

**CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS  
IN CONNECTION WITH THE APPROVAL OF THE DESIGN OF THE  
SUREWEST TELECOMMUNICATIONS TOWER PROJECT AT UC DAVIS**

**I. ADOPTION OF THE NEGATIVE DECLARATION**

In accordance with Title 14, California Code of Regulations, Section 15074, the University of California (the University) hereby finds that the Negative Declaration and the Tiered Initial Study prepared for the proposed SureWest Telecommunications Tower Project at UC Davis (the project) have been completed in compliance with the California Environmental Quality Act, Public Resources Code Sections 21000 et seq. (CEQA). Approval for this project has been delegated to the campus by the Board of Regents of the University (The Regents). The University finds that it received the Negative Declaration, Tiered Initial Study, comments received during the public review process, and responses to these comments, and it reviewed and considered the information contained in these items prior to approving the project. The University hereby finds that the Negative Declaration reflects the independent judgment and analysis of the University of California, and the University 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.

**A. Background**

UC Davis proposes to partner with SureWest, a Roseville, California based telecommunications company, to exchange rights to use University of California property (on which SureWest would construct and operate telecommunications facilities) for regional fiber optic connections. The proposed project includes the construction and operation of a 155-foot tall SureWest telecommunications tower with ancillary structures in the west campus, on a site located northwest of Garrod Drive and adjacent and east of the existing 150-foot tall UC Davis telecommunications tower. The project also includes construction of a single-story, 336 square-foot SureWest Controlled Environment Facility in the south campus, located on a site west of Old Davis Road. An approximately 750-foot long telecommunications conduit would be installed to connect the proposed Controlled Environment Facility to an existing SureWest conduit located south near the intersection of Old Davis Road and the Union Pacific Railroad Tracks.

In exchange for use of University land, SureWest would provide high-speed data network interconnection service through existing conduits between the UC Davis campus and the UC Davis Medical Center (UCDMC) in Sacramento, California, and between the UC Davis campus and the UC Davis McClellan Nuclear Radiation Center (MNRC) in Sacramento, California. Due to increased video conferencing and other data communication between UC Davis and the UCDMC, the campuses have exceeded their current data connection. The MNRC and UC Davis currently have a very slow speed data connection. Higher speed network connections would greatly benefit research efforts and general operations at UC Davis, the UCDMC, and the MNRC. The proposed project would ensure these fiber interconnections and would avoid the traditionally high expense associated with such improvements. In addition, the proposed project would improve wireless communication service on campus and in the area, including along State Route 113 and Interstate 80.

## **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. The Initial Study for the project, in accordance with Section 15168 of the CEQA Guidelines, is tiered from the campus 1994 Long Range Development Plan (1994 LRDP) Environmental Impact Report (EIR) (State Clearinghouse No. 94022005), as updated and revised by the 1997 Wastewater Treatment Plant (WWTP) Replacement Project EIR (State Clearinghouse Nos. 95123027 and 96072024), 1997-98 Major Capital Improvement Projects Supplemental Environmental Impact Report (SEIR) (State Clearinghouse No. 97122016), Center for the Arts Performance Hall and South Entry Roadway and Parking Improvements Tiered Initial Study and Mitigated Negative Declaration (State Clearinghouse No. 98092016), USDA Western Human Nutrition Research Center Tiered Initial Study and Mitigated Negative Declaration (State Clearinghouse No. 99092060), Veterinary Medicine Laboratory and Equine Athletic Performance Laboratory Facilities Focused Tiered EIR (State Clearinghouse No. 2000022057), Segundo Housing Improvement Projects Tiered Initial Study and Mitigated Negative Declaration (State Clearinghouse No. 2001092063), and the Conference Center, Hotel, and Graduate School of Management Building Focused Tiered EIR (State Clearinghouse No. 2001082067). Hereafter, references to the 1994 LRDP EIR include the 1994 LRDP EIR as updated and revised by the documents listed above.

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

The purpose of the Tiered Initial Study was to evaluate the potential environmental impacts of the project with respect to the existing 1994 LRDP EIR analysis in order to determine what level of additional environmental review, if any, would be appropriate. The Tiered Initial Study analyzes the potential impacts of the project and the adequacy of the existing environmental analysis in the 1994 LRDP EIR with regard to the following environmental topic areas: (1) land use and planning, (2) agricultural resources, (3) population and housing, (4) transportation and circulation, (5) noise, (6) air quality, (7) hazards and hazardous materials, (8) biological resources, (9) hydrology and water quality, (10) geology and soils, (11) mineral resources, (12) cultural resources, (13) aesthetics, (14) public services, (15) recreation, and (16) utilities and service systems.

Based on the analysis contained in the Tiered Initial Study, it is determined that for all resource areas, the project would not result in any significant impacts that would not be mitigated to less-than-significant levels by previously adopted 1994 LRDP mitigation measures incorporated into the project or are not sufficiently addressed by the 1994 LRDP EIR. The campus found that the project may incrementally contribute to, but would not exceed, significant environmental impacts previously identified in the 1994 LRDP EIR. Based on this analysis, the campus prepared a Negative Declaration.

The project's Draft Tiered Initial Study was 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 May 29, 2002 and concluding on June 28, 2002. During that time, the document was reviewed by various state and local agencies, as well as by interested individuals and organizations. At the close of the comment period, the Governor's Office of Planning and Research provided communication indicating that two comment letters were received from State agencies. One other comment letter was received from a local agency. The comments received during the review period and responses thereto are provided in the final Tiered Initial Study.

A letter from the Department of Transportation - Division of Aeronautics advised the campus to submit a Notice of Proposed Construction and to mark and light the tower in accordance with appropriate guidelines. A letter from the Department of Transportation - District Office indicated that the project would not significantly impact the State highway system. An e-mail from the Yolo County Environmental Health Specialist indicated that the project would not likely result in significant negative environmental impacts.

### **C. Relationship to the 1994 LRDP EIR**

All mitigation measures in the 1994 LRDP EIR adopted by The Regents that are relevant to the project, as identified in the project's Tiered Initial Study, as well as all project components described in the Tiered Initial Study, are included in the Approval and incorporated into the project.

The project is consistent with the campus 1994 LRDP. The 1994 LRDP EIR identified potentially significant environmental impacts resulting from implementation of LRDP development, and included mitigation measures to reduce the impacts of such development to the extent feasible. Despite the adoption of all feasible mitigation measures by The Regents, some 1994 LRDP impacts remained significant. These significant and unavoidable impacts were fully addressed in the Findings and Overriding Considerations adopted by The Regents in connection with its approval of the 1994 LRDP, as subsequently amended.

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

None of the conditions described in CEQA or the CEQA Guidelines calling for preparation of a subsequent EIR have occurred. The Tiered Initial Study does not identify any issues or include any information concerning new significant effects on the environment or a substantial increase in the severity of previously identified significant effects analyzed in the 1994 LRDP EIR.

#### **D. Adequacy of 1994 LRDP EIR through 2005-06**

As discussed further in Appendix C of the Tiered Initial Study, recent campus enrollment growth projections show that the three-quarter average on-campus student population may increase to 27,530 (1,530 more than were projected in the 1994 LRDP) and the faculty and staff population may increase to approximately 11,700 (930 less than projected in the 1994 LRDP) through 2005-06. Although this future total campus population could exceed 1994 LRDP projections by approximately 600 people, the composition of this growth would include more students than faculty and staff, and faculty and staff tend to generate more environmental impacts than do students. In addition, the campus is not expected to exceed physical development anticipated under the 1994 LRDP. Therefore, the University finds that the cumulative impacts of campus growth through 2005-06 have been adequately addressed in the 1994 LRDP EIR, as revised.

#### **E. Incorporation by Reference**

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

#### **F. 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 1994 LRDP approval is also located in the Office Resource Management and Planning. The custodian for these two records of proceedings is the Office of Resource Management and Planning.

#### **G. Summary**

Based on the foregoing Findings and the information contained in the record, the University has made one or more of the following Findings with respect to the project:

1. Previously adopted 1994 LRDP mitigation measures have been incorporated into the project. These measures mitigate to a less-than-significant level or avoid the potentially

significant environmental effects of the project as identified in the Tiered Initial Study. No significant effects would occur beyond those effects previously identified and adequately analyzed in the 1994 LRDP EIR, as updated and revised.

2. There is no substantial evidence in the record as a whole that the project as proposed may have a significant effect on the environment that was not previously identified and adequately analyzed in the 1994 LRDP EIR, as updated and revised.

### **III. APPROVAL**

The University of California hereby takes the following actions:

- A. Adopts the Negative Declaration for the project as described in Section I, above.
- B. Approves and incorporates into the project all project elements and all relevant, previously adopted 1994 LRDP EIR mitigation measures identified in the project's Tiered Initial Study.
- C. Adopts the Findings in their entirety as set forth in Section II, above.
- D. Approves the design of the SureWest Telecommunications Tower Project at UC Davis.

July 25, 2002  
Date

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