

**CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS
IN CONNECTION WITH THE APPROVAL OF THE DESIGN AND CONSTRUCTION
OF PHYSICAL SCIENCES EXPANSION,
DAVIS CAMPUS**

I. ADOPTION OF THE MITIGATED NEGATIVE DECLARATION

Pursuant to Title 14, California Code of Regulations, Section 15074, the Board of Regents of the University of California (The Regents) (hereinafter referred to as “The University”), hereby finds that the Mitigated Negative Declaration and the Tiered Initial Study prepared for the proposed Physical Sciences Expansion and Service Unit Park (“the project”) have been completed in compliance with the California Environmental Quality Act, Public Resources Code Sections 21000 et seq. (CEQA). The University further find that the Mitigated Negative Declaration, Tiered Initial Study, and the comments received during the public review process, and responses to those comments were presented to The University and that The University reviewed and considered the information contained in these documents prior to approving the design of the Physical Sciences Expansion. The University hereby finds that the Mitigated Negative Declaration reflects the independent judgment and analysis of the University of California, and The University adopts the Mitigated Negative Declaration.

II. FINDINGS

The University hereby adopts the following Findings pursuant to Title 14, California Code of Regulations, Section 15074, in conjunction with the approval of the project, which is set forth in Section III.

A. Background

UC Davis proposes to construct a Physical Sciences Expansion facility in the central campus. The Physical Sciences Expansion includes the demolition of a portion of the campus’s existing Operations and Maintenance (O&M) complex. The O&M facilities will be relocated from a location in the Central Campus to a new stand-alone facility, the Service Unit Park, in the West Campus. The Central Campus location would then become the site for a new Physical Sciences Expansion. The new Service Unit Park was presented to Regents for design approval as a separate item.

The Physical Sciences Expansion involves construction of a three-story, approximately 88,300 gross square-foot (gsf) (51,250 assignable square feet [asf]) building on a 2.56-acre site on California Avenue that would house the Department of Geology, and teaching laboratory and support spaces for the Department of Chemistry and Department of Physics in the area currently occupied by the O&M facility. The site is bordered by the Physics/Geology building to the north; Facilities Services area and Domestic Water Tower 1 to the east, the Arboretum Waterway to the south, and Academic Surge to the west.

UC Davis is proposing the Physical Sciences Expansion to meet space requirements of the Departments of Geology, Chemistry and Physics. All three departments are in need of additional space, and the new facility must be located in proximity to existing department facilities.

The project is part of growth in campus buildings anticipated under the 2003 LRDP in order to serve the increased enrollment and employment that are forecast for the 2003 LRDP. The projected population of the Physical Sciences Expansion would be about 85 faculty and staff, who would move to the building from other locations on campus. Because the existing locations for these 85 faculty and staff would be vacated and could be backfilled with new faculty and staff, it is assumed that the Physical Sciences Expansion would accommodate an increase of 85 faculty and staff. Graduate students who would occupy the new building previously have been counted in student population estimates, which are updated annually based on enrollment changes.

The proposed project is consistent with the 2003 Long Range Development Plan (LRDP). The proposed project would support the 2003 LRDP objectives by providing space to for additional academic facilities within the core campus area.

B. Environmental Review Process

A Tiered Initial Study was prepared for the project in accordance with CEQA and the University of California Procedures for Implementation of CEQA (State Clearinghouse No. 2005012057). The Initial Study for the project, in accordance with Section 15168 of the CEQA Guidelines, is tiered from the campus 2003 Long Range Development Plan (2003 LRDP) Environmental Impact Report (EIR) (State Clearinghouse No. 2002109092), which was certified by The Regents in connection with the approval of the 2003 LRDP in November 2003.

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

As a tiered document, the Initial Study for the project relies on the 2003 LRDP EIR for: (1) a discussion of general background and setting information for environmental topic areas; (2) overall growth-related issues; (3) issues that were evaluated in sufficient detail in the 2003 LRDP EIR for which there are no significant new information, changes in the project, or changes in circumstances that would require further analysis; and (4) cumulative impacts. The purpose of the Tiered Initial Study is to evaluate the potential environmental impacts of the project with respect to the existing 2003 LRDP EIR analysis in order to determine what level of additional environmental review, if any, would be appropriate.

The Tiered Initial Study analyzed the potential impacts of the project and the adequacy of the existing environmental analysis in the 2003 LRDP EIR with regard to the following environmental topic areas: (1) aesthetics, (2) agricultural resources, (3) air quality, (4) biological resources, (5) cultural resources, (6) geology, soils, and seismicity, (7) hazards and hazardous materials, (8) hydrology and water quality, (9) land use and planning, (10) mineral resources, (11) noise, (12) population and housing, (13) public services, (14) recreation, (15) transportation, circulation and parking, and (16) utilities and service systems.

Based on the analysis contained in the Tiered Initial Study, it was determined that the proposed project could have one significant effect on the environment that has not been previously addressed in the 2003 LRDP EIR, and a new project-specific traffic mitigation measure, in addition to those previously identified in the 2003 LRDP EIR, is required to reduce this effect to a less-than-significant level. Project-specific mitigation is proposed to address potential traffic congestion at the intersection of Hutchison Drive and LaRue Road. Project-specific mitigation measure MM-1 would entail planning and implementing parking lot conversions along Hutchison Drive that would have the effect of reducing PM peak hour vehicle trips at the Hutchison/La Rue intersection. Aside from the potential impacts at the Hutchison/LaRue intersection, the project would not result in any other significant impacts that would not be mitigated to less-than-significant levels by previously adopted 2003 LRDP mitigation measures currently being implemented, or are not sufficiently addressed by the 2003 LRDP EIR.

Other than the identified traffic impact, the University found that the project may incrementally contribute to, but would not exceed, significant environmental impacts previously identified in the 2003 LRDP EIR. Based on this analysis, the University prepared a Mitigated Negative Declaration that reflects these conclusions.

The project's Proposed Mitigated Negative Declaration and Draft Tiered Initial Study were submitted to the State Clearinghouse in the Governor's Office of Planning and Research and circulated for a 30-day public review period beginning on January 14, 2005 and concluding on February 14, 2005. During that time, the document was available for review by various state and local agencies, as well as by interested individuals and organizations. During the comment period, one comment from a faculty member and three comments from state agencies were received. The Office of Planning and Research acknowledged that UC Davis had complied with State Clearinghouse review requirements for draft environmental documents. The comment from the State Department of Health Services (DHS) pointed out that if a new domestic water supply well is needed in the future, an amended water supply permit from DHS would be required. Caltrans requested that UC Davis pay fair share mitigation fees toward improvements to the SR 113/Hutchison intersection and commented that the project's incremental traffic impacts may be cumulatively considerable. The faculty member requested that the project include plans for a central campus mail drop. After consideration, these comments were determined to not raise additional environmental issues that were not previously addressed in the Initial Study or the 2003 Long Range Development Plan EIR. Responses to the comments can be found in Appendix C of the Initial Study.

C. Relation of the Project to the LRDP EIR

The 2003 LRDP EIR is a Program EIR, prepared pursuant to Section 15168 of the CEQA Guidelines (Title 14, California Code of Regulations, Sections 15000 et seq.) and Section 21080.09 of the Public Resources Code. The 2003 LRDP EIR analyzed full implementation of uses and physical development proposed under the 2003 LRDP through the year 2015-16 to accommodate a projected total enrollment level of 31,500 students and identified measures to mitigate the significant adverse project and cumulative impacts associated with that growth. The project would result in increases to campus population consistent with the 2003 LRDP, and accordingly, would not exceed the population increase projected in the 2003 LRDP EIR. Additionally, the proposed project is consistent with the campus development that was anticipated in the 2003 LRDP and evaluated in the 2003 LRDP EIR.

The Draft Tiered Initial Study for the Physical Sciences Expansion and Service Unit Park project is tiered from the 2003 LRDP EIR in accordance with Sections 15152 and 15168(d) of the CEQA Guidelines and Public Resource Code Section 21094. Based on the analysis presented in the Draft Tiered Initial Study, one project-specific mitigation measure is identified and proposed.

D. Environmental Summary

The following sections summarize the environmental evaluation provided in the Tiered Initial Study for the Physical Sciences Expansion portion of the proposed project.

1. Significant and Unavoidable Adverse Impacts and Related Mitigation Measures

The Initial Study recognized significant and unavoidable adverse impacts associated with the approval of the project and identified related mitigation measures. All of these significant and unavoidable impacts that are discussed below in the Part II.D were adequately analyzed in the 2003 LRDP EIR and were fully addressed by the Findings and Overriding Considerations adopted by The Regents in connection with approval of the 2003 LRDP and certification of the 2003 LRDP EIR. Most of the significant and unavoidable adverse impacts identified in the Initial Study relate to cumulative development. The Initial Study 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 Initial Study included the proposed project combined with growth allowed under the 2003 LRDP and growth anticipated in the region. In accordance with the CEQA Guidelines, the Initial Study 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 2003 LRDP,

the planning document that identifies general types of campus development to support campus growth anticipated through 20015-16. The cumulative impact analysis in the Initial Study, therefore, relies primarily on the 2003 LRDP EIR, which included analysis of campus development projected in the 2003 LRDP and related cumulative development in the campus vicinity. All significant and unavoidable impacts that were analyzed in the 2003 LRDP EIR, including the impacts discussed below in this Part II.D, were fully addressed by the Findings and Overriding Considerations adopted by The University in connection with its approval of the 2003 LRDP and certification of the 2003 LRDP EIR, as subsequently amended and revised.

Significant and unavoidable cumulative impacts resulting from the proposed project in combination with growth allowed under the 2003 LRDP and growth anticipated in the region are discussed below. The University finds these significant and unavoidable adverse impacts to be acceptable because the benefits of the project outweigh the unavoidable environmental impacts for the reasons set forth in Section II.F of these Findings. Associated 2003 LRDP EIR mitigation measures are identified and briefly discussed below. For a detailed description of these mitigation measures, please see the text in the Initial Study.

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

The proposed project, as part of the growth from the 2003 LRDP, would result in increased light sources that together with cumulative development in the region would create new sources of light and glare that could adversely affect daytime and nighttime views in the region. Previously adopted LRDP Mitigation Measure 4.1-3 (a-d) and 4.1-6(a, b) would still be implemented and would aid in reducing the potential lighting impact identified in the 2003 LRDP. Because the campus cannot guarantee the implementation of this measure by surrounding jurisdictions, this cumulative impact is considered significant and unavoidable. These impacts were adequately addressed in the Findings and Overriding Considerations adopted by The University in connection with its approval of the 2003 LRDP and certification of the 2003 LRDP EIR. The University finds the remaining significant and unavoidable impact continues to be 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.F of these Findings.

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

The project would result in increased emissions of criteria pollutants that could contribute to overall operational emissions exceeding the Yolo-Solano Air Quality Management District Thresholds. The potential emissions are within the emission projections contained in the 2003 LRDP EIR. Previously adopted LRDP Mitigation Measures 4.3-1(a) (requiring the campus to reduce emissions from vehicles), (b) (requiring reduction of emissions from area sources) and (c) (requiring the campus to participate in YSAQMD planning efforts) are continuing to be implemented and will aid in reducing the potential impact to air quality identified in the 2003

LRDP. Previously adopted LRDP Mitigation Measures 4.3-3(a-c)) (requiring the campus to reduce emissions from construction activities) are continuing to be implemented and will aid in reducing the potential impact to air quality identified in the 2003 LRDP. Because the University cannot guarantee the implementation of mitigation measure 4.3-1 by the Air Quality Management District, and because mitigation measure 4.3-3 may not reduce the impact to a less-than-significant level, this cumulative impact is considered significant and unavoidable. These impacts were adequately addressed in the Findings and Overriding Considerations adopted by The University in connection with its approval of the 2003 LRDP and certification of the 2003 LRDP EIR. The University finds the remaining significant and unavoidable impact continues to be 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.F of these Findings.

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

The proposed project, as part of the growth from the 2003 LRDP, in combination with expected regional growth, would result in a cumulatively considerable increase of non-attainment pollutants. Previously adopted LRDP Mitigation Measure 4.3-6 would still be implemented and would aid in reducing emissions. Because the campus cannot guarantee the implementation of this measure by surrounding jurisdictions, this cumulative impact is considered significant and unavoidable. These impacts were adequately addressed in the Findings and Overriding Considerations adopted by The University in connection with its approval of the 2003 LRDP and certification of the 2003 LRDP EIR. The University finds the remaining significant and unavoidable impact continues to be 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.F of these Findings.

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

The proposed project, as part of the growth from the 2003 LRDP, in combination with expected regional growth, would result in a cumulatively considerable disturbance to archaeological resources in the region. Previously adopted LRDP Mitigation Measures 4.5-1 through 4.5-5 would still be implemented and would aid in reducing disturbance to archaeological resources. Because the campus cannot guarantee the implementation of this measure by surrounding jurisdictions, this cumulative impact is considered significant and unavoidable. These impacts were adequately addressed in the Findings and Overriding Considerations adopted by The University in connection with its approval of the 2003 LRDP and certification of the 2003 LRDP EIR. The University finds the remaining significant and unavoidable impact continues to be 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.F of these Findings.

e. Groundwater impacts associated with increase in withdrawals from the deep and shallow/intermediate aquifers (LRDP Impacts 4.8-5, 4.8-6, 4.8-13 and 4.8-14)

The proposed project, as part of the growth from the 2003 LRDP, in combination with expected regional growth, would contribute to the demand from water from both deep aquifer and shallow/intermediate aquifer. LRDP Mitigation Measures 4.8-5(a-d) and 4.8-6 (a-e) would require continued water conservation efforts, efforts to determine the ability of the both aquifers to provide for the campus' long-term water needs, efforts to minimize withdrawals by UC Davis and the City of Davis from the same deep aquifer, monitoring of both aquifers, and identification of alternative water sources, including surface water and recycled water. Regardless of these mitigation measures, UC Davis' future demand for water could reduce groundwater levels in one or both of these aquifers, contributing to a net deficit in the overall groundwater budget. LRDP Mitigation Measures 4.8-13 (a, b) and 4.8-14 (a, b) address cumulative withdrawals associated with both campus and City of Davis water demand. However, the combined effects are not well understood, and could result in a long term reduction in groundwater levels. Therefore, this impact is considered significant and unavoidable, both on a project and cumulative level. These impacts were adequately addressed in the Findings and Overriding Considerations adopted by The University in connection with its approval of the 2003 LRDP and certification of the 2003 LRDP EIR. The University finds the remaining significant and unavoidable impact continues to be 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.F of these Findings.

f. Cumulative increases in traffic noise associated with increased vehicular traffic (LRDP Impacts 4.10-2 and 4.10-5)

The proposed project, as part of the growth from the 2003 LRDP, in combination with expected regional growth, would contribute to increased vehicle traffic and, therefore, ambient noise levels. LRDP Mitigation Measure 4.10-2(a-b) would address this impact by requiring specific noise abatement and noise control programs on campus and in the City of Davis. However, the campus cannot ensure that LRDP Mitigation Measure 4.10-2(a) would be implemented by the City, and it is uncertain whether this measure would effectively reduce noise to acceptable levels. Therefore, the impact would still be considered significant and unavoidable. These impacts were adequately addressed in the Findings and Overriding Considerations adopted by The University in connection with its approval of the 2003 LRDP and certification of the 2003 LRDP EIR. The University finds the remaining significant and unavoidable impact continues to be 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.F of these Findings.

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

The effect of direct population growth associated with the 2003 LRDP, including the proposed project, is considered a significant and unavoidable impact. The 2003 LRDP EIR did not

identify any mitigation measures to reduce the significance of impacts associated with population and housing. This impact was adequately addressed in the Findings and Overriding Considerations adopted by The University in connection with its approval of the 2003 LRDP and certification of the 2003 LRDP EIR. The University finds the remaining significant and unavoidable impact continues to be 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.F of these Findings.

h. Cumulative demands on public services including regional fire and police protection schools, and parks (LRDP Impacts 4.12-6, 4.12-7 and 4.13-2).

The proposed project, as part of the growth from the 2003 LRDP, in combination with expected regional growth, would contribute to regional demand for fire and police services and to the requirement for new school and park facilities. Construction of those new facilities could result in development of agricultural areas and loss of habitat. LRDP Mitigation Measures 4.12-6, 4.12-7 and 4.13-2 would provide for UC Davis to contribute a fair share of costs for feasible mitigation to reduce environmental effects of providing those services. However, impacts associated with loss of prime farmland and habitat would be irreversible, and the cumulative impacts are thus considered significant and unavoidable. These impacts were adequately addressed in the Findings and Overriding Considerations adopted by The University in connection with its approval of the 2003 LRDP and certification of the 2003 LRDP EIR. The University finds the remaining significant and unavoidable impact continues to be 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.F of these Findings.

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

The proposed project, as part of the growth from the 2003 LRDP would contribute to traffic increases associated with additional campus population, which would result in unacceptable LOS at off-campus intersections and roadways. LRDP Mitigation Measures 4.14-1(a-c) and 4.14-2(a-c) would address these impacts by requiring the campus to continue to pursue Transportation Demand Management strategies to reduce vehicle-trips, monitor peak hour traffic operations at critical locations, review individual projects to determine if operations will degrade to unacceptable levels, and contribute fair share costs to roadway improvements if operations degrade. Because the feasibility and/or implementation of off-campus roadway and intersection improvements is ultimately within the jurisdiction of other authorities and cannot be guaranteed by the University, this impact is considered significant and unavoidable. This impact was adequately addressed in the Findings and Overriding Considerations adopted by The University in connection with its approval of the 2003 LRDP and certification of the 2003 LRDP EIR. The University finds the remaining significant and unavoidable impact continues to be 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.F of these Findings.

j. Cumulative demands for wastewater treatment facilities in the region, construction of which could result in significant environmental impacts (LRDP Impact 4.15-10)

The proposed project, as part of the growth from the 2003 LRDP, in combination with expected regional growth, would contribute to regional demand for wastewater treatment facilities, which the 2003 LRDP EIR recognized could result in significant environmental impacts. LRDP Mitigation Measure 4.15-10 would provide for UC Davis to contribute a fair share of costs for feasible mitigation. However, impacts associated with an irreversible loss of prime farmland and habitat could not be mitigated to less-than-significant levels, and the cumulative impacts are thus considered significant and unavoidable. This impact was adequately addressed in the Findings and Overriding Considerations adopted by The University in connection with its approval of the 2003 LRDP and certification of the 2003 LRDP EIR. The University finds the remaining significant and unavoidable impact continues to be 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.F of these Findings.

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

The Tiered Initial Study 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 continued implementation of previously adopted 2003 LRDP 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 Initial Study.

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

Campus development allowed under the 2003 LRDP could disrupt nesting efforts or result in the loss of active nest sites for Swainson's hawk. Previously adopted 2003 LRDP Mitigation Measures 4.4-4 (a)-(b), and 4.4-require the campus to conduct pre-construction and annual surveys for nesting birds to take feasible action if potential disturbance to nesting raptors is identified and to allow the campus to minimize the potential impact. The campus continues to implement this mitigation measure when needed to ensure adequate protection of nesting efforts by Swainson's hawks and other birds of prey. Implementation of the mitigation measures would reduce the impact to a less-than-significant level.

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

Campus development allowed under the LRDP could result in removal of important trees. In accordance with previously adopted 2003 LRDP Mitigation Measure 4.4-11, a tree survey of the project site was conducted. Construction of the Physical Sciences Expansion would require removal of two specimen Chinese hackberry trees. In accordance with Mitigation Measures 4.4-11, specimen trees would be relocated or replaced. Implementation of the mitigation measure would reduce the impact to a less-than-significant level.

c. Implementation of the 2003 LRDP could damage or destroy an archaeological resource or historic building or structure as the result of grading, excavation, ground disturbance or other project development (LRDP Impact 4.5-1).

Campus development allowed under the 2003 LRDP could disrupt damage or destroy archaeological resources. Previously adopted 2003 LRDP Mitigation Measure 4.5-1(a, b) requires the campus evaluate project sites for historic buildings and archaeological resources. The campus continues to implement this mitigation measure when needed to ensure adequate protection of historic buildings and archaeological resources. Implementation of the mitigation measure would reduce the impact to a less-than-significant level.

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

Campus development allowed under the 2003 LRDP could result in disturbance of human remains, including those interred outside of formal cemeteries. Previously adopted 2003 LRDP Mitigation Measure 4.5-4 (a-b) requires the campus to take appropriate steps to minimize the potential for such disturbance and, if disturbance occurs, to follow all requirements to protect the human remains and complete the proper reinterment procedures. The campus continues to implement this mitigation measure during project planning and construction. Implementation of the mitigation measure would reduce the impact to a less-than-significant level.

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

Campus development allowed under the 2003 LRDP could physically interfere with the campus Emergency Operations Plan. Previously adopted 2003 LRDP Mitigation Measure 4.7-17 requires the campus to either maintain existing access routes for emergency vehicles or provide suitable construction related detours for emergency vehicles. The campus continues to implement this mitigation measure when needed to ensure adequate emergency vehicle access for the campus. Implementation of the mitigation measure would reduce the impact to a less-than-significant level.

f. Campus growth under the 2003 LRDP in combination with regional development would increase discharge of treated effluent from the campus wastewater treatment plant into the South Fork of Putah Creek, which could exceed waste discharge requirements and degrade receiving water quality. (LRDP Impacts 4.8-4 and 4.8-12).

Campus development allowed under the 2003 LRDP in combination with regional development would increase discharge of treated effluent which could degrade receiving water quality. Previously adopted 2003 LRDP Mitigation Measure 4.8-4 (a, b) requires the campus to continue to monitor and modify its pretreatment program Wastewater Treatment Plant operation and/or treatment processes as necessary to comply with waste discharge requirements. The campus continues to implement this mitigation measure so that water quality effects of discharge are minimized. Implementation of the mitigation measure would reduce both project and cumulative impacts to a less-than-significant level.

g. Construction of campus facilities under the 2003 LRDP could expose nearby receptors to excessive groundborne vibration and airborne or groundborne noise (LRDP Impact 4.10-1).

Campus development allowed under the 2003 LRDP could increase the potential for noise impacts near construction sites. Previously adopted 2003 LRDP Mitigation Measure 4.10-1 requires the campus to enact a construction noise mitigation program to minimize the effects of construction noise. The campus continues to implement this mitigation measure when needed so that the effects of construction noise are minimized. Implementation of the mitigation measure would reduce the impact to a less-than-significant level.

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

Campus development allowed under the 2003 LRDP would increase traffic and could increase the potential for unacceptable operation of on-campus intersections. Previously adopted 2003 LRDP Mitigation Measures 4.14-1(a-c) and 4.14-2 (a-c) require the campus to continue to pursue Transportation Demand Management strategies to reduce vehicle-trips, monitor peak hour traffic operations at critical locations, and review individual projects to determine if operations will degrade to unacceptable levels. The campus continues to implement this mitigation measure when needed so that the traffic impacts are minimized. In addition, project specific Mitigation Measure MM-1 proposes planning and implementation of parking lot conversions along Hutchinson Drive to reduce vehicle trips at the Hutchinson Drive and LaRue Road intersection, which would be impacted by traffic from the Service Unit Park portion of the project. Implementation of these mitigation measures would reduce the impact to a less-than-significant level.

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

Campus development allowed under the 2003 LRDP would create demand for parking. Previously adopted 2003 LRDP Mitigation Measure 4.14-3(a-b) requires the campus to continue to pursue Transportation Demand Management strategies to reduce parking demand, and provide additional parking as needed. The campus continues to implement this mitigation measure when needed so that the traffic impacts are minimized. Implementation of these mitigation measures would reduce the impact to a less-than-significant level.

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

Campus development allowed under the 2003 LRDP would create demand for transit services. Previously adopted 2003 LRDP Mitigation Measure 4.14-4 requires the campus to continue to provide additional transit services or new transit routes as needed. The campus continues to implement this mitigation measure when needed so that the traffic impacts are minimized. Implementation of this mitigation measure would reduce the impact to a less-than-significant level.

k. Growth in population levels in the core area of the central campus would result in increased conflicts between bicyclists, pedestrians, and transit vehicles, causing increased congestion and safety problems (LRDP Impact 4.14-5).

Campus development allowed under the 2003 LRDP could cause congestion and safety problems associated with conflicts between bicyclists, pedestrians and transit vehicles. Previously adopted 2003 LRDP Mitigation Measure 4.14-5 requires the campus to continue to monitor activity and accidents, and modify bike and pedestrian facilities and transit operations to minimize accidents and safety problems. The campus continues to implement this mitigation measure when needed so that the traffic impacts are minimized. Implementation of these mitigation measures would reduce the impact to a less-than-significant level.

l. Implementation of the 2003 LRDP would require the expansion of natural gas transmission systems, which would result in environmental impacts (LRDP Impact 4.15-7).

Campus development allowed under the 2003 LRDP would require expansion of natural gas transmission systems. Previously adopted 2003 LRDP Mitigation Measure 4.15-7 (a, b) requires the campus to review project needs to determine if existing systems are adequate and if modifications are necessary. The campus continues to implement this mitigation measure when needed so that the utility system impacts are minimized. Implementation of these mitigation measures would reduce the impact to a less-than-significant level.

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

The Initial Study identifies the following less-than-significant impacts for which 2003 LRDP mitigation measures have been incorporated as part of the project. Mitigation to further reduce less-than-significant impacts is not required by CEQA. The mitigation measures identified below are presented in summary form. For a detailed description of these measures, please see the Initial Study.

a. Regional growth, including implementation of the 2003 LRDP would increase toxic air contaminants (TAC), but TAC emissions associated with the project would not be significant.

The project, as part of growth under the 2003 LRDP, would increase TAC emissions from laboratory facilities and from use of emergency generators on campus. The impact continues to be less-than-significant and, although not required, continued implementation of previously adopted 2003 LRDP Mitigation Measure 4.3-8 (EPA, CARB and UC Davis continued efforts to develop and implement programs to reduce air toxics) will continue to further reduce this less-than-significant impact.

b. Implementation of the 2003 LRDP would increase routine hazardous chemical use on campus by UC Davis laboratories and departments and in maintenance and support operations, which would not create significant hazards to the public or the environment.

The project, as part of growth under the 2003 LRDP, would increase routine hazardous chemical use on campus. This impact was determined in the 2003 LRDP EIR to be less-than-significant because of the low hazard risk to the public and to the environment. The impact continues to be less-than-significant and, although not required, continued implementation of previously adopted 2003 LRDP Mitigation Measure 4.7-1, 4.7-3 (a-b), and 4.7-4 (a-c) (continued implementation of chemical safety plans and programs) will continue to further reduce this less-than-significant impact.

c. Implementation of the 2003 LRDP could increase routine generation of hazardous wastes on campus by UC Davis laboratories and departments and from maintenance and support operations, which would not create significant hazards to the public or the environment.

The project, as part of growth under the 2003 LRDP, would increase routine hazardous chemical waste on campus. This impact was determined in the 2003 LRDP EIR to be less-than-significant because of the low hazard risk to the public and to the environment. The impact continues to be less-than-significant and, although not required,

continued implementation of previously adopted 2003 LRDP Mitigation Measure 4.7-2 (a and b) (continued implementation of chemical safety plans and programs and continued implementation of hazardous waste management programs) will continue to further reduce this less-than-significant impact.

d. Implementation of the 2003 LRDP would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

The project, as part of growth under the 2003 LRDP, would increase routine transport of hazardous materials. This impact was determined in the 2003 LRDP EIR to be less-than-significant because of the low hazard risk to the public and to the environment. The impact continues to be less-than-significant and, although not required, continued implementation of previously adopted 2003 LRDP Mitigation Measure 4.7-8 (continued implementation of requirement to transport chemicals on public roads in conformance with all legal transportation requirements) will continue to further reduce this less-than-significant impact.

e. Implementation of the 2003 LRDP would not create a significant hazard to the public or to the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

The project, as part of growth under the 2003 LRDP, would include use of building cleaning materials, which would not expose employees or campus occupants to significant levels of potentially hazardous materials. This impact was determined in the 2003 LRDP EIR to be less-than-significant because of the low hazard risk. The impact continues to be less-than-significant and, although not required, continued implementation of previously adopted 2003 LRDP Mitigation Measure 4.7-9 (standard practices for storage and transportation of hazardous materials) will continue to further reduce this less-than-significant impact.

f. Demolition or renovation of buildings under the 2003 LRDP would not expose construction workers or campus occupants to contaminated soils or building materials.

The project, as part of growth under the 2003 LRDP, would include building renovation which could expose construction workers or campus occupants to contaminated soils or building materials. This impact was determined in the 2003 LRDP EIR to be less-than-significant because of the low hazard risk. The impact continues to be less-than-significant and, although not required, continued implementation of previously adopted 2003 LRDP Mitigation Measures 4.7-12 and 4.7-13 (preconstruction surveys for potential contamination before any demolition work is performed) will continue to further reduce this less-than-significant impact.

g. Campus construction activities associated with implementation of the 2003 LRDP would not contribute substantial loads of sediment or other pollutants in storm water runoff that could degrade receiving water quality.

The project, as part of growth under the 2003 LRDP, would contribute to sediment in stormwater runoff. This impact was determined in the 2003 LRDP EIR to be less-than-significant because the campus will continue to implement erosion control measures to eliminate or reduce non-storm and storm water discharges to receiving waters. The impact continues to be less-than-significant and, although not required, continued implementation of previously adopted 2003 LRDP Mitigation Measure 4.8-1 (implementation of erosion control for construction projects) will continue to further reduce this less-than-significant impact.

h. Implementation of the 2003 LRDP would require the expansion of campus domestic/fire water extraction and conveyance systems, which would not cause significant environmental impacts.

The project, as part of growth under the 2003 LRDP, would contribute to the potential future expansion of the campus domestic/fire water extraction and conveyance systems. This impact was determined in the 2003 LRDP EIR to be less-than-significant because of the multiple options available for completing system improvements. The impact continues to be less-than-significant and, although not required, continued implementation of previously adopted 2003 LRDP Mitigation Measure 4.15-1 (a and b) (conducting utility assessments prior to connecting new projects and implementing conservation strategies) will continue to further reduce this less-than-significant impact.

i. Implementation of the 2003 LRDP would require the expansion of campus utility water extraction and conveyance systems, which would not cause significant environmental impacts.

The project, as part of growth under the 2003 LRDP, would contribute to the potential future expansion of the campus utility water extraction and conveyance facilities. This impact was determined in the 2003 LRDP EIR to be less-than-significant because of the multiple options available for completing system improvements and the relatively small construction activities that would be required to complete the system improvements. The impact continues to be less-than-significant and, although not required, continued implementation of previously adopted 2003 LRDP Mitigation Measure 4.15-2 (a and b) (conducting supply assessments prior to connecting new projects and implementing water conservation strategies) will continue to further reduce this less-than-significant impact.

j. Implementation of the 2003 LRDP would require the expansion of wastewater treatment and conveyance facilities, the construction

and operation of which would not result in significant environmental impacts.

The project, as part of growth under the 2003 LRDP, would contribute to the potential future expansion of the campus wastewater treatment and conveyance facilities. This impact was determined in the 2003 LRDP EIR to be less-than-significant because of the multiple options available for completing system improvements. The impact continues to be less-than-significant and, although not required, continued implementation of previously adopted 2003 LRDP Mitigation Measure 4.15-3 (conducting utility assessments prior to connecting new projects) will continue to further reduce this less-than-significant impact.

k. Implementation of the 2003 LRDP would require the expansion of campus storm water drainage conveyance and detention facilities, which would not result in significant environmental impacts.

The project, as part of growth under the 2003 LRDP, would contribute to the potential future expansion of the campus storm drainage conveyance and retention facilities. This impact was determined in the 2003 LRDP EIR to be less-than-significant because of the multiple options available for completing system improvements. The impact continues to be less-than-significant and, although not required, continued implementation of previously adopted 2003 LRDP Mitigation Measure 4.15-4 (conducting utility assessments prior to connecting new projects) will continue to further reduce this less-than-significant impact.

l. Implementation of the 2003 LRDP would require the expansion of the campus electrical system, which would not result in significant adverse environmental impacts.

The project, as part of growth under the 2003 LRDP, would contribute to the potential future expansion of the campus electrical system. This impact was determined in the 2003 LRDP EIR to be less-than-significant because of the multiple options available for completing system improvements. The impact continues to be less-than-significant and, although not required, continued implementation of previously adopted 2003 LRDP Mitigation Measure 4.15-6 (a and b) (conducting utility assessments prior to connecting new projects and implementing conservation measures) will continue to further reduce this less-than-significant impact.

m. Implementation of the 2003 LRDP would require the expansion of campus chilled water and steam generation and conveyance facilities, which would not result in significant environmental impacts.

The project, as part of growth under the 2003 LRDP, would contribute to the potential future expansion of the campus chilled water and steam generation and conveyance facilities. This impact was determined in the 2003 LRDP EIR to be less-than-significant because of the multiple options available for completing system improvements. The impact continues to be less-than-significant and, although not required, continued implementation of previously adopted 2003

LRDP Mitigation Measure 4.15-8 (conducting utility assessments prior to connecting new projects) will continue to further reduce this less-than-significant impact.

n. Implementation of the 2003 LRDP would require expansion of campus communication facilities, which would not result in significant environmental impacts.

The project, as part of growth under the 2003 LRDP, would contribute to the potential future expansion of the campus communication facilities. This impact was determined in the 2003 LRDP EIR to be less-than-significant because of the multiple options available for completing system improvements. The impact continues to be less-than-significant and, although not required, continued implementation of previously adopted 2003 LRDP Mitigation Measure 4.15-9 (conducting utility assessments prior to connecting new projects) will continue to further reduce this less-than-significant impact.

E. Additional Findings

1. Incorporation by Reference

These Findings incorporate by reference in their entirety the text of the Mitigated Negative Declaration for the project; the Initial Study for the project; the 2003 LRDP; the 2003 LRDP EIR, and the Findings and Statement of Overriding Considerations adopted by The Regents in connection with its approval of the 2003 LRDP. Without limitation, this incorporation is intended to elaborate on the scope and nature of mitigation measures, project and cumulative impacts, and the basis for determining the significance of impacts, the comparative analysis of alternatives, and the reasons for approving the project.

2. Mitigation Monitoring Program

When making findings, a lead agency must adopt a reporting or monitoring program for the changes to the project that it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment. The Regents hereby adopts the Mitigation Monitoring Program for the Physical Sciences Expansion and Service Unit Park Project, set forth in Appendix B of the Tiered Initial Study. To the extent that this project incorporates relevant 2003 LRDP EIR mitigation measures previously adopted by The Regents, implementation of these mitigation measures would be monitored pursuant to the 2003 LRDP EIR monitoring program, previously adopted by The Regents in connection with its approval of the 2003 LRDP and certification of the 2003 LRDP EIR. The 2003 LRDP EIR 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 2003 LRDP EIR

Mitigation Monitoring Program is designed to reduce or eliminate cumulative significant and unavoidable, significant, and potentially significant impacts, as well as impacts determined to be less-than-significant.

3. Record of Proceedings

Various documents and other materials constitute the record of proceedings upon which the University bases its findings and decisions contained herein. Most documents related to this project are located in the campus Office of Resource Management and Planning, University of California, One Shields Avenue, 376 Mrak Hall, Davis, California 95616. The record of proceedings for the 2003 LRDP approval is also located in the Office Resource Management and Planning. The custodian for these documents is the Office of Resource Management and Planning.

F. Statement of Overriding Considerations

The University 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 not avoided or substantially lessened, the agency must state in writing the reasons to support its actions based on the Initial Study and/or other information in the record. The Findings and Statement of Overriding Considerations adopted by The Regents in connection with its approval of the 2003 LRDP are equally relevant to, and are adopted as a part of, this project. All cumulative significant and unavoidable impacts were previously addressed in the Findings and Overriding Considerations adopted by The University in connection with its approval of the 2003 LRDP and certification of the 2003 LRDP EIR. These Findings and Overriding Considerations have been re-evaluated and are found to be current and valid Findings and Overriding Considerations today. Despite the occurrence of significant and unavoidable cumulative adverse environmental effects in the areas of aesthetics, criteria air pollutants, agricultural resources, biological resources, archaeological resources, groundwater, surface water quality, noise, population, public services, traffic and utilities the additional reasons for the approval of the project are as follows:

1. The project implements a portion of the 2003 LRDP and is consistent with the analysis in the 2003 LRDP EIR.
2. The project would relocate support services to a more suitable location, allowing space to provide additional academic facilities within the core campus area.
3. The project helps achieve the objective of clustering related programs geographically to promote efficiencies and interaction.

4. The project helps achieve a campus development objective of locating new academic facilities within a 10-minute walk from the center of campus core.

5. The project would accommodate a location for a future connection to the Arboretum Walk.

6. The project helps achieve the campus objective of designing a garden walk area for pedestrians by including a proposed Garden Walk realignment that would extend along the northern edge of the proposed Physical Sciences Expansion building.

G. Summary

Based on the foregoing Findings and the information contained in the record, The University finds with respect to the project:

1. Changes or alterations have been required in, or incorporated into, the Approval for the project. These changes or alterations mitigate to a less-than-significant level or avoid the potentially significant environmental effects of the project as identified in the Tiered Initial Study.
2. The mitigated negative declaration reflects the University's independent judgment and analysis.
3. Any significant cumulative impacts to which the project contributes and that are found to be unavoidable were fully analyzed in the 2003 LRDP EIR and are acceptable due to the factors described and adopted in the Findings and Statement of Overriding Considerations in Section II.F, above.

III. APPROVAL

The University hereby takes the following actions:

- A.** Adopts the Mitigated Negative Declaration for the project as described in Section I, above.
- B.** Approves and incorporates into the project all project elements, relevant 2003 LRDP EIR mitigation measures, project-specific mitigation measures, and the project-specific monitoring program identified in the project's Tiered Initial Study.
- C.** Adopts the Findings in their entirety as set forth in Section II, above.

- D.** Having adopted the Mitigated Negative Declaration, independently reviewed and analyzed the Mitigated Negative Declaration and Final Initial Study, and adopted the Findings, the University hereby approves the construction and design of the Physical Sciences Expansion.