

**CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS
IN CONNECTION WITH THE APPROVAL OF THE DESIGN AND CONSTRUCTION
FOR THE LARGE SOLAR POWER PLANT PROJECT,
DAVIS CAMPUS**

**I. ADOPTION OF THE LARGE SOLAR POWER PLANT NEGATIVE
DECLARATION**

The findings set forth below support the approval of the Design and Construction for the Large Solar Power Plant project (the LSSP), amendment of the UC Davis 2003 Long Range Development Plan (the LRDP Amendment #1, collectively referred to herein with the LSSP as the “Project”), and adoption of the Large Solar Power Plant Negative Declaration. Pursuant to Title 14, California Code of Regulations, Section 15074(b), The Board of Regents of the University of California (The Regents) (hereinafter referred to as “The University”), hereby finds that an Initial Study was prepared for the Project in compliance with the California Environmental Quality Act, Public Resources Code Sections 21000 et seq. (CEQA) on the basis of which the adoption of the Negative Declaration is proposed.

The Initial Study is tiered from UC Davis’ Long Range Development Plan (LRDP) Environmental Impact Report (EIR), which was certified by The Regents in November 2003. The Project includes a proposed amendment to the 2003 LRDP land use map as described below and considered as part of the approval herein. The 2003 LRDP describes the scope and nature of campus development through 2015-16, as well as land use principles and policies to guide the location, scale and design of individual capital projects, and identifies measures to mitigate the significant adverse impacts and cumulative impacts associated with that growth.

The University received the proposed Negative Declaration, the Initial Study, and the 2003 LRDP EIR, and reviewed and considered the information contained in these documents and any comments on these documents prior to approving the Project. The University hereby finds that the Initial Study and proposed Negative Declaration reflect the independent judgment and analysis of the University and adopts the Negative Declaration.

II. FINDINGS

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

A. Background

UC Davis proposes to construct a new solar photovoltaic facility for electricity generation. The LSSP is planned for installation on up to 70 acres and would help the campus meet demand for electricity and achieve goals for reducing greenhouse gas emissions. The site, on the South

Campus in Solano County, is south of Interstate 80 and approximately ½ mile east of Old Davis Road along the north levee of Putah Creek on land used for agricultural production. The solar panels would be installed in rows to maximize solar efficiency while allowing maintenance access on paths between the rows. The installation would include concrete footings for some accessory equipment and piers driven directly into the ground would support the solar panels approximately one to five feet above the ground.

The proposed LSSP project would be constructed and operated by a third-party developer through a power purchase agreement which would allow installation of solar facilities on the 70 acres in one or more phases to provide a solar project with capacity of 7 to 14 megawatts (MW). Electricity generation from the project would provide up to 11% of the current total campus yearly demand for electricity and would reduce campus greenhouse gas emissions.

Water for washing the panels would be provided to the site using water trucks that would refill using either the existing well at the project site or a campus water main. New overhead electricity lines and support poles would be used to transmit the new electricity from the project site into the campus electrical system at the campus electrical substation approximately ½ mile north of the project site. In order to accept all of the electricity generated from the solar panels, minor equipment upgrades to electrical equipment at the campus electrical substation may be needed.

The proposed LSSP site is designated as *Teaching and Research Fields* for agricultural uses in the 2003 LRDP. The proposed LSSP is not consistent with this designation. The campus requests an amendment to the LRDP to address this consistency issue. The proposed LRDP amendment is shown in Attachments 3, 4 and 5 of the Regent's proposed approval item.

The proposed LSSP site that is the subject of LRDP Amendment #1 was not designated for development in the 2003 LRDP EIR and consequently, the LRDP EIR did not identify the LSSP site as part of the approximately 745 acres anticipated for conversion from agricultural uses to non-agricultural uses. The campus desires to develop the project site at this time but does not want to increase the amount of land designated for agricultural conversion. To maintain the total of 745 acres to be converted from agricultural use, the University would amend the 2003 LRDP to change the land use designation on the 70-acre project site from *Teaching and Research Fields* to *Support* and to also change 70 acres of other campus land from 2003 LRDP land use designations to *Teaching and Research Fields* to support on-going agricultural uses. Table 1 illustrates the breakdown of the proposed amendment of 70.0 acres to *Support* and 70.0 acres to *Teaching and Research Fields*.

Table 1: UC Davis LRDP Proposed Amendment of 70 acres to Support and 70 acres to Teaching and Research Fields

Parcel Location/Size	Existing Land Use Designation	Proposed New Designation	Purpose of Redesignation
<i>South Campus</i>			
70 acres	<i>Teaching and Research Fields</i>	<i>Support</i>	Project site for Solar Power
11.8 acres	<i>Academic /Administrative High Density</i>	<i>Teaching and Research Fields</i>	Maintain agricultural land
8.2 acres	<i>Academic /Administrative Low Density</i>	<i>Teaching and Research Fields</i>	Maintain agricultural land
1.1 acres	<i>Support</i>	<i>Teaching and Research Fields</i>	Maintain agricultural land
26.2 acres	<i>Support</i>	<i>Teaching and Research Fields</i>	Maintain agricultural land
5.7 acres	<i>Support</i>	<i>Teaching and Research Fields</i>	Maintain agricultural land
7.1 acres	<i>Support</i>	<i>Teaching and Research Fields</i>	Maintain agricultural land
<i>West Campus</i>			
4.2 acres	<i>Academic /Administrative Low Density</i>	<i>Teaching and Research Fields</i>	Maintain agricultural land
5.7 acres	<i>Support</i>	<i>Teaching and Research Fields</i>	Maintain agricultural land
70 acres total			

The proposed LRDP Amendment #1 changes shown in Table 1 would result in modifications to the areas designated for *Support*, *Teaching and Research Fields*, and *Academic/Administrative High Density* land uses. The aggregate modifications proposed to each land use are summarized below:

- 70.0 acres from *Teaching and Research Fields* to *Support*
- 11.8 acres from *Academic /Administrative High Density* to *Teaching and Research Fields*
- 12.4 acres from *Academic /Administrative Low Density* to *Teaching and Research Fields*
- 45.8 acres from *Support* to *Teaching and Research Fields*

Land surrounding the project site would be continue as agricultural land and the project development would not interfere with future farming of these surrounding lands. On the surrounding lands, equipment access, water supply, and parcel sizes after project development would remain adequate for continued farming operations.

In the South Campus, the campus proposes that the Regents re-designate 60.1 acres of land currently shown as *Support* and *Academic and Administrative* to *Teaching and Research Fields*.

In the West Campus, the campus proposes that the Regents re-designate 4.2 acres from *Academic and Administrative Low Density* to *Teaching and Research Fields*, and 5.7 acres would be re-designated from *Support* to *Teaching and Research Fields*, for a total of 9.9 acres designated as *Teaching and Research Fields*. In total, the project site would be 70 acres designated as *Support* and 70 acres of South Campus and West Campus land would be designated as *Teaching and Research Fields*. With the re-designations, the proposed project would be consistent with the amended 2003 LRDP for both the land uses at the solar project site and the overall amount of 745 acres of land anticipated for agricultural land conversion to developed uses would not change.

The current LRDP land use designations were approved by the Regents in November 2003. During the intervening decade, the campus has located support facilities near the airport that were originally slated for the support lands that will be designated for *Teaching and Research Fields*. In addition, lands near the entrance to campus have been developed to accommodate the Robert Mondavi Wine and Food institute and the companion vineyards. Similarly, the lands on the west campus are not needed for current expansion plans at the California National Primate Research Center. Thus, these lands can be designated as *Teaching and Research Fields* without constraining future academic, administrative or support program growth.

B. Environmental Review Process

A Tiered Initial Study (State Clearinghouse No. 2013072025) was prepared for the Large Solar Power Plant Project in accordance with CEQA and the University of California Procedures for Implementation of CEQA. The Initial Study evaluates the proposed construction and operational activities that would take place to complete the entire Large Solar Power Plant as well as the impacts of amending the LRDP to accommodate the LSSP. The Initial Study, in accordance with Section 15168 of the CEQA Guidelines, is tiered from the campus 2003 Long Range Development Plan Environmental Impact Report (2003 LRDP EIR) (State Clearinghouse No. 2002109092), which was certified by The Regents in connection with the approval of the 2003 LRDP in November 2003.

The 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 potential impacts of the Project are analyzed in the Tiered Initial Study for the following environmental topic areas: (1) aesthetics, (2) agricultural resources, (3) air quality, (4) biological resources, (5) cultural resources, (6) greenhouse gas emissions, (7) geology, soils, and seismicity, (8) hazards and hazardous materials, (9) hydrology and water quality, (10) land use and planning, (11) mineral resources, (12) noise, (13) population and housing, (14) public services, (15) recreation, (16) transportation, circulation and parking, and (17) utilities and service systems.

Based on the analysis contained in the Tiered Initial Study, it is determined that the proposed Project would not result in potentially significant effects on the environment that were not previously addressed in the 2003 LRDP EIR. Based on this analysis, no project-specific mitigation measures are proposed for adoption.

The proposed 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 July 12, 2013 and concluding on August 12, 2013. 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 30-day review period, the State Water Resources Control Board, the Yocha Dehe Wintun Nation, Central Valley Flood Protection Board, and the Department of Toxic Substances Control submitted letters indicating standard permit requirements and consultation requirements would apply to the Project. The campus ensures compliance with these standard permit and regulatory requirements through incorporation into the contracting documents and University procedures for the Project as a standard practice for campus construction efforts. A copy of the letters and detailed responses to the comments is provided in Appendix B of the Initial Study. The comment letters raise no information about potentially significant environmental effects from the Project and therefore recirculation is not required.

C. Environmental Summary

The following sections summarize the environmental evaluation provided in the Large Solar Power Plant Tiered Initial Study for the proposed Project.

1. Significant and Unavoidable Adverse Impact Associated with the Project

The Tiered Initial Study recognizes significant and unavoidable adverse impacts associated with the approval of the Project and identifies related mitigation measures. The significant and unavoidable adverse impacts relate to aesthetics, agricultural resources, air quality, biological

resources, and cultural resources and were addressed in the 2003 LRDP EIR. The 2003 LRDP EIR identified mitigation measures that would reduce these significant and unavoidable impacts to the extent feasible, but not to a less than significant level. The mitigation measures identified in the 2003 LRDP EIR were adopted and incorporated into the 2003 LRDP as part of the approval of the 2003 LRDP, are currently being implemented, and are identified and discussed briefly below. Sections 7.1, 7.2, 7.3, 7.4, and 7.5 of the Tiered Initial Study provide a detailed description of these mitigation measures, which are applicable to and incorporated into the Project. No feasible additional Project-level mitigation measures were identified in the Tiered Initial Study that would further reduce or avoid these impacts.

The 2003 LRDP EIR and its associated Findings and Statement of Overriding Considerations adopted by the University in connection with its approval of the 2003 LRDP and certification of the 2003 LRDP EIR adequately analyzed and addressed the significant and unavoidable impact to which the Project would contribute. The University affirms its determination in the 2003 LRDP Findings and Statement of Overriding Considerations that the remaining unmitigated significant and unavoidable impact associated with growth pursuant to the 2003 LRDP, including the proposed Project, are acceptable and that the benefits of the Project outweigh its unavoidable significant impact for the reasons set forth in Section II.D of these findings.

a. Campus development in conjunction with regional development could cumulatively impact the visual character of the region (LRDP Impact 4.1-5).

The 2003 LRDP EIR identified significant and unavoidable adverse cumulative impacts associated with aesthetic changes to scenic vistas and visual character. The proposed Project, as part of the growth from the 2003 LRDP, would contribute to changes in overall visual character. Previously adopted LRDP Mitigation Measures 4.1-2 (a-b) (new structures, roads, and landscaping shall be designed to be compatible with the 2003 LRDP visual elements and policies, and the Campus Design Review Committee must determine that project designs are consistent with the 2003 LRDP policies) and 4.1-5 (a-b) (implement Mitigation Measure 4.1-2(a-b) and surrounding local jurisdictions can and should implement policies that support the protection of visual quality) would reduce impacts on visual character. The proposed LRDP land use amendment would not contribute to LRDP Impact 4.1-5 relating to visual character of the region. The LRDP land use amendment, as an action separate from the proposed solar project, would have no impact on visual resources because no physical development activities would result from the action of modifying the campus land use plan.. The Tiered Initial Study did not identify any additional project-specific mitigation measures that would avoid or substantially lessen the project's contribution to this impact. While the 2003 LRDP mitigation measures would reduce the magnitude of this cumulative impact, it is still considered significant and unavoidable.

This impact was adequately analyzed and addressed the 2003 LRDP EIR and in the Findings and Overriding Considerations adopted by The Regents in connection with its approval of the 2003

LRDP and certification of the 2003 LRDP EIR. The University finds that the remaining significant and unavoidable cumulative impact associated with growth pursuant to the 2003 LRDP, including the proposed project, continues to be acceptable and the benefits of the project outweigh this and other unavoidable environmental impacts for the reasons set forth in Section II.F of these Findings.

b. Growth under the 2003 LRDP would convert farmland to a non-agricultural use (LRDP Impact 4.2-1 and 4.2-3).

The 2003 LRDP EIR identified significant and unavoidable adverse cumulative impacts associated with loss of prime farmland. The proposed project, as part of the overall growth pursuant to the 2003 LRDP, would be built on Prime Farmland and would contribute both to the project-level impact identified in the LRDP and to the cumulative impact in the region. These impacts are considered significant and unavoidable because they are considered irreversible. Previously certified LRDP EIR and Mitigation measures 4.2-1 and 4.2-3 are relevant to and incorporated into the proposed Project to reduce the significance of agricultural impacts to the extent feasible. The campus continues to investigate land areas that would be appropriate to designate as prime farmland in compliance with LRDP Mitigation Measure 4.2-1. At this time, the Russell Ranch or Kidwell parcels may still be used for this purpose. Prior to converting the teaching and research fields at the project site, the Chancellor will select a site for farmland preservation associated with the Large Solar Power Plant Project. The proposed LRDP land use amendment would not contribute to LRDP Impacts 4.2-1 and 4.2-3 relating to agricultural land production and development on farmland. The LRDP land use amendment, as an action separate from the proposed solar project, would have no impact on agricultural resources because no physical development activities would result from the action of modifying the campus land use plan. The Tiered Initial Study did not identify any additional project-specific mitigation measures that would avoid or substantially lessen the project's contribution to this impact. While the 2003 LRDP mitigation measures would reduce the magnitude of this cumulative impact, it is still considered significant and unavoidable.

These impacts were adequately analyzed and addressed the 2003 LRDP EIR and in the Findings and Overriding Considerations adopted by The Regents in connection with its approval of the 2003 LRDP and certification of the 2003 LRDP EIR. The University finds that the remaining significant and unavoidable project-level impact and cumulative impact associated with growth pursuant to the 2003 LRDP, including the proposed project, continues to be acceptable and the benefits of the project outweigh this and other unavoidable environmental impacts for the reasons set forth in Section II.F of these Findings.

c. Impacts on air quality from construction emissions that exceed YSAQMD Thresholds (LRDP Impact 4.3-3).

The 2003 LRDP EIR identified significant and unavoidable adverse impacts associated with increased emissions of criteria pollutants that could contribute to overall construction emissions exceeding the Yolo-Solano Air Quality Management District thresholds. The Project would contribute to increased construction-related emissions of criteria pollutants. Previously adopted LRDP Mitigation Measures 4.3-3(a) (requiring the campus to include contract requirements for controlling construction dust and (c) (requiring the campus to control construction vehicle emissions) are continuing to be implemented and will aid in reducing the potential impact to air quality identified in the 2003 LRDP. The proposed LRDP land use amendment would not contribute to LRDP Impact 4.3-3 relating to air quality impacts from construction emissions. The LRDP land use amendment, as an action separate from the proposed solar project, would have no impact on air quality resources because no physical development activities would result from the action of modifying the campus land use plan. The Tiered Initial Study did not identify any additional project-specific mitigation measures that would avoid or substantially lessen the Project's contribution to this impact. While the 2003 LRDP mitigation measures would reduce the magnitude of this impact, it is still considered significant and unavoidable.

This impact was adequately analyzed and addressed the 2003 LRDP EIR and in the Findings and Overriding Considerations adopted by The Regents in connection with its approval of the 2003 LRDP and certification of the 2003 LRDP EIR. The University finds that the remaining significant and unavoidable cumulative impact associated with growth pursuant to the 2003 LRDP, including the proposed project, continues to be acceptable and the benefits of the project outweigh this and other unavoidable environmental impacts for the reasons set forth in Section II.F of these Findings.

d. Development allowed under the 2003 LRDP would contribute to the cumulative regional loss of Swainson's hawk foraging habitat (LRDP Impact 4.4-12).

The 2003 LRDP EIR identified significant and unavoidable adverse cumulative impacts associated with loss of habitat for Swainson's hawks and burrowing owls. The proposed project, as part of the overall growth pursuant to the 2003 LRDP, in combination with expected regional growth, would contribute to the loss of agricultural land that provides habitat for Swainson's hawk and burrowing owl. Previously adopted LRDP Mitigation Measure 4.4-12, which is applicable to and incorporated into the Project, would preserve habitat, which would reduce LRDP impacts to less than significant. However, cumulative loss of agricultural land in the region is irreversible and was determined to be a cumulatively significant impact. The proposed LRDP land use amendment would not contribute to LRDP Impact 4.4-12 relating to regional loss of Swainson's hawk foraging habitat. The LRDP land use amendment, as an action separate

from the proposed solar project, would have no impact on biological resources because no physical development activities would result from the action of modifying the campus land use plan. The Tiered Initial Study did not identify any additional project-specific mitigation measures that would avoid or substantially lessen the project's contribution to this impact. While the 2003 LRDP mitigation measures would reduce the magnitude of this cumulative impact, it is still considered significant and unavoidable.

This impact was adequately analyzed and addressed the 2003 LRDP EIR and in the Findings and Overriding Considerations adopted by The Regents in connection with its approval of the 2003 LRDP and certification of the 2003 LRDP EIR. The University finds that the remaining significant and unavoidable cumulative impact associated with growth pursuant to the 2003 LRDP, including the proposed project, continues to be acceptable and the benefits of the project outweigh this and other unavoidable environmental impacts for the reasons set forth in Section II.F of these Findings.

e. Development allowed under the 2003 LRDP could contribute to adverse changes to archaeological resources and values that contribute the resources cannot be preserved through documentation or data recovery (LRDP Impact 4.5-3).

The 2003 LRDP EIR identified significant and unavoidable adverse impacts associated with the potential impact of contributing to adverse changes to archaeological resources. The 2003 LRDP determined that certain impacts to archaeological resources could not be mitigated to a less than significant level even with implementation of measures to document the existence of archaeological resources and complete a data recovery effort for the resources. The Project would potentially contribute to adverse changes to archaeological resources if resources are discovered during LSSP construction. Previously adopted LRDP Mitigation Measures 4.5-3 (requiring the campus in cases where discovered materials cannot be preserved intact to conduct a documentation and data-recovery process) are applicable to and incorporated into the Project and would be implemented and would aid in reducing the potential impact to cultural resources identified in the 2003 LRDP. The proposed LRDP land use amendment would not contribute to LRDP Impact 4.5-3 relating to impacts on cultural resources. The LRDP land use amendment, as an action separate from the proposed solar project, would have no impact on cultural resources because no physical development activities would result from the action of modifying the campus land use plan. The Tiered Initial Study did not identify any additional project-specific mitigation measures that would avoid or substantially lessen the Project's contribution to this impact. While the 2003 LRDP mitigation measures would reduce the magnitude of this impact, it is still considered significant and unavoidable.

f. Development allowed under the 2003 LRDP would contribute to the cumulative loss of archaeological resources in the region (LRDP Impact 4.5-5).

The 2003 LRDP EIR identified significant and unavoidable adverse cumulative impacts associated with disturbances to archaeological resources. The proposed Project, as part of the overall growth pursuant to the 2003 LRDP, could contribute to disturbance of archaeological resources. Previously adopted LRDP Mitigation Measures 4.5-1 through 4.5-5 (as described in the above item II.D.1.e) would still be implemented and would aid in reducing disturbance to archaeological resources. The proposed LRDP land use amendment would not contribute to LRDP Impact 4.5-5 relating to impacts on cultural resources. The LRDP land use amendment, as an action separate from the proposed solar project, would have no impact on cultural resources because no physical development activities would result from the action of modifying the campus land use plan. The Tiered Initial Study did not identify any additional project-specific mitigation measures that would avoid or substantially lessen the project's contribution to this impact. While the 2003 LRDP mitigation measures would reduce the magnitude of this cumulative impact, it is still considered significant and unavoidable.

This impact was adequately analyzed and addressed the 2003 LRDP EIR and in the Findings and Overriding Considerations adopted by The Regents in connection with its approval of the 2003 LRDP and certification of the 2003 LRDP EIR. The University finds that the remaining significant and unavoidable cumulative impact associated with growth pursuant to the 2003 LRDP, including the proposed project, continues to be acceptable and the benefits of the project outweigh this and other unavoidable environmental impacts for the reasons set forth in Section II.F of these Findings.

2. Significant and Potentially Significant Impacts that are Considered "Less-than-Significant" Because the Project Incorporates LRDP Mitigation Measures

The Tiered Initial Study for the Project identified the following significant and potentially significant impacts associated with the Project that are considered "less-than-significant" or "adequately addressed by the 2003 LRDP EIR" due to the continued implementation of previously adopted 2003 LRDP mitigation measures or proposed implementation of project-specific mitigation measures as described below. The impacts resulting from the Project would be no greater than the level of impacts described in the 2003 LRDP EIR and were included within the analysis of the overall development in the 2003 LRDP EIR. For a detailed description of these mitigation measures, please see the text in the Tiered Initial Study.

- a. Development on campus from implementation of the 2003 LRDP could degrade the visual character of the campus (LRDP Impact 4.1-2).**

The 2003 LRDP EIR found that development on campus under the 2003 LRDP could degrade the visual character of the campus by substantially degrading the valued elements of the campus' visual landscape and the proposed project would potentially contribute to this impact. As analyzed in the Tiered Initial Study, the proposed Project incorporates LRDP Mitigation 4.1-2(a), requiring that the proposed Project be designed to be compatible with the visual elements and policies identified in the 2003 LRDP by placing the proposed LSSP away from Old Davis Road and ensuring that the solar panels are mounted close to the ground so as to not disrupt long range views of the horizon. In compliance with LRDP Mitigation 4.1-2(b), the campus Design Review Committee would review the LSSP design for consistency with the valued elements of the campus' visual landscape, applicable planning guidelines, and the character of surrounding development. With implementation of these measures, which are relevant to the proposed Project, the project's potential impact visual character would be less than significant. As a result, the Project's contribution to this impact will be less-than-significant. The proposed LRDP land use amendment, as an action separate from the proposed solar project, would have no impact on aesthetic resources because no physical development activities would result from the action of modifying the campus land use plan.

b. Development under the 2003 LRDP could result in the loss of foraging habitat for Swainson's hawks or other birds of prey (LRDP Impact 4.4-2).

The Project includes conversion of land from potential use as foraging habitat to a use (solar panels) that would preclude Swainson's hawk foraging. Previously adopted 2003 LRDP Mitigation Measure 4.4-2 4, which is applicable to and incorporated into the LSSP, requires the campus to mitigate the loss of foraging habitat by establishing mitigation land areas managed for foraging habitat. The proposed LSSP would contribute to the mitigation effort to ensure the Project contribution to this impact is less-than-significant. The proposed LRDP land use amendment, as an action separate from the proposed solar project, would have no impact on biological resources because no physical development activities would result from the action of modifying the campus land use plan.

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

The proposed LSSP includes tree removal and construction activities that could potentially result in the loss of active nest sites for Swainson's hawk or disrupt nesting efforts. Swainson's hawks have not nested on the Project site, but they have nested within 1/4 mile of the project site. Previously adopted 2003 LRDP Mitigation Measures 4.4-4 (a)-(b), and 4.4-5, which are applicable to and incorporated into the project description, 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 and ensure the Project contribution to this impact is less-than-significant. The proposed LRDP land use amendment, as an action separate from the proposed solar project, would have no impact on biological resources because no physical development activities would result from the action of modifying the campus land use plan.

d. Implementation of the 2003 LRDP could destroy an archaeological resource as a result of ground disturbance or other project development or result in the substantial adverse change to an archaeological resource as defined in CEQA Guidelines 15064.5 (LRDP Impacts 4.5-1 and 4.5-2.).

The 2003 LRDP EIR concluded that development projects implementing the 2003 LRDP could potentially damage certain archaeological resources and that specific mitigation measures could be implemented to reduce the damage to a less-than-significant level. The proposed LSSP is not expected alter archaeological resources because it is not within the zone of archaeological sensitivity and would not result in an extensive amount of excavation. As analyzed in the Tiered Initial Study the LSSP incorporates previously adopted LRDP Mitigation Measure 4.5-1 (requiring the campus to assess sites if archaeological materials are discovered to understand the significance of a discovery) and 4.5-2 (requiring the campus to implement a data recovery plan if avoiding impacts is not possible) and would minimize the potential impacts on archaeological resources . As a result, the Project's contribution to this impact will be less-than-significant. The proposed LRDP land use amendment, as an action separate from the proposed solar project, would have no impact on cultural resources because no physical development activities would result from the action of modifying the campus land use plan.

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

The LSSP would require excavation and grading and, although unlikely, could result in disturbance of human remains undiscovered during survey testing. Campus development allowed under the 2003 LRDP could result in disturbance of human remains, including those interred outside of formal cemeteries. As analyzed in the Tiered Initial Study the LSSP incorporates previously adopted 2003 LRDP Mitigation Measure 4.5-4 (a, b) requiring 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. As a result, the LSSP's contribution to this impact will be at a less-than-significant level. The proposed LRDP land use amendment, as an action separate from

the proposed solar project, would have no impact on cultural resources because no physical development activities would result from the action of modifying the campus land use plan.

f. Development under the 2003 LRDP could place non-residential structures in a 100-year floodplain contributing to flood hazards (LRDP Impact 4.8-9).

Campus development allowed under the 2003 LRDP could result in the construction of non-residential structures in a 100-year floodplain. The proposed LSSP would be constructed in an area within the 100-year floodplain with the solar panels elevated above the 100-year flood level. The Tiered Initial Study identified that the proposed project would incorporate LRDP Mitigation 4.8-9 (a) requiring the campus to construct the facilities so that flood impacts would be minimal and LRDP Mitigation 4.8-9 (b) requiring that any flood control devices direct flows to areas where flood hazards would be minimal. The campus continues to implement this mitigation measure so that flood hazards would be minimized. Implementation of the mitigation measure would reduce the Project's impact to a less-than-significant level. The proposed LRDP land use amendment, as an action separate from the proposed solar project, would have no impact on hydrologic conditions and flood risk because no physical development activities would result from the action of modifying the campus land use plan.

3. Less-than-Significant Impacts with Associated Mitigation Measures

The Tiered Initial Study identifies the following less-than-significant impacts associated with the proposed Project. Although not required to do so, the University has incorporated the 2003 LRDP EIR Mitigation Measures into the proposed Project to further reduce these less than significant impacts. The mitigation measures identified below are presented in summary form. Section 7 of the Tiered Initial Study contains detailed descriptions of these measures.

a. Construction activities on campus under the 2003 LRDP would not expose construction workers or campus occupants to contaminated soils or groundwater (LRDP Impact 4.7-12).

The proposed LSSP, as a component of growth under the 2003 LRDP, as modified by proposed LRDP Amendment #1, would include ground-disturbing construction activities which could expose construction workers or campus occupants to contaminated soils or groundwater. This impact was determined in the Tiered Initial Study to be less-than-significant because of the low hazard risk. The impact continues to be less-than-significant and, although not required, the LSSP incorporates previously adopted 2003 LRDP Mitigation Measure 4.7-12 (performance of due diligence assessments of sites where ground-disturbing construction is proposed) that will further reduce this less-than-significant impact. The proposed LRDP land use amendment, as an

action separate from the proposed solar project, would have no impact related to contaminated soil because no physical development activities would result from the action of modifying the campus land use plan.

b. Campus construction activities associated with implementation of the 2003 LRDP would not contribute substantial loads of sediment or other pollutants in storm water runoff that could degrade receiving water quality (LRDP Impact 4.8-1).

The LSSP, as a component of growth under the 2003 LRDP as modified by proposed LRDP Amendment #1, would contribute to sediment in stormwater runoff. This impact was determined in the Tiered Initial Study to be less-than-significant because the campus will continue to implement erosion control measures to eliminate or reduce non-storm and storm water discharges to receiving waters. The impact continues to be less-than-significant and, although not required, the LSSP incorporates previously adopted 2003 LRDP Mitigation Measure 4.8-1 (implementation of erosion control for construction projects) that will further reduce this less-than-significant impact. The proposed LRDP land use amendment, as an action separate from the proposed solar project, would have no impact related to stormwater runoff because no physical development activities would result from the action of modifying the campus land use plan.

E. Additional Findings

1. Incorporation by Reference

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

2. Mitigation Monitoring Program

When making findings, a lead agency must adopt a reporting or monitoring program for the changes to the Project that it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment. As described above in Section C, the Project incorporates all applicable mitigation measures contained in the 2003 LRDP EIR Mitigation Monitoring Program. All relevant 2003 LRDP EIR mitigation measures identified in the Final Tiered Initial Study and Negative Declaration will be monitored through the LRDP EIR

Mitigation Monitoring Program adopted by the University in connection with its approval of the 2003 LRDP in order to ensure compliance during Project implementation. No additional feasible mitigation measures were identified that would eliminate or reduce the proposed Project's significant impacts.

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 Environmental Stewardship and Sustainability, University of California, One Shields Avenue, 436 Mrak Hall, Davis, California 95616. The record of proceedings for the 2003 LRDP approval is also located in the Office of Environmental Stewardship and Sustainability. The custodian for these documents is the Office of Environmental Stewardship and Sustainability.

4. Additional Considerations

Section 15093(b) of the State CEQA Guidelines provides that when the decision of the public agency results in the occurrence of significant impacts that are not avoided or substantially lessened, the agency must state in writing the reasons to support its actions based on the NOP, Initial Study, Mitigated Negative Declaration, and/or other information in the record. The Findings and Statement of Overriding Considerations adopted by The Regents in connection with its approval of the 2003 LRDP and certification of the 2003 LRDP EIR previously addressed all of the significant and unavoidable impacts associated with implementation of the LRDP and the Initial Study and Negative Declaration for the Project concluded that the impacts associated the Project are within the scope of impacts analyzed in the 2003 LRDP EIR. The University has balanced the benefits of the LRDP implementation against the significant and unavoidable adverse environmental effects, discussed in the Findings and Statement of Overriding Considerations adopted by The Regents in connection with its approval of the 2003 LRDP, and re-affirmed herein, in determining that specific economic, legal, social, technological, and other benefits of this Project outweigh these adverse environmental effects, and finds those Findings and Statement of Overriding Considerations are equally relevant to, and are reaffirmed as a part of, this Project. As set forth below, the following considerations are project-specific reasons for the approval and implementation of the LSPP.

- a. The LSPP would leverage the use of campus land at single location to provide a large-scale project thereby minimizing net project costs.
- b. The LSPP supports current needs for electrical supply on-campus and would provide a source of campus electricity with no greenhouse gas emissions.

c. The LSPP would provide not conflict with campus land use needs and would compensate for agricultural land losses by removing an equivalent amount of land from future development under the 2003 LRDP.

G. Summary

Based on the foregoing Findings and the information contained in the record, it is hereby determined that:

a. All significant impacts on the environment due to the Project have been eliminated or substantially lessened where feasible.

b. Any significant impacts to which the Large Solar Power Plant contributes and that are found to be unavoidable were fully analyzed and adequately addressed in the 2003 LRDP EIR, as documented in the Initial Study and Negative Declaration for the Large Solar Power Plant, and are acceptable due to the factors described in the Findings and Statement of Overriding Considerations adopted in connection with The Regents' approval of the 2003 LRDP which are herein affirmed, and as further described in Section II.E, above.

c. The Large Solar Power Plant will not result in any new significant environmental effects or substantially increase the severity of the significant environmental effects previously identified in the 2003 LRDP EIR.

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

III. APPROVAL

The University intends to take the following actions:

- A. Approve the Tiered Initial Study and Negative Declaration for the Campus Solar Power Plant.
- B. Adopt the California Environmental Quality Act Findings for the Campus Solar Power Plant.
- C. Amend the UC Davis 2003 LRDP as follows:
 - Redesignate 70.0 acres from *Teaching and Research Fields* to *Support* to accommodate the proposed solar farm

- Redesignate 11.8 acres from *Academic /Administrative High Density* to *Teaching and Research Fields*.
- Redesignate 12.4 acres from *Academic /Administrative Low Density* to *Teaching and Research Fields*
- Redesignate 45.8 acres from *Support* to *Teaching and Research Fields*

D. Approve the design of the Campus Solar Power Plant, Davis campus.