation Measures 4.5-1(a) through (d) (requiring various measures to reduce fugitive dust impacts during construction), incorporated as part of the project, will reduce these impacts to less-than-significant levels.

**9. Project Impact Associated with Hazardous Chemical Use (Initial Study Item 7a and b)**

The proposed project would involve the use of hazardous chemicals and radioactive materials at UC Davis, potentially exposing campus occupants to potential health or

safety risks. Implementation of 1994 LRDP EIR Mitigation Measure 4.6-1 (requiring the campus to strengthen programs to improve compliance with applicable laws and regulations, to establish a self-audit mechanism and reporting system, and to conduct independent biennial health and safety audits), incorporated as part of the project, will reduce this potential impact to a less-than-significant level.

**10. Project Impact Associated with Hazardous Chemical Waste Generation (Initial Study Items 7a and b)**

The proposed project would generate small amounts of hazardous chemical wastes, potentially exposing campus occupants to potential health or safety risks. 1994 LRDP EIR Mitigation Measure 4.6-2 (requiring the campus complete and occupy the new Environmental Services Facility, create a Waste Minimization Coordinator position, and implement hazardous chemical and radioactive waste minimization plans) has been implemented by the campus to reduce this potential impact to a less-than-significant level.

**11. Project Impact Associated with Construction Activities and Potential Contamination (Initial Study Items 7a and b)**

Construction activities associated with the project could expose campus occupants and construction workers to potentially contaminated soil or groundwater or potentially contaminated building materials. Implementation of 1994 LRDP EIR Mitigation Measures 4.6-16 and 4.6-18, incorporated into the project, would ensure that construction sites are investigated for potential contamination, and that appropriate safety and remediation actions are taken if necessary. Implementation of these measures will reduce this potential impact to a less-than-significant level.

**12. Project and Cumulative Impact on Emergency Response (Initial Study Item 7g)**

The project itself and the project in conjunction with cumulative growth in the region could contribute to the demand for emergency response capabilities. Continued implementation of 1994 LRDP EIR Mitigation Measures 4.6-22(a) (requiring adequate training and equipment for the campus emergency response team), 4.6-22(b) (requiring preparation of emergency planning documents), 4.6-22(c) (requiring preparation of a Business Plan, Injury and Illness Prevention Plan, and Laboratory Chemical Hygiene Plan for all new buildings), 4.6-22(d) (requiring emergency planning and safety training for occupants of new buildings), and 4.6-22(e) (requiring measures related to the safe use of hazardous chemicals), are incorporated into the project. These mitigation measures are capable of reducing the potential project-level impact on emergency response capabilities to a less-than-significant level; however, the 1994 LRDP EIR considered the cumulative impact on emergency response significant and unavoidable because The Regents could not guarantee that the City of Davis and Yolo County would reach a Mutual Aid Agreement to provide first-response both in the campus and in the City and County. Since the 1994 LRDP EIR was published, the City of Davis and Yolo County have reached a Mutual Aid Agreement; therefore, this cumulative impact is now reduced to a less-than-significant level.

**13. Project Impact on Inadvertent Release of Hazardous Materials (Initial Study Item 7 a and b)**

The project would involve the use of hazardous materials that could be inadvertently released to the sewer or disposed of with non-hazardous solid waste. Continued implementation of 1994 LRDP EIR Mitigation Measures 4.6-24(a) and (b) would require the campus to comply with Waste Discharge Requirements and a Pretreatment Program and would ensure that the campus implement a waste exclusion program. Implementation of these measures will reduce this impact to a less-than-significant level.

**14. Project Impact to Swainson's Hawk Nesting Efforts (Initial Study Item 8a)**

Annual surveys conducted during the last seven years for nesting Swainson's hawks have identified six nest sites within 1/2 mile of the project site. Construction of the project could result in nest abandonment and nesting failure by Swainson's hawks located within this 1/2-mile radius. Implementation of 1994 LRDP EIR Mitigation Measures 4.7-6(a) and (b) (requiring a pre-construction breeding season survey within a 1/2 mile radius of the project site and, if necessary, change the project in consultation with CDFG to reduce disturbances), incorporated as part of the project, will ensure that this potential impact is reduced to a less-than-significant level.

**15. Project Impact on Loss of Annual/Ruderal Grassland Habitat (Initial Study Item 8a)**

Development of the project could potentially result in the loss of special-status plant species. 1994 LRDP EIR Mitigation Measure 4.7-1 (a) (requiring a special status plant survey) was implemented as part of the project. The survey identified that no special status plant species and no habitat for special plant species exist on the project site. Therefore, this potential impact is reduced to a less-than-significant level.

**16. Project Impact to Receiving Water Quality Due to Construction Activities (Initial Study Item 9a)**

Increased siltation and sedimentation generated during construction activities associated with the project could adversely affect receiving water quality. As part of a recent agreement with the Central Valley Regional Water Quality Control Board, the campus has filed for coverage under a NPDES state-wide General Permit for Discharge of Storm Water Associated with Construction Activity. As part of this permit, the project's contractor would prepare and implement a project-specific stormwater pollution prevention plan for construction activities. Implementation of this measure will reduce the impact to a less-than-significant level.

**17. Project Impact to Receiving Water Quality Due to Increased Storm Water Runoff (Initial Study Item 9a)**

Development of the project would increase the amount of runoff from the project site and could adversely affect receiving water quality. 1994 LRDP EIR Mitigation

Measures 4.8-5(a) (requiring the project design to include a combination of Best Management Practices to minimize the impact on receiving water quality) and 4.8-5(b) (specifying requirements for prohibiting discharge of storm water runoff from confined animal facilities into the storm drainage systems) are incorporated into the project. Implementation of these measures will reduce this impact to a less-than-significant level.

**18. Project Impact to Receiving Water Quality Due to Increased Discharge of Treated Effluent (Initial Study Item 9a)**

Development of the project would increase flows to the campus Wastewater Treatment Plant, generating increased discharge of treated effluent into the South Fork of Putah Creek, which could adversely affect receiving water quality. Implementation of 1994 LRDP EIR Mitigation Measure 4.8-6(a) to (c) (requiring monitoring of effluent discharge and compliance with Waste Discharge Requirements), incorporated into the project, will reduce this impact to a less-than-significant level.

**19. Project Impact on Potential Seismic Effects of Earthquakes (Initial Study Item 10a [ii and iii])**

The project would increase the number of people living and working in the Davis area who would be exposed to strong ground motion and other potential seismic effects from earthquakes on local or regional faults. 1994 LRDP EIR Mitigation Measures 4.9-1(a) to (c) (requiring compliance of final building design with applicable building codes and seismic safety provisions, inclusion of seismic safety policies in the department Injury and Illness Prevention Plan, continuation of seismic rehabilitation activities for identified campus facilities, and development of a campus-specific Seismic Safety Policy) are incorporated into the project. Implementation of these measures will reduce this impact to a less-than-significant level.

**20. Project Impact Associated with Expansive Soils (Initial Study Item 10d)**

Soils underlying the project site exhibit moderate shrink-swell (expansion) potential. A moderate shrink-swell potential can cause damage to buildings and structures. Implementation of 1994 LRDP Mitigation Measure 4.9-1(a) would require review of project design to ensure compliance with California Uniform Building Code requirements. Compliance will mitigate potential adverse effects associated with expansive soils or other site geotechnical characteristics to the extent feasible, thereby reducing this impact to a less-than-significant level.

**22. Project Impact on Glare, Artificial Light, Heat and Shade (Initial Study Item 13d)**

The project could create glare, artificial light, heat and shade, making the immediate area uncomfortable for people. Implementation of 1994 LRDP EIR Mitigation Measure 4.11-4(b) (requiring compliance with campus guidelines to minimize discomfort from light, glare and heat), incorporated into the project, will reduce this impact to a less-than-significant level.

**23. Project Impact on Fire Protection Services (Initial Study Item 14a[i])**

The project could result in decreased level of service from UC Davis fire protection services. Continued implementation of 1994 LRDP EIR Mitigation Measures 4.12-1 (requiring implementation of measures to maintain current level of fire protection services) and 4.12-2 (determining that adequate water pressure exists before constructing new buildings), incorporated into the project, will reduce this impact to a less-than-significant level.

**24. Project Impact on Police Protection Services (Initial Study Item 14a[ii])**

The project could result in decreased level of service from the UC Davis Police Department. Continued implementation of 1994 LRDP EIR Mitigation Measure 4.12-3 (requiring measures to maintain current level of police protection services), incorporated into the project, will reduce this impact to a less-than-significant level.

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

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

**1. Project and Cumulative Impact on Water Supply from the Shallow/Intermediate Aquifer (Initial Study Item 9b)**

The project itself, and the project in conjunction with cumulative regional growth, would increase the demand for utility water from the shallow/intermediate aquifer. Increased demand on this aquifer is considered a less-than-significant impact because the aquifer does not indicate a declining trend based on monitoring data. Although not required, 1994 LRDP EIR Mitigation Measures 4.14-3(a) (utility water conservation measures) and 4.14-3(b) (continued monitoring of groundwater elevations) are incorporated as part of the project to further reduce this impact.

**F. 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 Regents hereby adopts the Mitigation Monitoring Program for the Mathematical Sciences Building EIR, set forth in Chapter 5 of the Final EIR. To the extent that this project incorporates relevant 1994 LRDP EIR mitigation measures previously adopted by The Regents, implementation of these mitigation measures would be monitored pursuant to the 1994 LRDP EIR monitoring program (as revised), previously adopted by The Regents in connection with its approval of the 1994 LRDP and

certification of the 1994 LRDP EIR. The 1994 LRDP EIR, as revised, identified mitigation measures that would further reduce environmental impacts determined to be less-than-significant. While there is no requirement in CEQA to mitigate insignificant environmental impacts, mitigation measures further reducing less-than-significant impacts are included in the approval of the project to further enhance environmental quality. The 1994 LRDP EIR and Mathematical Sciences Building EIR Mitigation Monitoring Programs are designed to reduce or eliminate cumulative significant and unavoidable, significant, and potentially significant impacts, as well as impacts determined to be less-than-significant.

## **G. Alternatives**

Three alternatives to the Mathematical Sciences Building project were evaluated in Chapter 6 of the Draft EIR, including: No Project-No Development Alternative, Reduced-Size Project Alternative, and Alternate Site Alternative. The potential environmental impacts, ability to meet project objectives, and feasibility of each alternative are discussed below. CEQA requires that an EIR identify an environmentally superior alternative other than the No Project Alternative. The Reduced-Size Project Alternative was selected as the environmentally superior alternative because it avoids the new impacts associated with the Alternate Site Alternative.

The following project objectives are described in full in Chapter 3, Project Description, of the Draft EIR. These objectives were considered when alternatives were identified that could feasibly attain these objectives.

- Provide sufficient space to meet existing needs and anticipated near-term expansion for the Departments of Mathematics and Statistics and the new Computational Science and Engineering program.
- Establish the building in proximity to related programs, including engineering, physics, chemistry, geology, and biology.
- Establish open space areas near the building to provide outdoor gathering places and enhance building entries, and establish a landscaped pedestrian walkway adjacent to the building to increase accessibility to parking areas to the west and the Arboretum to the east.
- Release space in Kerr Hall to provide expansion space for other programs in the College of Letters and Science.

Each of the alternatives identified in the Final EIR has been evaluated herein in relation to these project objectives, as described below.

### **1. No Project – No Development Alternative**

Under the No Project - No Development Alternative, the proposed Mathematical Sciences Building would not be constructed and the Hog Barn building would remain unused and in its current condition and location. The Hog Barn building is currently

vacant and access to the building is restricted. Because the building is not used, maintenance and upgrades are limited. As a result, the exterior and interior of the building are deteriorating.

Unlike the proposed project, this alternative would not result in relocation of the Hog Barn building. However, cultural resources and aesthetics impacts associated with relocation would be reduced to less-than-significant levels under the proposed project, and unlike the proposed project, this alternative would not restore the Hog Barn building. As discussed above, the exterior and interior of the Hog Barn building are deteriorating because the building is not currently used. Therefore, if the Hog Barn were to remain vacant and in its current condition, preservation of this historical and visual resource would be questionable. Because the No Project - No Development Alternative would not involve construction or population growth on campus, none of the other impacts associated with the proposed project would occur.

The No Project - No Development Alternative would not achieve any of the objectives of the proposed project. In particular, this objective would not help meet the existing needs and anticipated near-term expansion for the Departments of Mathematics and Statistics and the new Computational Science and Engineering program.

## **2. Reduced Size Project Alternative**

Under the Reduced-Size Project Alternative, the Mathematical Sciences Building would be constructed with a smaller footprint adjacent and west of the Hog Barn building, south of Engineering Unit 3, and north of Academic Surge. With the clearances required from adjacent buildings and roads, the Mathematical Sciences Building would need to be constructed on an approximately 9,000 square foot footprint. The program space under the proposed project (approximately 65,000 gross square feet) could be accommodated within this footprint in a seven-story or taller building (as opposed to the currently proposed four-story building). Due to the high costs associated with constructing a seven-story or taller building, this alternative could involve constructing a four-story reduced-size Mathematical Sciences Building that would accommodate approximately half of the program space included under the proposed project.

Under this alternative, the Hog Barn building would remain at its current location and would be renovated for reuse. Renovation of the Hog Barn building would comply with the Secretary of the Interior's *Standards for the Treatment of Historic Properties with Guidelines for preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings*, and therefore would preserve the historical significance of the building. This alternative would avoid relocation of the Hog Barn building, although cultural resources and aesthetics impacts associated with relocation would be reduced to less-than-significant levels under the proposed project. Relocation of the Hog Barn to the central campus site located southwest of the Silo complex would extend the historical visual character of the Silo area, a benefit not associated with the Reduced-Size Project Alternative. This alternative would result in an effect on cultural resources and aesthetics that would be comparable to the project.

Because the Reduced-Size Project Alternative would result in construction and population growth comparable to the proposed project, this alternative would result in the other impacts that are associated with the proposed project. All cumulative significant and

unavoidable impacts associated with the proposed project, which were previously analyzed in the 1994 LRDP EIR, would occur under this alternative.

With the clearances required from adjacent buildings and roads under the Reduced-Size Project Alternative, the Mathematical Sciences Building would need to be constructed on an approximately 9,000 square foot footprint. The program space under the proposed project (approximately 65,000 gross square feet) could be accommodated within this footprint in a seven-story or taller building (as opposed to the currently proposed four-story building). A seven-story building would significantly increase project costs, making the project financially infeasible given current project funds. If the Mathematical Sciences Building were not financially feasible and could not be constructed, this alternative would not achieve any of the objectives of the proposed project.

Due to the high costs associated with constructing a seven-story or taller building, this alternative could involve construction of a four-story reduced-size Mathematical Sciences Building that would accommodate approximately half of the program space included in the proposed project. An alternative with reduced program space could only partially meet some, and would not meet all, project objectives. This alternative would allow the reduced Mathematical Sciences Building to be constructed in proximity to related programs, but the building could not fully accommodate the existing needs, let alone the near-term expansion of the Departments of Mathematics and Statistics and the new Computational Science and Engineering program. Likewise, this alternative could release some space in Kerr Hall to provide expansion space for other programs, but this alternative would not release as much space as the proposed project. Although some landscaping could be included with this alternative, less open space would be available within the reduced project area to establish outdoor gathering places and enhance building entries.

### **3. Alternate Site Alternative**

Under the Alternate Site Alternative, the proposed Mathematical Sciences Building would be constructed on an alternate site on the core campus as an addition to the Physics and Geology Building, which is located south of Roessler Hall, west of Mrak Hall and Parking Lot 3, north of the campus Operations and Maintenance buildings, and east of the Crocker Nuclear Laboratory. This alternative would be constructed as a five-story wing attached to the east side of the Physics and Geology Building. The Physics and Geology site was considered during initial planning of the proposed project, but it was eliminated from consideration due to associated high costs and impacts to several large trees. The costs associated with this alternative would be high due to significant reroutes of existing utilities located under the addition's footprint and significant upgrades that would be necessary to bring the Physics and Geology Building up to code to accommodate the additional wing. Under this alternative, the Hog Barn building would remain at its current location and would be renovated for reuse.

Under this alternative, the Hog Barn building would remain at its current location and would be renovated for reuse. Renovation of the Hog Barn building would comply with the Secretary of the Interior's *Standards for the Treatment of Historic Properties with Guidelines for preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings*, and

therefore would preserve the historical significance of the building. This alternative would avoid relocation of the Hog Barn building, although the cultural resources and aesthetics impacts associated with relocation of the building would be reduced to a less-than-significant level under the proposed project. Relocation of the Hog Barn to the central campus site located southwest of the Silo complex would extend the historical visual character of this area of campus, a benefit not associated with the Alternate Site Alternative. This alternative would result in an effect on cultural resources and aesthetics that would be comparable to the project.

Because the Alternate Site Alternative would result in construction and population growth comparable to the proposed project, this alternative would result in the other impacts that are associated with the proposed project. In addition, this alternative would result in impacts on existing utilities and large trees that would not occur under the proposed project.

Under the Alternate Site Alternative, some of the project objectives could be met. This alternative could provide sufficient space to meet the existing and anticipated near-term expansion needs for the Departments of Mathematics and Statistics and the new Computational Science and Engineering program, and it could release space in Kerr Hall to provide expansion space for other programs. In addition, the alternative could establish the space in proximity to related programs. While this alternative could establish open space to provide outdoor gathering places and enhance building entries, it would not establish the landscaped pedestrian walkway included under the proposed project.

No project objectives would be met, however, if this alternative was not financially feasible. The Alternate Site Alternative would require significant upgrades to the Physics and Geology Building and significant utility reroutes. The costs associated with this work would make the alternative less financially feasible. In addition, under this alternative, the Hog Barn would be reused on its current site, which would result in an inefficient use of campus space. Renovation and reuse of the building on its current site would be inconsistent with this area of campus, which primarily includes and is planned for large science-related academic buildings. In addition, the Hog Barn building occupies only a small portion of the site. If the Hog Barn were reused on its current site, limited space would remain (given clearances required from adjacent buildings and roads) to construct an academic-related building on the site, and costs associated with constructing a tall academic building in the remaining footprint could preclude such development.

## **H. Additional Findings**

1. As evaluated in the Cumulative Impact Analysis included as Appendix C to the Draft EIR, recent campus enrollment growth projections show that the three-quarter average on-campus student population may increase to 27,530 (1,530 more than were projected in the 1994 LRDP) and the faculty and staff population may increase to approximately 11,700 (930 less than projected in the 1994 LRDP) through 2005-06. Although this future total campus population could exceed 1994 LRDP projections by approximately 600 people, the composition of this growth would include more students than faculty and staff, and faculty and staff tends to generate more environmental impacts than do students. In addition, the campus is not expected to exceed physical development anticipated under the 1994 LRDP. Therefore, The Regents finds

that the cumulative impacts of campus growth through 2005-06 have been adequately addressed in the 1994 LRDP EIR, as revised.

## **I. Statement of Overriding Considerations**

The Regents has balanced the benefits of the project against its unavoidable environmental risks in determining that the specific economic, legal, social, technological, and other benefits of the project outweigh the unavoidable significant adverse environmental effects. Section 15093(b) of the State CEQA Guidelines provides that when the decision of the public agency results in the occurrence of significant impacts that are identified in the Final EIR but are not substantially mitigated, the agency must state in writing the reasons to support its actions based on the Final EIR and/or other information in the record. Despite the occurrence of significant and unavoidable adverse environmental effects in the areas of traffic, hazardous materials, hydrology and water quality, noise, air quality, geology, cultural resources, aesthetics, and public services, the reasons for the approval of the project are as follows:

**1.** The project implements a portion of the 1994 LRDP and would provide modern teaching and research facilities to help meet the campus goals of: (1) providing sufficient and suitable space for existing and evolving campus programs, and (2) consolidating related academic programs geographically to facilitate academic interaction. For this reason, the Findings and Statement of Overriding Considerations adopted by The Regents in connection with its approval of the 1994 LRDP is equally relevant to, and is adopted as a part of, this project. All project-level and cumulative significant and unavoidable impacts were previously addressed in the Findings and Overriding Considerations adopted by The Regents in connection with its approval of the 1994 LRDP and certification of the 1994 LRDP EIR. These Findings and Overriding Considerations have been re-evaluated and are found to be current and valid Findings and Overriding Considerations today.

**2.** The project would help address existing and near-term growth needs for the Departments of Mathematics and Statistics. The Departments of Mathematics and Statistics currently occupy only approximately 80 percent of the space recommended for similar programs by the California Postsecondary Education Commission. In addition, the campus anticipates that the demand for education in mathematics and statistics will increase due to increasing student enrollment and an expected rise in the need for mathematical and statistical proficiency for college graduates seeking employment in a variety of fields.

**3.** The project would provide space to accommodate the new Computational Science and Engineering Initiative, a program recently developed by campus faculty to meet the demands of enrollment growth and to enhance and enrich existing academic programs. Computational Science and Engineering is already crucial for many disciplines and is anticipated to play a major role in the future of scientific discovery and engineering design in areas such as physics, chemistry, mathematics, statistics, geology, engineering, neuroscience, and biology.

**4.** The Mathematical Sciences Building would establish the Departments of Mathematics and Statistics and the Computational Science and Engineering Initiative in physical proximity to related programs, including engineering, physics, chemistry, geology, and biology. This physical proximity would help foster academic interactions and collaborations.

5. The project would release space currently occupied by the Departments of Mathematics and Statistics in Kerr Hall, providing much needed space for other programs in the College of Letters and Science, and thereby allowing these programs to better address the academic needs of the growing student population.

**J. Incorporation by Reference**

These Findings incorporate by reference in their entirety the text of the Final EIR prepared for the project (including the project's Tiered Initial Study, Draft EIR, and Final EIR); the 1994 LRDP; the 1994 LRDP EIR; the WWTP Replacement Project EIR; the 1997-98 Major Capital Improvement Projects SEIR; the Center for the Arts Performance Hall and South Entry Roadway and Parking Improvements Tiered Initial Study and Mitigated Negative Declaration; the USDA Western Human Nutrition Research Center Tiered Initial Study and Mitigated Negative Declaration; the Veterinary Medicine Laboratory and Equine Athletic Performance Laboratory Facilities Focused Tiered EIR; the Segundo Housing Improvements Projects Tiered Initial Study and Mitigated Negative Declaration; the Conference Center, Hotel, and Graduate School of Management Building Focused Tiered EIR; and the Findings and Overriding Considerations adopted by The Regents in connection with the 1994 LRDP EIR; the WWTP Replacement Project EIR; the 1997-98 Major Capital Improvement Projects; the Veterinary Medicine Laboratory and Equine Athletic Performance Laboratory Facilities Focused Tiered EIR; and the Conference Center, Hotel, and Graduate School of Management Building Focused Tiered EIR. Without limitation, this incorporation is intended to elaborate on the scope and nature of mitigation measures, project and cumulative impacts, the basis for determining the significance of impacts, the comparative analysis of alternatives, and the reasons for approving the project.

**K. Record of Proceedings**

Various documents and other materials constitute the record of proceedings upon which The Regents 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 1994 LRDP approval is also located in the Office Resource Management and Planning. The custodian for these two records of proceedings is the Office of Resource Management and Planning.

**L. Summary**

1. Based on the foregoing Findings and the information contained in the record, The Regents has made one or more of the following Findings with respect to each of the significant effects of the project:

- a. Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant effects on the environment.

- b. Changes or alterations required to mitigate significant cumulative effects are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other public 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 determined that:

- a. All significant effects on the environment due to the approval of the project have been eliminated or substantially lessened where feasible.
- b. Any remaining significant effects on the environment found to be unavoidable are acceptable due to the factors described and adopted in the Findings and Statement of Overriding Considerations in Section II.I, above.

### **III. APPROVALS**

The Regents hereby takes the following actions:

- A.** Adopts, incorporates into the project, and makes a condition of project approval, all project elements, project mitigation measures, and relevant 1994 LRDP EIR mitigation measures identified in the Final EIR, as discussed in the Findings, Section II, above.
- B.** The Regents hereby certifies the Final EIR for the Mathematical Sciences Building, as set forth in Section I, above.
- C.** The Regents hereby adopts the Mitigation Monitoring Program and Findings in their entirety as summarized in Section II, above.
- D.** The Regents hereby adopts the Findings in their entirety, as set forth in Section II above, including the Statement of Overriding Considerations.
- E.** Having reviewed certification of the EIR, independently reviewed and analyzed the Final EIR, conditioned the project as described above, and adopted the Findings, The Regents hereby approves the design of the Mathematical Sciences Building, Davis campus.