CERTIFICATION OF THE FINAL EIR, FINDINGS, AND APPROVAL OF DESIGN FOR THE CALIFORNIA REGIONAL PRIMATE RESEARCH CENTER IMPROVEMENT PROJECTS, UC DAVIS CAMPUS

I. CERTIFICATION OF THE FINAL EIR

In accordance with Title 14, California Code of Regulations, Section 15090, the Facilities and Enterprise Policy Committee ("FEPC") of the University of California, Davis pursuant to authority delegated from the Board of Regents of the University of California, hereby certifies that the Final Focused Tiered Environmental Impact Report ("Final EIR") for the California Regional Primate Research Center Improvement Projects for the University of California, Davis campus ("UC Davis" or "campus" or "University") has been completed in compliance with the California Environmental Quality Act, Public Resources Code section 21000 et seq. ("CEQA"). The FEPC further certifies that it has reviewed and considered the information contained in the Final EIR prior to approving the design for the California Regional Primate Research Center (CRPRC) Improvement Projects, as set forth below in Section III. As part of this certification, the FEPC hereby finds that the Final EIR reflects the independent judgment of the University. The Final EIR evaluated impacts of five improvement projects (the Projects) at the CRPRC. The Projects include: (1) the construction of stormwater drainage improvements including a stormwater detention basin to eliminate flooding at and adjacent to the CRPRC; (2) seven new outdoor field corrals and a stormwater retention basin to retain the stormwater runoff from the field corrals; (3) 24 new animal pens or "corncribs" for social housing of primates; (4) an approximately 2,700-assignable-square-foot (asf) building and a 1,600 asf trailer to provide office space for the Brain, Mind & Behavior Research Program; and (5) an approximately 2,700 asf modular rodent holding facility for the Center for Comparative Medicine.

II. FINDINGS

The following Findings are hereby adopted by the UC Davis FEPC as required by Public Resources Code Sections 21081, 21081.5 and 21081.6, and Title 14, California Code of Regulations, Sections 15091 through 15093, in conjunction with the approval of the Projects that are set forth in Section III below.

A. ENVIRONMENTAL REVIEW PROCESS

The Projects analyzed in the Final EIR are fully described in Section Two of the Draft EIR. The Projects include: (1) the construction of stormwater drainage improvements including a stormwater detention basin to eliminate flooding at and adjacent to the CRPRC; (2) seven new outdoor field corrals and a stormwater retention basin to retain the stormwater runoff from the field corrals; (3) 24 new animal pens or "corncribs" for social housing of primates; (4) an approximately 2,700-assignable-square-foot (asf) building and a 1,600 asf trailer to provide office space for the Brain, Mind & Behavior (BM&B) Research Program; and (5) an approximately 2,700 asf modular rodent holding facility for the Center for Comparative Medicine (CCM).

A Tiered Initial Study and Focused Environmental Impact Report was prepared for the Projects in accordance with CEQA and the University of California Procedures for Implementation of CEQA. The environmental analyses in these documents are tiered from the UC Davis 1994 Long Range Development Plan (LRDP) EIR in accordance with Section 15152 and 15168(c) of the CEQA Guidelines. In compliance with CEQA and the State Guidelines and University of California Procedures for Implementation of CEQA, the 1994 LRDP was approved and the accompanying LRDP EIR, State Clearinghouse No. 94022005 ("LRDP EIR"), was certified by The University of California Board of Regents (The Regents) on September 23, 1994. The environmental analysis in the 1994 LRDP EIR (State Clearinghouse #94022005) was amended by the Wastewater Treatment Plant (WWTP) Replacement Projects EIR (State Clearinghouse #95123027 and #96072024) in 1997, by the 1997-98 Major Capital Improvement Projects SEIR (State Clearinghouse #97122016) in 1998, by the Center for the Arts Performance Hall and South Entry Roadway and Parking Improvements Tiered Initial Study and Mitigated Negative Declaration (State Clearinghouse #98092016) in 1998, and by the USDA Western Human Nutrition Research Center Tiered Initial Study and Mitigated Negative Declaration (State Clearinghouse #99092060) in 1999. For purposes of these Findings, the term "1994 LRDP" shall refer to the 1994 LRDP as amended and the term "LRDP EIR" similarly refers to the 1994 LRDP EIR as revised.

The Projects are part of the physical development proposed in the 1994 LRDP; therefore, the environmental analysis for the Projects is presented and analyzed within the context of the 1994 LRDP and incorporates by reference applicable portions of the LRDP EIR. The LRDP EIR, which is 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 impacts of the Projects and the cumulative impacts associated with that growth.

The tiering of the environmental analysis for the Projects allowed the Initial Study and EIR to rely on the 1994 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 1994 LRDP EIR for which there is no significant new information or changes in circumstances that would require further analysis; and (4) cumulative impacts. The purpose of the Tiered Initial Study was to evaluate the potential environmental impacts of the Projects with respect to the existing 1994 LRDP EIR analysis to determine what level of additional environmental review, if any, is appropriate.

Based on the analysis performed in the Tiered Initial Study, it was determined that the proposed Projects would not result in any potentially significant impacts that are not sufficiently addressed and mitigated by the 1994 LRDP EIR, as amended. Therefore, the Tiered Initial Study was an adequate environmental review of the Projects, and a Negative Declaration could have been prepared. However, the proposed Projects are potentially controversial due to the use of animals. Furthermore, comments were received from the public regarding potential construction noise, dust, traffic impacts, and the potential for avian botulism in the stormwater detention basin. Therefore, a Focused Tiered EIR was prepared for the Projects. The Focused Tiered EIR evaluates the potential

impacts of the Projects in three resource areas: hazards and hazardous materials, land use compatibility, and energy resources.

The campus published a Notice of Preparation ("NOP") and Initial Study indicating that a Focused Tiered EIR would be prepared for the Projects, in April 2000. An electronic memorandum announcing the availability of the Initial Study and the review period was sent to UC Davis Deans, Directors, and Department Heads. A letter with the background information about the Projects and availability of the Initial Study was sent to a list of interested off-campus neighbors. The public and agency review of the NOP and Initial Study extended from April 20, 2000 through June 5, 2000. Responses to comments on the NOP and Initial Study are included in Appendix C of the Draft EIR.

The Notice of Completion and Draft EIR for the Projects were published on August 31, 2001 (SCH #2000042075). The official public notice announcing: (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 EIR; and (3) how to obtain copies of the EIR, appeared in The Davis Enterprise, the local paper of public record, on August 31, 2001. An electronic memorandum announcing this information was sent to UC Davis Deans, Directors, and Department Heads on August 31, 2001. A letter with the public notice and information about the Projects was sent to a list of interested off-campus neighbors on August 31, 2001. The public and agency review period extended from August 31, 2001 through October 15, 2001. During that time, the Draft EIR was reviewed by various governmental agencies, as well as interested individuals and organizations. Seven letters were received during the public review period and were considered by UC Davis. 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 in September 26, 2001. No comments were received at the public hearing.

The Final EIR, which includes, among other components, the Tiered Initial Study published in April 2000, Draft EIR published in August 2001, public comments received during the public review period for the Draft EIR, and campus responses was published in December 2001. The information provided in the Final EIR served to restate environmental impacts and mitigation measures evaluated in the Draft EIR, and did not include any significant new information regarding those impacts or mitigation measures; the campus therefore properly decided not to recirculate that document for additional public review. The analysis and conclusions contained in the Final EIR reflect the independent judgment of the University.

B. SIGNIFICANT UNAVOIDABLE ADVERSE IMPACTS AND DISPOSITION OF RELATED MITIGATION MEASURES

The Final EIR identified the following significant and unavoidable adverse impacts associated with the approval of the Projects and identified related mitigation measures. It is hereby

determined that these significant and unavoidable adverse impacts are acceptable for the reasons specified in Section II.G below.

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 Projects when added to other closely related past, present, and reasonable foreseeable probable future projects." (Cal. Code Regs., Title 14, Section 15355(b)). The focus of the Final EIR analysis was on impacts of cumulative development that might compound or interrelate with those of the Projects. In accordance with the CEQA Guidelines, the Final EIR used a "plan" approach as a framework for the cumulative impact analysis which 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." (Cal. Code Regs., Title 14, Section 15130(b)). The Projects implement a portion of the 1994 LRDP, the planning document which guides growth at UC Davis. The 1994 LRDP EIR evaluated the current conditions and likely effects of UC Davis LRDP growth within the campus and the area surrounding the campus. The scope of projects considered for cumulative assessment in the LRDP EIR varied depending upon the nature of the issue being studied. For purposes of analysis of specific issue areas within the LRDP EIR, cumulative effects were classified by natural resource boundaries (i.e., biological resources, hydrology, geology, air quality); and those defined by population growth within the City of Davis, and Yolo and Solano Counties (i.e., public and community services, transportation, hazardous materials, noise, visual and cultural resources.)

Therefore, the cumulative impacts analysis in the Final EIR relies primarily on the LRDP EIR, which included analysis of projected campus development through the academic year 2005-06 and related cumulative development in the campus vicinity. All significant and unavoidable impacts that were analyzed in the LRDP EIR, including the impacts discussed below in this Part II.B, 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. There are no changed circumstances, no new information, and no new mitigation measures identified since the preparation of these documents that require reanalysis of cumulative impacts. Section G, below, sets forth the project specific benefits that accrue from the Projects.

The mitigation measures identified below are presented in summary form. For a detailed description of these mitigation measures, please see the appropriate text in the Draft EIR.

1. Cumulative Impact from Increased Use of Biohazardous Materials and Research Animals (EIR Impact 3.1-13)

Cumulative development in the region, in conjunction with the Projects, would increase the number of people exposed to health hazards associated with increased use of biohazardous materials and research animals. The Projects incrementally contribute to, but do not exceed, cumulative impacts related to biohazardous materials use previously analyzed in the LRDP EIR. LRDP EIR

mitigation measures 4.6-9 (requiring the campus to implement Injury and Illness prevention plans and waste minimization plans) and LRDP mitigation measure 4.6-10 (requiring the campus to implement Injury and Illness prevention plans specifically focusing on minimizing the risk of animal bites and disease transmission) have already been implemented by the campus and reduce the Projects's contribution to this impact to a less-than-significant level. However, the campus cannot guarantee the safe management of additional biohazardous materials used at off-campus location outside the control of the campus because this authority falls within other jurisdictions to monitor and enforce, and can and should be monitored and enforced by those public entities. For this reason, the University conservatively considers this cumulative impact to be 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 LRDP EIR.

2. Cumulative Impact from Increased Use of Radioactive Materials (EIR Impact 3.1-15)

Cumulative development in the region, in conjunction with the Projects, would increase the number of people exposed to health hazards associated with increased use of radioactive materials. The Projects incrementally contribute to, but do not exceed, cumulative impacts related to radioactive materials use previously analyzed in the LRDP EIR. LRDP EIR mitigation measures 4.6-5(a) and (b) (requiring the campus to strengthen its health physics program commensurate with changes in the hazards associated with the campus radioactive materials use and to implement mitigation measures 4.6-1) have already been implemented by the campus and reduce the Projects's contribution to this impact to a less-than-significant level. However, the campus cannot guarantee the safe management of additional radioactive materials used at off-campus location outside the control of the campus because this authority falls within other jurisdictions to monitor and enforce, and can and should be monitored and enforced by those public entities. For this reason, the University conservatively considers this cumulative impact to be 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 LRDP EIR.

3. Cumulative Impact from Increased Generation of Radioactive Waste (EIR Impact 3.1-16)

Cumulative development in the region that generates radioactive waste, in conjunction with the Projects, could place an additional load on radioactive waste management facilities. The Projects incrementally contribute to, but do not exceed, cumulative impacts on hazardous waste management facilities previously analyzed in the LRDP EIR. LRDP EIR mitigation measures 4.6-6(a) and (d) (requiring the campus to replace its environmental services facility, and implement a campus-wide radioactive waste minimization program) have already been implemented by the campus and reduce the Projects's contribution to this impact to a less-than-significant level. However, the actions of the campus alone cannot mitigate this impact, and other government entities would need to also take steps to mitigate this impact. The feasibility and implementation of such steps cannot be guaranteed by

the University because they fall within the jurisdictions of other public entities to monitor and enforce, and can and should be implemented by those public entities. For this reason, the University conservatively considers this cumulative impact to be 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 LRDP EIR.

4. Cumulative Impact Associated With Hazardous Chemical Use (EIR Impact 3.1-17)

Cumulative development in the region, in conjunction with the Projects, would increase the number of people exposed to health hazards associated with increased use of hazardous chemicals. The Projects incrementally contribute to, but do not exceed, cumulative impacts related to hazardous chemical use previously analyzed in the LRDP EIR. LRDP EIR mitigation measures 4.6-1(a) through (c) (requiring the campus to strengthen programs to improve compliance with applicable laws and regulation, to establish a self-audit mechanism and reporting system, and to conduct independent biennial health and safety audits prior to occupying the first approved Projects following adoption of the 1994 LRDP) have already been implemented by the campus and reduce the Projects's contribution to this impact to a less-than-significant level. However, the campus cannot guarantee the safe management of additional hazardous chemicals used at off-campus location outside the control of the campus because this authority falls within other jurisdictions to monitor and enforce, and can and should be monitored and enforced by those public entities. For this reason, the University conservatively considers this cumulative impact to be 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 LRDP EIR.

5. Cumulative Impacts Related to the Increased Need for Hazardous Waste Management Facilities (EIR Impact 3.1-18)

Cumulative development in the region that generates hazardous chemical waste, in conjunction with the Projects, could place an additional load on hazardous waste management facilities. The Projects incrementally contribute to, but do not exceed, cumulative impacts on hazardous waste management facilities previously analyzed in the LRDP EIR. LRDP EIR mitigation measures 4.6-1(a) through (c) (requiring implementation of a hazardous waste minimization plan and completion of the then-proposed Environmental Services Facility prior to occupying the first approved Projects following adoption of the 1994 LRDP) have already been implemented by the campus and reduce the Projects's contribution to this impact to a less-than-significant level. However, the actions of the campus alone cannot mitigate this impact, and other government entities would need to also take steps to mitigate this impact. The feasibility and implementation of such steps cannot be guaranteed by the University because they fall within the jurisdictions of other public entities to monitor and enforce, and can and should be implemented by those public entities. For this reason, the University conservatively considers this cumulative impact to be 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 LRDP EIR.

6. Cumulative Impact Associated with Increased Emissions of Criteria Air Pollutants in the Region (LRDP EIR Impacts 4.5-3 and 4.5-6)

Development of the Projects, in conjunction with 1994 LRDP development and cumulative development in the region, would cause significant increases in criteria pollutant emissions. These emissions would contribute to the continued exceedence of air quality standards enforced by the Yolo-Solano Air Quality Management District ("air district"). The Projects's impact incrementally contributes to, but does not exceed, the cumulative criteria air pollutant emissions previously identified in the LRDP EIR. LRDP EIR mitigation measures 4.5-3(a) (requiring various Transportation Demand Management (TDM) measures to reduce use of automobiles, increased use of public transportation and acquisition of stationary source permits), 4.5-3(b) (requiring the campus to obtain permits for all stationary and area sources as required by the air district) and 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), previously adopted by The Regents in connection with its approval of the 1994 LRDP, are hereby readopted and incorporated into the Projects, and will substantially lessen this significant cumulative effect to the extent feasible, but not to a less-than-significant level due to the non-attainment status of the area with respect to certain pollutants. This cumulative impact is therefore considered significant and unavoidable and 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 LRDP EIR.

7. Cumulative Impact Associated With Increased Emissions of Toxic Air Contaminants (LRDP EIR Impact 4.5-8)

Implementation of the Projects, in conjunction with 1994 LRDP development and cumulative development in the region, may generate unacceptable cumulative toxic air contaminant health risks. The Projects incrementally contribute to, but do not exceed, the cumulative toxic air contaminant health risk previously identified in the LRDP EIR. There is currently no adequate acceptable methodology to assess toxic air contaminants from mobile sources or to cumulatively assess mobile and stationary sources of air toxins. It would therefore be speculative to assign a precise level of significance to the cumulative health risk from toxic air contaminants. CEQA provides that when an impact is too speculative to evaluate, it is appropriate to note that conclusion and terminate discussion of the impact. Because there is currently no acceptable methodology to assess cumulative effects from mobile and stationary sources, the cumulative impact is considered too speculative to evaluate. However, in adopting the most conservative approach, the campus has designated this impact as potentially significant and unavoidable. This cumulative 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 LRDP EIR.

The LRDP EIR mitigation measures previously adopted by The Regents regarding improved transportation system management measures, various roadway improvements, acquisition of needed permits for stationary source emissions, and conversion of campus vehicles to alternative fuels (see, e.g., LRDP EIR mitigation measures 4.3-1, 4.3-5, and 4.5-3(a)-(b)) are hereby readopted and incorporated into the Projects and would reduce the campus' contribution to any cumulative impact to the extent feasible. Mitigation measures to reduce any impact related to non-campus toxic air contaminant emissions (from stationary or mobile sources) are within the responsibility and jurisdiction of other public agencies, and not the campus, and can and should be adopted by those public entities.

8. Cumulative Impact on Habitat for Resident and Migratory Wildlife Species (LRDP EIR Impact 4.7-9)

The 1994 LRDP in combination with other anticipated development in the Davis area would cause the loss of 1,258 acres of habitat for resident and migratory wildlife species. Due to the disturbed nature of the Projects' site, the Projects' contribution to this impact is small. LRDP EIR mitigation measure 4.7-9(a) (incorporating LRDP EIR mitigation measures 4.7-1, 4.7-3, 4.7-4, 4.7-5, and 4.7-6, relating generally to the protection of plant species, burrowing owl nesting habitat, raptor nesting habitat and nesting and foraging habitat for Swainson's hawks, as more fully described in the Draft LRDP EIR at pp 4.7-19 - 26), previously adopted by The Regents in connection with its approval of the 1994 LRDP, are hereby adopted and incorporated into the Projects, and would reduce the Projects' contribution to this impact to a less-than-significant level. However, LRDP EIR mitigation measure 4.7-9(b) (requiring that Yolo County adopt mitigation related to habitat conservation, as more fully described in the Draft LRDP EIR at p. 4.7-29 and in the Draft Projects EIR on page 3-59) is within the responsibility and jurisdiction of Yolo County, and can and should be adopted by that public entity. Adoption of such mitigation measures by neighboring jurisdictions would reduce this cumulative impact to a less-than-significant level, but because the implementation of this measure cannot be guaranteed by the campus, 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 LRDP EIR.

9. Cumulative Impact on Receiving Water Quality (LRDP EIR Impact 4.8-8)

Cumulative agricultural and urban development in the region, in conjunction with the Projects and 1994 LRDP development, could reduce receiving water quality. The Projects incrementally contribute to, but do not exceed, cumulative impacts on receiving water quality previously analyzed in the LRDP EIR. LRDP EIR mitigation measures 4.8-4(a) (for development that would disturb five acres or more of land, construction contractors would be required to comply with applicable requirements under the State General Construction Activity Storm Water Permit); 4.8-5(a) (Projects designs must include a combination of specified Best Management Practices to reduce pollutants in

storm water discharge); 4.8-5(b) (specified requirements for confined animal facilities to prohibit discharge of storm water runoff into storm drainage systems); and 4.8-6(a)-(c) (requiring monitoring of effluent discharge and compliance with Waste Discharge Requirements (WDR) (now revised to order number 97-236) actions to ensure compliance with established effluent limits if such limits are exceeded, and compliance with any requirements of NPDES WDRs for the new WWTP prior to plant operation), previously adopted by The Regents in connection with its approval of the 1994 LRDP, are hereby readopted and incorporated into the Projects, and will reduce the campus' contribution to this impact to a less-than-significant level. However, 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) is within the responsibility and jurisdiction of other public entities, not the campus, and can and should be adopted by those public entities. Adoption of such mitigation measures by neighboring jurisdictions would reduce this cumulative impact to a less-than-significant level, but because the implementation of these measures cannot be guaranteed by the campus, 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 LRDP EIR.

10. Cumulative Impact on Ground Water Recharge Potential (LRDP EIR Impact 4.8-9)

Cumulative development in Lower Cache-Putah Groundwater Basin, in conjunction with the Projects, would increase the amount of impervious surface coverage, reducing the acreage available for ground water recharge. The Projects incrementally contribute to, but do not exceed, cumulative impacts on reduced ground water recharge potential previously analyzed in the LRDP EIR. LRDP EIR mitigation measures 4.8-3(a)-(b)(requiring measures to maximize percolation and infiltration of precipitation into the underlying ground water aquifer), previously adopted by The Regents in connection with approval of the 1994 LRDP, are hereby readopted and incorporated into the Projects, and will reduce the campus' contribution to this impact to a less-than-significant level. However, 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 ground water recharge) is within the responsibility and jurisdiction of other public entities, not the campus, and can and should be adopted by those public entities. Adoption of such mitigation measure by neighboring jurisdictions would reduce this cumulative impact to a less-than-significant level, but because the implementation of this measure cannot be guaranteed by the campus, 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 LRDP EIR.

11. Cumulative Impact Due to Increased Use of Groundwater from the Deep Aquifer (LRDP EIR Impact 4.14-1)

Construction and operation of the Projects will provide new facilities to instruct students and house animals on the campus and would lead to greater use of groundwater. Population growth and development of facilities associated with the 1994 LRDP and other anticipated development in the Davis area will also increase water use from the deep aquifer. However, the magnitude of the impact on the aquifer is unknown because the status of the aquifer cannot be determined from available information and data. LRDP EIR mitigation measure 4.14-1(a) (requiring various water conservation measures), previously adopted by The Regents in connection with its approval of the 1994 LRDP, is hereby readopted and incorporated into the Projects and will reduce the magnitude of any potential impact on the aquifer. However, in light of the unknown magnitude of the impact, the Project-specific impacts and the cumulative impact of this extraction are conservatively considered potentially significant and unavoidable. These 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 LRDP EIR.

12. Cumulative Impact on Potential Seismic Effects of Earthquakes (LRDP EIR Impact 4.9-3)

Development under the 1994 LRDP, including the Projects, along with cumulative development in the region 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. The Projects incrementally contribute to, but do not exceed, this cumulative impact previously analyzed in the LRDP EIR. LRDP EIR mitigation measures 4.9-1(a)-(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), previously adopted by The Regents in connection with approval of the 1994 LRDP, are hereby readopted and incorporated into the Projects, and will reduce the campus' contribution to this impact to a less-than-significant level. However, 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) are within the responsibility and jurisdiction of other public entities, not the campus, and can and should be adopted by those public entities. Adoption of such mitigation measures by neighboring jurisdictions would reduce this cumulative impact to a less-than-significant level, but because the implementation of these measures cannot be guaranteed by the campus, 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 LRDP EIR.

13. Cumulative Impact on Cultural Resources (LRDP EIR Impact 4.10-1)

Excavation, grading and other activities associated with the construction of the Projects, 1994 LRDP development, and cumulative development in the region would result in the loss of prehistoric and historic resources. The Projects incrementally contribute to, but do not exceed, this cumulative impact previously analyzed in the LRDP EIR. LRDP EIR mitigation measures 4.10-1(a)-(d)(generally prescribing measures to protect cultural resources), previously adopted by The Regents in connection with approval of the 1994 LRDP, are hereby readopted and incorporated into the Projects, and will substantially lessen this impact but not to a less-than-significant level. Further, 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 those entities. In addition, even if cultural resources were adequately recorded, destruction and/or removal from their place of origin reduces their value as a resource. For these reasons, these impacts previously identified by The Regents in connection with approval of the 1994 LRDP, 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 LRDP EIR.

14. Cumulative Impact on Rural Character of Yolo and Solano Counties (LRDP EIR Impact 4.11-5)

Cumulative development in the region, in conjunction with the Projects and 1994 LRDP development, would result in the alteration of the rural character of this region as urban development takes place. The Projects incrementally contribute to, but do not exceed, this cumulative impact previously analyzed in the LRDP EIR. LRDP EIR mitigation measure 4.11-4(b)(requiring compliance with campus guidelines to minimize discomfort from light, glare and heat), previously adopted by The Regents in connection with approval of the 1994 LRDP, is hereby readopted and incorporated into the Projects, and will reduce the Projects' contribution to this impact to the extent feasible, but will not reduce this cumulative impact to a less-than-significant level. Further, 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 those public entities. Adoption of such mitigation measures by the City of Davis and Yolo and Solano Counties would reduce this cumulative impact to a less-than-significant level, but 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 LRDP EIR.

15. Cumulative Impact on Fire Protection Services (LRDP EIR Impact 4.12-4)

The Projects, in conjunction with cumulative growth under the LRDP, could result in decreased level of service from City of Davis fire protection services. The Projects incrementally contribute to, but do not exceed, the demand for fire protection services previously identified in the LRDP EIR. 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 Projects site), previously adopted by The Regents in connection with its approval of the 1994 LRDP, are hereby readopted and incorporated into the Projects, and would reduce the Projects' contribution to this impact to a less-than-significant level. However, 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 that public entity. Adoption of such a mitigation measure by the City would reduce this cumulative impact to a less-than-significant level, but 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 LRDP EIR.

16. Cumulative Impact on Police Protection Services (LRDP EIR Impact 4.12-5)

The Projects, in conjunction with cumulative growth under the LRDP, could result in decreased level of service from UC Davis and City of Davis police protection services. The Projects incrementally contribute to, but do not exceed, the demand for police protection services previously identified in the LRDP EIR. LRDP EIR mitigation measure 4.12-3 (requiring implementation of measures to maintain current level of campus police protection services), previously adopted by The Regents in connection with its approval of the 1994 LRDP, is hereby readopted and incorporated into the Projects, and would reduce the Projects' contribution to this impact to a less-than-significant level. However, 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 that public entity. Adoption of such a mitigation measure by the City would reduce this cumulative impact to a less-than-significant level, but 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 LRDP EIR.

17. Cumulative Impact on the Davis Joint Unified School District (LRDP EIR Impact 4.13-5)

The Projects, in conjunction with cumulative growth under the LRDP, would generate an increased number of school age students in the Davis Joint Unified School District (DJUSD). The Projects's contribution to this impact incrementally contributes to, but does not exceed, the demand for school in the District previously identified in the LRDP EIR. 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 those public entities. Adoption of such a mitigation measure by the City and the DJUSD would reduce this cumulative impact to a less-than-significant level, but because the implementation of this measure cannot be guaranteed by the campus, 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 LRDP EIR.

C. SIGNIFICANT IMPACTS IDENTIFIED IN THE EIR THAT ARE REDUCED TO A LEVEL OF "NOT SIGNIFICANT" OR "LESS THAN SIGNIFICANT" BY MITIGATION MEASURES INCORPORATED INTO THE PROJECT

The Final EIR identifies the following significant impacts associated with the Projects which are reduced to "not significant" (or less-than-significant) by mitigation measures identified in the EIR. It is hereby determined that the significant environmental impacts which these mitigation measures address will be mitigated to a less-than-significant level or avoided by incorporation of the mitigation measures into the Projects.

The mitigation measures identified below are presented in summary form. For a detailed description of these mitigation measures, please see the appropriate text in the Final EIR.

1. Impact Related to Avian Disease (EIR Impact 3.1-4)

The construction of the Projects' stormwater detention basin could result in outbreaks of avian botulism. Project-specific mitigation measure 3.1-2 (specifying that the Campus implement a number of management practices at the stormwater detention basin, monitor the water levels and drain down the water before the advent of warm weather as necessary, clean up the edge areas of the basin of decaying vegetation and carcasses as necessary) is hereby adopted and incorporated into the Projects, and will reduce this impact to a less-than-significant level.

2. Construction Traffic-Related Impact on Pedestrian Safety (EIR Impact 3.2-2)

The construction of the Projects could result in vehicular traffic that could potentially affect pedestrian safety. Project-specific mitigation measure 3.2-1 (specifying that trucks that

would haul dirt from the stormwater detention basin would not be allowed to use CR 98 in front of GVCC and would have limited use of the County Road 98 and Russell Boulevard intersection) is hereby adopted and incorporated into the Projects and will reduce this impact to a less-than-significant level.

3. Construction-Related Noise (EIR Impact 3.2-3)

Construction of the proposed improvements could result in elevated noise levels at off-site locations including the nearby school and GVCC. LRDP EIR mitigation measure 4.4-1, previously adopted by The Regents in connection with its approval of the 1994 LRDP, is hereby readopted and incorporated into the Projects. Furthermore, Project-specific mitigation measure 3.2-2 (a) (specifying that construction activities associated with the field corral retention basin and the stormwater detention basin be conducted between 7 a.m. and 5 p.m. Monday through Friday, and no excavation or grading on the weekends) and mitigation measure 3.2-2 (b) (specifying that the construction contractor be directed to complete high noise generating activities as quickly as possible) are hereby adopted and incorporated into the Projects and will reduce this impact to a less-than-significant level.

4. Temporary Impact Associated with Increased Emissions of PM_{10} due to Construction Activities (EIR Impact 3.2-1)

Fugitive dust generated by Projects-related construction activities may cause violations of the state and federal 24-hour PM_{10} standard at times and would contribute to significant PM_{10} emissions previously identified in the 1994 LRDP EIR. These emissions would contribute to the continued exceedence of air quality standards enforced by the Yolo-Solano Air Quality Management District ("air district"). However, this construction impact would be temporary and short-term. LRDP EIR mitigation measures 4.5-1(a) through (d)(requiring various measures to reduce fugitive dust impacts during construction), previously adopted by The Regents in connection with its approval of the 1994 LRDP, are hereby readopted and incorporated into the Projects, and will reduce this impact to a less-than-significant level.

5. Impact on Emergency Response (IS Item 7g)

Development of the Projects could contribute to the demand for emergency response capabilities in the Davis area. 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), previously adopted by The Regents in connection with approval of the 1994 LRDP, are hereby readopted and incorporated into the Projects.

Adoption of these mitigation measures will ensure that the potential impact on emergency response is reduced to a less-than-significant level.

6. Cumulative Impact on Emergency Response (LRDP EIR Impact 4.6-23)

Cumulative growth in the City of Davis, in conjunction with campus growth under the 1994 LRDP, including the Projects, could contribute to cumulative demand for emergency response capabilities in the Davis area. The Projects would incrementally contribute to, but not exceed, the cumulative impact previously analyzed in the 1994 LRDP EIR. LRDP EIR mitigation measure 4.6-22(a) (requiring adequate training and equipment for the campus emergency response team prior to occupying the first approved Projects following adoption of the 1994 LRDP) has already been implemented by the campus. Even with the implementation of the above mitigation measure, the 1994 LRDP EIR considered this impact significant and unavoidable because the University 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. However, since that time, the City of Davis and Yolo County have reached a Mutual Aid Agreement and therefore this impact is now reduced to a less-than-significant level.

7. Impact to Burrowing Owl Nesting and Foraging Habitat (IS Item 8a, b)

Development of the Projects would result in the conversion of ruderal/annual grassland habitat which could result in the loss of burrowing owl nesting and foraging habitat. The burrowing owl is fully protected against take pursuant to Section 3503.5 of the California Fish and Game Code and is a California Department of Fish and Game species of special concern. Although no burrowing owls were observed on or adjacent to the proposed site in surveys conducted in August 2001, the EIR conservatively assumed these sites were potential foraging and nesting habitat. To avoid direct impacts to active burrows, LRDP EIR mitigation measure 4.7-3(b) (requiring, in consultation with DFG, a pre-construction breeding season survey of the proposed Projects site and avoiding any disturbance of burrowing owl nest sites during the breeding season), previously adopted by The Regents in connection with approval of the 1994 LRDP, is hereby readopted and incorporated into the Projects. Adoption of this mitigation measure will ensure that the potential for harm to active burrowing owl burrows is reduced to a less-than-significant level. The Final EIR also adopts 1997-98 Major Capital Improvement Projects Supplemental EIR mitigation measure 6.5-3, as revised by the USDA Western Human Nutrition Research Center Tiered Initial Study, (requiring development of suitable burrowing owl nesting and foraging habitat on lands at the Russell Ranch). Adoption of this mitigation measure will ensure that the potential for harm to burrowing owl foraging habitat is reduced to a less-than-significant level.

8. Impact to Swainson's Hawk and Other Resident and Migratory Species Foraging Habitat (IS Item 8a, b)

Development of the Projects would result in the loss of approximately 3.6 acres of foraging habitat for Swainson's hawks and other resident and migratory species. LRDP EIR mitigation measure 4.7-5, as amended, (requiring compensation for loss of foraging habitat through restoration and establishment of suitable vegetation or conservation of parcels identified on the main campus and at the Russell Ranch), previously adopted by The Regents in connection with approval of the 1994 LRDP, is hereby readopted and incorporated into the Projects. Incorporation of the LRDP EIR mitigation measure will ensure that the potential for loss of Swainson's hawk and other resident and migratory species foraging habitat due to the Projects are reduced to a less-than-significant level.

9. Impact to Receiving Water Quality Due to Increased Discharge of Treated Effluent (EIR Impact 3.1-12)

Development of the Projects would increase flows to the Wastewater Treatment Plant generating increased discharge of treated effluent into the South Fork of Putah Creek and could adversely affect receiving water quality. LRDP EIR mitigation measures 4.8-6(a)-(c) (requiring monitoring of effluent discharge and compliance with WDR 97-236, actions to ensure compliance with established effluent limits if such limits are exceeded, and compliance with any requirements of NPDES WDRs for the new WWTP), previously adopted by The Regents in connection with approval of the 1994 LRDP, are hereby readopted and incorporated into the Projects, and will reduce this impact to a less-than-significant level.

10. Impact on Potential Seismic Effects of Earthquakes (IS Item 10a)

Development of the Projects 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. LRDP EIR mitigation measures 4.9-1(a)-(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), previously adopted by The Regents in connection with approval of the 1994 LRDP, are hereby readopted and incorporated into the Projects, and will reduce this impact to a less-than-significant level.

11. Impact on Glare, Artificial Light, Heat and Shade (IS Item 13d)

Development of the Projects could create glare, artificial light, heat and shade. LRDP EIR mitigation measure 4.11-4(b)(requiring compliance with campus guidelines to minimize impact from light, glare and heat), previously adopted by The Regents in connection with approval of the 1994 LRDP, is hereby readopted and incorporated into the Projects, and will reduce this impact to a less-than-significant level.

12. Impact on Fire Protection Services (IS Item 14a)

Development of the Projects could result in decreased level of service from City of Davis fire protection services. LRDP EIR mitigation measure 4.12-1 (requiring implementation of measures to maintain current level of fire protection services), previously adopted by The Regents in connection with its approval of the 1994 LRDP, is hereby readopted and incorporated into the Projects, and would reduce this impact to a less-than-significant level.

13. Impact on Police Protection Services (IS Item 14a)

Development of the Projects could result in decreased level of service from the UC Davis Police Department. LRDP EIR mitigation measure 4.12-3 (requiring implementation of measures to maintain current level of police protection services), previously adopted by The Regents in connection with its approval of the 1994 LRDP, is hereby readopted and incorporated into the Projects, and would reduce this impact to a less-than-significant level.

D. LESS-THAN-SIGNIFICANT IMPACTS IDENTIFIED IN THE EIR FOR WHICH MITIGATION MEASURES HAVE BEEN INCORPORATED INTO THIS PROJECT TO FURTHER REDUCE THE IDENTIFIED IMPACTS

The Final EIR identifies the following less-than-significant impacts for which mitigation measures have been identified in the Final EIR. These mitigation measures are not required by CEQA to reduce the identified impacts to a less-than-significant level, but have been included in the Projects to further reduce the effects of these less-than-significant impacts. The mitigation measures identified below are presented in summary form. For a detailed description of these mitigation measures, please see appropriate references in the Final EIR.

1. Impact on Surface Water Quality from Field Corral Stormwater Runoff (EIR Impact 3.1-3)

Stormwater runoff from the field corrals could potentially affect surface water resources in the area and thereby affect public health and wildlife. With the continued implementation of control programs in place, this impact is considered to be less than significant. Project-specific mitigation measure 3.1-1(specifying that the Campus will test the water in the field corral stormwater retention basin to assure that no macaque-specific viral agents are detectable by culture, and if viruses are detected, appropriate measures will be taken to exclude exposure to wildlife and disinfect the water to eliminate other pathways) is hereby adopted and incorporated into in the Projects to further reduce this less-than-significant impact.

2. Impact from Hazardous Materials Transportation (IS Item 7a)

Hazardous materials transported to, from, and among UC Davis facilities as a result of development of the Projects could expose people to potential health risks in the event of an accidental release. However, because of the small amounts of hazardous materials involved, the "no accident" record of transport of these materials, and ongoing compliance with applicable transport regulations, the Projects are not considered to create a substantial health or safety hazard due to the risk of accidents. For these reasons, this impact is considered less-than-significant. LRDP EIR mitigation measures 4.6-20(a) and (b) (specifying additional containment measures for the transportation of hazardous materials), previously adopted by The Regents in connection with its approval of the 1994 LRDP, is hereby readopted and incorporated into the Projects to further reduce this less-than-significant impact.

3. Cumulative Impact on Water Supply from the Shallow/Intermediate Aquifer (LRDP EIR Impact 4.14-3)

Development of the Projects, campus development under the LRDP, and regional development will increase the demand for water from the shallow/intermediate aquifer. This aquifer does not indicate a declining trend based on monitoring data and the impact is not considered significant. LRDP EIR mitigation measures 4.14-3(a) through (b) and 4.14-12(b) (requiring Projects design features where feasible to reduce water use, requiring continued monitoring or groundwater levels, and identifying water conservation policies adopted by the City of Davis), previously adopted by The Regents in connection with its approval of the 1994 LRDP, is hereby readopted and incorporated into the Projects to further reduce this less-than-significant impact.

4. Impact on Receiving Water Quality Due to Construction Activities (IS Item 9a)

Temporary earth disturbing activities such as grading and excavation associated with the Projects could increase sediment loads in storm water runoff thereby affecting receiving water quality. However, due to the low erosion potential of the soils at the Projects site, this impact is not considered significant. LRDP EIR mitigation measure 4.8-4(a) (for development that would disturb five acres or more of land, construction contractors would be required to comply with applicable requirements under the State General Construction Activity Storm Water Permit), previously adopted by The Regents in connection with its approval of the 1994 LRDP, is hereby readopted and incorporated into the Projects to further reduce this less-than-significant impact.

E. MITIGATION MONITORING PROGRAM

1. When making findings, a lead agency must adopt a reporting or monitoring program for the changes to the Projects that it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment. The FEPC hereby adopts the Mitigation Monitoring Program for the UC Davis California Regional Primate Research Center Improvement Projects EIR, set forth in Section 3 of the Final EIR. To the extent the Projects incorporate relevant 1994 LRDP EIR mitigation measures previously adopted by The Regents, implementation of these mitigation measures by this Projects will be monitored pursuant to the existing 1994 LRDP EIR monitoring program previously adopted by The Regents in connection with its approval of the 1994 LRDP EIR. The mitigation measures identified in the LRDP EIR as revised in the Mitigation Monitoring Plan for the WWTP Replacement Projects, the 1997-98 Major Capital Improvement Projects, the Center for the Arts Performance Hall and South Entry Roadway and Parking Improvements, and the USDA Western Human Nutrition Research Center are readopted and incorporated into the EIR and will be monitored pursuant to the University of California, Davis Long Range Development Plan Mitigation Monitoring Program, adopted September 23, 1994 and hereby readopted in pertinent part, which is set forth in Volume 1, Section 5 of the 1994 LRDP Final EIR (as amended by the Errata dated September 13, 1994).

2. In the LRDP EIR, as revised, UC Davis identified mitigation measures which would further reduce environmental impacts determined to be less-than-significant. While there is no requirement to mitigate insignificant environmental impacts, mitigation measures further reducing the less-than-significant impacts are included in the approval of the Projects to further enhance environmental quality. The mitigation monitoring programs adopted by The Regents (see paragraph 1, above) monitor mitigation measures designed to reduce or eliminate significant impacts, as well as those mitigation measures designed to reduce environmental impacts which were initially determined to be not significant.

F. ALTERNATIVES

The EIR evaluated a range of alternatives to each of the five projects. The alternatives for these facilities are described and analyzed in Section 5 of the Final EIR. The feasibility of each alternative, its ability to meet project objectives, and potential environmental impacts in comparison to the Projects are noted below.

1. Stormwater Drainage Improvement Alternatives

i. Construct the Proposed Projects at an Alternative Location

This alternative would involve constructing the proposed detention basin at another location on the agricultural fields south of Russell Boulevard, to the west of the proposed location (Figure 6). The basin constructed at this alternate location would be of the same size as the proposed project and would be developed with habitat values. The location of the detention basin in

the proposed project is the natural low point in the area and is therefore the best location for the proposed basin. Also, the proposed project location is adjacent to the 42-inch culvert under Russell Boulevard that drains to Covell Drain. If the basin were to be located anywhere else south of Russell Boulevard, it would require significantly increased grading of the agricultural fields and modifications to the drainage ditch. Depending upon where it is located, another culvert may need to be constructed under Russell Boulevard to discharge water from this basin into Covell Drain.

This alternative would result in somewhat reduced construction noise impacts but potentially greater construction traffic than the proposed project. This alternative was rejected because, although this alternative would meet the objectives of the proposed project, it would not provide any additional benefits and could result in greater construction-phase impacts from grading activities.

ii. No Project Alternative

Under this alternative, no improvements would be built. A berm built around the developed portion of the CRPRC (as part of the field corral improvement project) would keep stormwater flows from entering the developed portion of the CRPRC. However, absent the stormwater drainage improvements (drainage ditch, regrading of fields, and the detention basin), stormwater runoff from the fields would continue to flow towards the berm and would undermine its integrity. In the absence of the stormwater drainage improvements, stormwater would drain toward Russell Boulevard and would pond along the south side of that road, rendering large portions of that land not suitable for use during certain times of the year. This would also cause more water to be released into the Covell Drain compared to current conditions, which is contrary to the 1994 LRDP EIR mitigation measure of avoiding actions that would increase existing peak flows into the Covell Drain.

The No Project alternative was rejected because although it would avoid environmental impacts of the proposed project, it would not meet the objectives of the proposed project which are to address the storm drainage problems in the area and avoid increasing exiting peak flows into the Covell Drain.

2. <u>Field Corrals and Corncribs Alternatives</u>

i. Increase the Number of Animals Using Existing Facilities

This alternative would involve using the existing field corrals and corncribs to breed and hold the additional 700 animals needed by the research programs that utilize nonhuman primates.

With the exception of avoiding the less-than-significant impacts from construction, this alternative would result in the same less-than-significant impacts as the proposed project. This alternative would not provide any environmental benefits compared to the field corral/corncrib expansions.

This alternative was rejected because increasing the number of animals in existing cages could not be accomplished safely due to the health and social impacts caused by overcrowding, and would impede CRPRC's efforts to manage animals. This alternative also could adversely affect the well being of the animals.

ii. Construct Fewer but Larger Corrals and Corncribs

This alternative would involve using the proposed sites for the field corrals and corncribs to build fewer but larger corrals (three to four corrals as opposed to seven) and corncribs (12 instead of 24 corncribs). For instance, a 1-acre corral could be built that would hold 200 animals. With this alternative, although the number of facilities built would be fewer, the footprint impacts would be largely the same and the increase in the number of animals would be the same as the proposed projects.

This alternative would result in less-than-significant impacts, similar to the less-than-significant impacts that would be associated with the proposed projects. This alternative would meet the basic objectives of the projects, which are to increase colony size and breed more SPF animals. This alternative was rejected because it would offer no environmental benefits compared to the proposed projects, but would create increased difficulties associated with the management of a large animal population per cage.

iii. Construct Indoor Facilities to Hold Animals

This alternative would involve construction and operation of a fully enclosed facility to breed and house the additional 700 nonhuman primates that would be added by the proposed projects. The indoor facility would be a ½-acre enclosed corral with a concrete floor, walls, roof, provision for air and heating, and a connection to the sanitary sewer system. Animals would be housed in a group in this enclosed corral, as they are in outdoor field corrals. Similarly, the corncribs could be constructed as fully enclosed building structures.

This alternative would meet the basic objectives of the field corral and corncrib projects and could further reduce the proposed projects' less-than-significant impacts relative to animal escapes, and transmission of disease to wildlife. However, it was rejected because it would involve greatly increased cost, and would not provide a suitable environment for the animals.

iv. Import Nonhuman Primates to Meet Program Needs

Under this alternative, the additional animals required for research each year (about 175 animals) would be imported from outside sources (overseas). The imported animals would be kept in quarantine for 90 days, and then placed in the field corrals with the other animals in the colony.

With the exception of avoiding the less-than-significant impacts from construction, this alternative would result in the same less-than-significant impacts as the proposed project. This alternative was rejected because importing nonhuman primates is not a viable alternative for a number of reasons including the fact that enough animals of the needed sex and age cannot be obtained from sources that are declining overseas, and the animals are of unknown background and may not be appropriate for the intended research.

v. Utilize Alternative Research Techniques that do not Use Primates or Other Animals

This alternative involves use of alternate techniques and methods that avoid the use of primates or any other animals for the proposed research, and thereby eliminates the need for new field corrals, corncribs, or any other animal facilities. The CRPRC works with the UC Davis Animal Care and Use Advisory Committee to ensure that alternatives to animals including non-primate species are used whenever possible. The use of nonhuman primates in research is limited to those areas of scientific research where the nonhuman primate is critical to performance of the research due to their close phylogenetic relationship to humans. For instance, in many areas of research, scientists use other species to study basic mechanisms and theories. They then extend their research to the nonhuman primate model to determine if their initial findings are valid in primate species as well.

With the exception of avoiding the less-than-significant impacts from construction and those associated with the enlarged colony size, this alternative would result in generally the same less-than-significant impacts as the proposed projects. The use of alternate research techniques as an alternative to the proposed field corral and corncrib expansion projects was rejected because the types of research that is conducted at the CRPRC cannot be performed on other animals or conducted using techniques that do not involve animals.

vi. Construct Fewer Field Corrals and Corncribs

A reduced project alternative would involve construction of fewer field corrals and corncribs so that the animal population does not to grow by 700 animals as projected under the proposed projects.

This alternative would further reduce the less-than-significant impacts of the proposed projects. However, this alternative was rejected because it would not meet the two basic objectives of the proposed projects which are to expand the breeding program to meet CRPRC's needs and to breed SPF animals. The proposed number of field corrals and corncribs are the minimum

numbers needed to meet the program needs. They are proposed over 5 years to meet the growth projected in that time frame. A reduction in the size and number of facilities such that less than proposed number of animals are bred and housed at the CRPRC would not be feasible.

vii. Construct Field Corrals and Corncribs at Another Location within the CRPRC Operations Area or Elsewhere on Campus

This alternative would construct the seven new field corrals and 24 new corncribs at another location within the CRPRC operations area or at another location on campus, and would thereby allow the CRPRC to increase its primate colony by the needed number of animals.

Although this alternative would meet the basic objectives of the proposed projects of providing the required number of research animals, it was rejected because it would result in significant management inefficiencies and would provide no environmental benefits relative to the proposed projects.

viii. No Project Alternative

Under this alternative, no new field corrals or corncribs would be constructed and an increase in the supply of research animals at the CRPRC would not be achieved. This alternative was rejected because although it would avoid the less-than-significant impacts of the proposed projects, it would fail to meet the objectives of the projects.

3. Field Corral Stormwater Retention Basin Alternatives

i. Construct the Field Corral Stormwater Retention Basin at an Alternative Location

Under this alternative, the field corral stormwater retention basin would be constructed to the west of the new field corrals and would be designed to serve only the seven new corrals and not the existing field corrals. The basin size would be much smaller – approximately 0.12 acre in area. All other aspects of the basin construction and maintenance would be similar to the proposed project.

This alternative would not provide any environmental benefit over the project as proposed. Furthermore, it would serve only the seven new corrals, and stormwater from the other field corrals would continue to flow downgradient into the adjacent agricultural fields. This

alternative was rejected because it would provide no benefits compared to the proposed project and would not meet the objectives of the project, which is to avoid effects on agricultural operations to the west of the CRPRC.

ii. No Project Alternative

Under this alternative, the field corral stormwater retention basin would not be constructed. In the event that the CRPRC perimeter berm is constructed, storm water from the field corrals would not flow into the agricultural fields to the north to eventually discharge into Covell Drain. Therefore, in the absence of the proposed retention basin, flows would have to be directed to the regional storm drainage system. If the berm were not constructed, field corral runoff would flow through the fields and into Covell Drain as it does under current conditions.

This alternative would avoid the less-than-significant impacts of basin construction. However this alternative was rejected because it would not meet any of the objectives of the project.

4. BM&B Research Office Building Alternatives

i. Construction of the Proposed Facilities at Another Location

This alternative would construct the new office building and trailer at another location on campus or elsewhere within the CRPRC operations area.

This alternative offers no benefits relative to the proposed project and would result in greater environmental impacts associated with unnecessary vehicle trips that investigators would need to make between the facility at the alternate location on campus and the CRPRC. This alternative was rejected because it would not meet the objective of the project which is to locate this facility near existing primate research facilities.

ii. No Project Alternative

Under this alternative, the CRPRC would need to locate space elsewhere within the CRPRC or elsewhere on the campus for the BM&B offices. The buildings currently occupied by the BM&B program are needed for other programs, and this program must therefore find alternative space. Given the general lack of space at the CRPRC, it appears unlikely that built space could be found for this program.

This alternative could result in potentially greater impacts than the proposed project due to the unnecessary vehicle trips involved. This alternative was rejected because it would result in greater environmental impacts and would not meet the objectives of the project.

5. CCM Rodent Facility Alternatives

i. Construction of the Proposed Facilities at Another Location

This alternative would build the proposed modular rodent holding facility at another location on campus. Given the relatively small footprint of the proposed project, potential sites could be found for the facility near Haring Hall, Tupper Hall and at ARS where other animal holding facilities are currently located.

This alternative was rejected because it would result in greater environmental impacts. Moreover, it would not meet one of the basic objectives of the proposed project, which is to locate rodent housing close to the CCM research facilities.

ii. Construct a Rodent Holding Building at the Proposed Site

This alternative would involve the construction of a building (rather than modular trailers) at the proposed site to hold rodents. Given the ultimate objective of holding and breeding about 2,000 rodents, the footprint of such a building would be similar to or slightly greater than the proposed trailers.

This alternative was rejected because it would have slightly greater construction impacts and would be more costly than the proposed project. One of the objectives of the proposed project is to provide a low-cost facility to breed and house rodents. A permanent building would not be low cost.

iii. Construct a Reduced Project at the Proposed Site

This alternative would construct a smaller modular rodent housing facility at the proposed site. There is a serious shortage of animal housing on campus. The proposed space is the minimum needed to house the number of rodents needed by CCM investigators. A reduction in the space provided is not feasible as it would result in overcrowding of animals. A reduction in the number of rodents also is not feasible because of the specific needs of CCM. Research at the CCM depends on the animal/human disease model, which involves in large part the use of naturally occurring diseases in one species to study a comparable disease in another species. For all of these reasons, this alternative is infeasible and was rejected.

iv. No Project Alternative

Under this alternative, no facilities would be built and CCM investigators will continue to travel to Haring Hall, Tupper Hall and other locations on campus where the rodents are located.

The alternative would avoid the less-than-significant impacts of the proposed project. The CCM research mission involves host-agent interactions of persistent infectious diseases which means that animal models are an integral part of the mission. Furthermore, Mouse Biology is an integral part of the work conducted at the CCM. Therefore the No Project would not allow the CCM to achieve its mission. The No Project alternative was rejected because it would not meet the objectives of the project.

G. STATEMENT OF OVERRIDING CONSIDERATIONS

The UC Davis FEPC has balanced the benefits of the Projects against the unavoidable environmental risks in determining the specific economic, legal, social, technological, or other benefits that outweigh the unavoidable adverse environmental effects. The UC Davis FEPC has determined that based on the Final EIR, and other information in the record, the benefits of the Projects do outweigh the unavoidable significant adverse impacts. The reasons set forth below are based on the Final EIR and other information in the record, including but not limited to, the 1994 LRDP and the LRDP EIR. The reasons for the approval of the Projects despite the occurrence of significant and unavoidable adverse impacts are as follows:

1. The Projects implement a portion of the 1994 LRDP and will allow the CRPRC to expand its primate breeding program to serve the increased demand for campus research animals. The CCM rodent facility would also provide rodents for campus research. In addition, the storm drainage improvements and the field corral retention pond would implement previously adopted 1994 LRDP Mitigation Measure 4.8.7. For these reasons, the Statement of Overriding Considerations adopted by The Regents in connection with its approval of the 1994 LRDP and LRDP EIR is equally relevant to, and is adopted as a part of and incorporated by reference into, the findings for the Projects. All project-specific and cumulative significant and unavoidable impacts were 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.

2. The Projects provide academic and administrative space to meet the project goals identified in the Draft EIR for the Brain, Mind, & Behavior Research Program and facilities for the Center for Comparative Medicine.

3. In combination with the flood prevention benefits, the Projects will also allow the University to increase the wildlife habitat value of the stormwater system surrounding the CRPRPC. Wildlife habitat benefits will be derived from the direct creation of additional wildife habitat within the proposed stormwater detention basin and from the indirect water quality benefits that will occur from the sediment filtration within the stormwater detention basin.

4. Additional specific considerations for the approval of these Projects include the following benefits that the Projects will provide:

Stormwater Drainage Improvement Project

This project will prevent flooding at CRPRC facilities, improve stormwater drainage in the area, avoid increasing existing peak flows into Covell Drain, and implement LRDP EIR Mitigation Measure 4.8-7.

Field Corrals and Stormwater Retention Basin Project

Expansion of the field corrals will allow the CRPRC to expand the breeding program to meet CRPRC's needs, create space needed to house and breed more specific pathogen free research animals, locate new field corrals in close proximity to existing facilities to efficiently provide animal care, security, and stormwater management.

The stormwater retention basin will improve stormwater management and reduce potential flooding; separate field corral stormwater from off-site flows to reduce public concerns regarding surface water contact with field corral runoff; and implement LRDP EIR Mitigation Measure 4.8-7.

Corncrib Project

The Corncrib project will create space to house and breed more SPF research animals and accommodate a larger breeding population of research animals.

BM&B Research Office Project

The BM&B Research Office project will create more permanent office facilities for the BM&B research program.

CCM Rodent Facility

The CCM rodent facility will provide a low-cost facility to breed and house rodents for CCM projects close to the CCM research facilities, and will relieve constraints on the animal holding facilities at Tupper Hall, Haring Hall, and other locations on campus.

These benefits outweigh each of the unavoidable adverse environmental effects of the Projects.

H. INCORPORATION BY REFERENCE

The Final EIR, the 1994 LRDP, the LRDP EIR, the WWTP Replacement Projects 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 Findings and Overriding Considerations adopted by The

Regents in connection with the LRDP EIR, the WWTP Replacement Projects EIR, and the 1997-98 Major Capital Improvement Projects are hereby incorporated into these Findings in their entirety. Without limitation, this incorporation is intended to elaborate on the scope and nature of mitigation measures, the basis for determining the significance of impacts, the comparative analysis of alternatives, and the reasons for approving the Projects despite the associated significant unavoidable impacts.

I. RECORD OF PROCEEDINGS

Various documents and other materials constitute the record of proceedings upon which the UC Davis FEPC bases its findings and decisions contained herein. Most documents related to this project are located in the Office of Resource Management and Planning in Mrak Hall, Third Floor, University of California, One Shields Avenue, Davis, California 95616. The record of proceedings for the 1994 LRDP approval is also located in the Office of Resource Management and Planning and Budget. The custodian for these two records of proceedings is the Office of Resource Management and Planning.

J. SUMMARY

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

a. Changes or alterations have been required in, or incorporated into, the Projects which mitigate or avoid the significant environmental effect 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 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 EIR that would otherwise avoid or lessen the identified significant environmental effects of the Projects.

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 Projects 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 in the Findings and Statement of Overriding Considerations adopted by the Regents in connection with the LRDP EIR and in Section II.G., above.

III. APPROVALS

The UC Davis FEPC hereby takes the following actions:

A. UC Davis FEPC has certified the Final EIR for the Projects, as described in Section I., above.

B. UC Davis FEPC hereby adopts, incorporates into the Projects, and makes a condition of approval all elements of the Projects, Project mitigation measures, and relevant LRDP EIR mitigation measures identified in the Final EIR, as discussed in the Findings, Section II, above.

C. UC Davis FEPC hereby adopts the Mitigation Monitoring Program accompanying the Final EIR and the Findings in their entirety as set forth in Section II., above.

D. Having certified the Final EIR, independently reviewed and analyzed the Final EIR, conditioned the Projects as described above, and adopted the Findings, UC Davis FEPC hereby approves the design of the California Regional Primate Research Center Improvement Projects.

December 6, 2001
Date

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