

**FINDINGS AND APPROVAL OF THE DESIGN OF THE  
EQUINE ATHLETIC PERFORMANCE LABORATORY, DAVIS CAMPUS  
AND REVIEW OF CERTIFICATION OF THE FINAL EIR FOR THE  
VETERINARY MEDICINE LABORATORY AND  
EQUINE ATHLETIC PERFORMANCE LABORATORY PROJECT**

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

On July 20, 2000, pursuant to Title 14, California Code of Regulations, Section 15090, the Board of Regents (The Regents) of the University of California (the University) certified that the Final Focused Tiered Environmental Impact Report (Final EIR) for the Veterinary Medicine Laboratory and Equine Athletic Performance Laboratory Facilities Project (State Clearinghouse No. 2000022057) had been completed in compliance with the California Environmental Quality Act, Public Resources Code section 21000 et seq. (CEQA). This EIR analyzed the Equine Athletic Performance Laboratory Facility Project (the project) and the Veterinary Medicine Laboratory Facility Project. A Notice of Determination (NOD) was filed with the State Clearinghouse reflecting certification of the Final EIR and approval of only the Veterinary Medicine Laboratory Facility. No legal challenge was brought regarding the adequacy of the Final EIR within the 30-day statutory period, and the Final EIR is now conclusively presumed to comply with CEQA. The Equine Athletic Performance Laboratory Facility for the Davis campus (the campus) is smaller than, but substantially similar to, the project evaluated in the Final EIR. The project is within the scope of the EIR and there have been no changes in circumstances or new information that make a supplemental or subsequent EIR necessary or appropriate under Section 21166 of CEQA.

Approval for this project has been delegated to the campus by The Regents. The University confirms that it has received the Final EIR and that it reviewed and considered the information contained in the Final EIR prior to approving the design of the project, as set forth below in Section III.

**II. FINDINGS**

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

**A. Background**

The project, described in Section Two of the Draft EIR, includes the construction and operation of the Equine Athletic Performance Laboratory Facility in the campus' Health Sciences District. The project site is located southwest of the Veterinary Medicine Teaching Hospital, east of Garrod Drive and the Veterinary Medicine Laboratory Facility, and south of Parking Lot 51. The facility would include approximately 8,811 gross square feet (6,168 assignable square feet) and would replace program space lost with the demolition of Haring Hall Annex and the Haring Vet Med Barn. The facility would include two high-speed, in-ground large animal treadmills, one small animal treadmill, associated laboratory facilities, and requisite animal housing. The project would support School of Veterinary Medicine research, teaching, clinical instruction, and service in the fields of cardiovascular and respiratory physiology of horses and other vertebrates.

## **B. Environmental Review Process**

A Tiered Initial Study and a Focused Tiered EIR were prepared for the Veterinary Medicine Laboratory and Equine Athletic Performance Laboratory Facilities in accordance with CEQA and the University of California Procedures for Implementation of CEQA. These documents were tiered from the UC Davis 1994 Long Range Development Plan (LRDP) EIR in accordance with Sections 15152 and 15168(c) of the CEQA Guidelines. At the time these documents were prepared, the 1994 LRDP EIR had been updated and revised by the 1997 Wastewater Treatment Plant (WWTP) Replacement Project EIR (State Clearinghouse Nos. 95123027 and 96072024), 1997-98 Major Capital Improvements Project Supplemental Environmental Impact Report (SEIR) (State Clearinghouse No. 97122016), Center for the Arts Performance Hall and South Entry Roadway and Parking Improvements Tiered Initial Study and Mitigated Negative Declaration (State Clearinghouse No. 98092016), and the USDA Western Human Nutrition Research Center Tiered Initial Study and Mitigated Negative Declaration (State Clearinghouse No. 99092060). Hereafter, references to the 1994 LRDP EIR include the 1994 LRDP EIR as updated and revised by the documents listed above. The Veterinary Medicine Laboratory and Equine Athletic Performance Laboratory Facilities Focused Tiered EIR (State Clearinghouse No. 2000022057) also identified a revision to the 1994 LRDP EIR, as discussed further in Section II.H.1, below. Subsequent to publication of the project's EIR, the 1994 LRDP EIR was further revised and updated by the 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 Project Focused Tiered EIR (State Clearinghouse No. 2001082067). These subsequent changes do not alter the analysis and conclusions in the project's EIR.

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 impacts and cumulative impacts associated with that growth. As tiered documents, the Initial Study and EIR for the project rely on the 1994 LRDP EIR for: (1) a discussion of general background and setting information for environmental topic areas; and (2) issues that were evaluated in sufficient detail in the 1994 LRDP EIR for which there is no significant new information or change in circumstances that would require further analysis.

The purpose of the Tiered Initial Study was to evaluate the potential environmental impacts of the project with respect to the existing 1994 LRDP EIR analysis to determine what level of additional environmental review, if any, was appropriate. Based on the analysis contained in the project's Tiered Initial Study, the campus determined that for those resource areas fully analyzed, the project would not result in any significant impacts that could not be mitigated to a less-than-significant level or are not sufficiently addressed by the 1994 LRDP EIR, as updated and revised. However, the Veterinary Medicine Laboratory and Equine Athletic Performance Laboratory Facilities Project was considered potentially controversial due to the use of animals in proposed facilities. Therefore, the Focused Tiered EIR for the project further evaluated the significance of impacts in the areas of Air Quality, Transportation and Circulation, Biological Resources, and Hazards and Hazardous Materials.

The campus published a Notice of Preparation (NOP) and an Initial Study indicating that a Focused Tiered EIR would be prepared for the Veterinary Medicine Laboratory and Equine Athletic Performance Laboratory Facilities Project in February 2000. An electronic memorandum announcing the availability of the Initial Study and the review period was sent to UC Davis Deans, Directors, and Department Heads. The public and agency review period for the NOP and Initial Study extended from February 15, 2000 through March 15, 2000. Comments and responses to comments on the NOP and the Initial Study were included in Appendix B of the Draft EIR.

The Notice of Completion (NOC) and Draft EIR for the project were published on April 19, 2000. The project was assigned the State Clearinghouse Number 2000022057. The official public notice for the project was published in The Davis Enterprise, the local paper of public record, on April 19, 2000 and announced: (1) the availability of the Draft EIR for review and comment by the public and agencies; (2) the date and location of a public hearing on the EIR; and (3) how to obtain copies of the EIR. The public and agency review period for the NOC and the Draft EIR extended from April 19, 2000 through June 2, 2000. During that time, the Draft EIR was reviewed by various governmental agencies, as well as by interested individuals and organizations. Three comment letters (including one letter from an agency and two letters from the public) were received in addition to communication from the Governor's Office of Planning and Research. In addition, six members of the public provided comments at the public hearing held for the project on May 18, 2000.

The comments received during the public review period and the responses thereto are presented in the Final EIR. The one comment letter received from an agency was from the Yolo-Solano Air Quality Management District, and it confirmed the adequacy of the air resources analysis in the Draft EIR. Public comments primarily addressed the loss of the campus Equestrian Center's cross country course as a result of siting of the Veterinary Medicine Laboratory. The Final EIR also reflected an updated cumulative transportation and circulation impact analysis that was prepared after publication of the Draft EIR. A new mitigation measure was adopted to reduce a new significant cumulative level of service impact to a less-than-significant level. The new mitigation measure was incorporated to reduce a cumulative impact resulting from development under the 1994 LRDP, and therefore revised the 1994 LRDP EIR (see section II.H.1, below).

The Final EIR, which includes, among other components, the Tiered Initial Study published in February 2000, the Draft EIR published in April 2000, and campus responses to comments received during the public review period for the Draft EIR, was published July 2000. The information provided in the Final EIR served to restate and/or update environmental impacts and mitigation measures evaluated in the Draft EIR. Although a new mitigation measure was incorporated that revised the 1994 LRDP EIR, this revision was considered a minor change to the 1994 LRDP EIR and the Draft EIR.

An NOD was filed with the State Clearinghouse on July 20, 2000 reflecting certification of the Final EIR and approval of the Veterinary Medicine Laboratory Facility, covered in the EIR. Since no legal challenges were brought regarding the adequacy of the Final EIR within the 30-day statutory period, the Final EIR is now conclusively presumed to comply with CEQA. Following certification of the Final EIR, there have been no substantial changes to the project, no substantial changes in circumstances under which the project will be undertaken, and no new information making a supplemental or subsequent EIR necessary or appropriate under Section 21166 of CEQA. This approval is therefore undertaken in accordance with the previously certified Final EIR, as provided by CEQA.

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

The Final EIR recognized significant and unavoidable adverse impacts associated with the approval of the project and identified related mitigation measures. Most of the significant and unavoidable adverse impacts identified in the Final EIR relate to cumulative development. The Final EIR evaluated the impact of cumulative development, defined by the CEQA Guidelines as "the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonable foreseeable probable future projects" (California Code of Regulations, Title 14, Section 15355(b)). The cumulative context for the cumulative impact analysis in the Final EIR included the proposed project combined with growth allowed under the 1994 LRDP and growth anticipated in the region. In accordance with the CEQA Guidelines, the Final EIR used a "plan" approach as a framework for its cumulative impact analysis that is based upon a "summary of projections contained in an adopted general plan or related planning document which is designed to evaluate regional or area-wide conditions" (California Code of Regulations, Title 14, Section 15130(b)). The project implements a portion of the 1994 LRDP, the planning document that identifies general types of campus development to support campus growth anticipated through 2005-06. The cumulative impact analysis in the Final EIR, therefore, relies primarily on the 1994 LRDP EIR, which included analysis of campus development projected in the 1994 LRDP and related cumulative development in the campus vicinity. All significant and unavoidable impacts that were analyzed in the 1994 LRDP EIR, including the impacts discussed below in this Part II.C, were fully addressed by the Findings and Overriding Considerations adopted by The Regents in connection with its approval of the 1994 LRDP and certification of the 1994 LRDP EIR, as subsequently amended and revised.

Because student enrollment through 2014-15 is anticipated to exceed projections in the 1994 LRDP for 2005-06, the campus has closely examined each of the cumulative impacts identified in the 1994 LRDP EIR that could continue through 2014-15. 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.

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

**1. Cumulative Impact Associated with Increased Emissions of Criteria Air Pollutants in the Region (FEIR Impact 3.2-3)**

The project, in conjunction with growth allowed under the 1994 LRDP and cumulative development in the region, would cause significant increases in criteria pollutant

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

## **2. Cumulative Impact Associated with Toxic Air Contaminants (FEIR Impact 3.2-6)**

Implementation of the project, in conjunction with 1994 LRDP development and cumulative development in the Davis area, may generate unacceptable cumulative toxic air contaminant health risks. The project incrementally contributes to, but does not exceed, the cumulative health risk from toxic air contaminants previously identified in the 1994 LRDP EIR. There is currently no adequate and acceptable methodology to assess toxic air contaminants from mobile sources or to cumulatively assess mobile and stationary sources of air toxins. It would therefore be speculative to assign a precise level of significance to the cumulative health risk from toxic air contaminants. CEQA provides that when an impact is too speculative to evaluate, it is appropriate to note that conclusion and terminate discussion of the impact. Because there is currently no acceptable methodology to assess cumulative effects from mobile and stationary sources, the cumulative impact is considered too speculative to evaluate. However, in adopting the most conservative approach, the campus has designated this impact as potentially significant and unavoidable. This cumulative impact has been adequately addressed in the Findings and Overriding Considerations adopted by The Regents in connection with its approval of the 1994 LRDP. The validity of conclusions drawn regarding Toxic Air Contaminants will be reassessed during the LRDP update process.

The LRDP EIR mitigation measures previously adopted by The Regents regarding improved transportation system management measures, various roadway improvements, acquisition of needed permits for stationary source emissions, and conversion of campus vehicles to alternative fuels (e.g., 1994 LRDP EIR Mitigation Measures 4.3-1, 4.3-5, and 4.5-3(a)-(b)) would reduce the campus' contribution to cumulative toxic air contaminant emissions to the extent feasible. Mitigation measures to reduce any impact related to non-campus toxic air contaminant emissions (from stationary or mobile sources) are within the responsibility and jurisdiction of other public agencies, and not the campus, and can and should be adopted by those public entities. The University finds this significant and unavoidable adverse impact is acceptable because the benefits of the project outweigh the unavoidable environmental impacts for the reasons set forth in Section II.I of these Findings.

**3. Cumulative Impact Associated With Hazardous Chemical Use (EIR Impact 3.3-7)**

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

**4. Cumulative Impact Associated with Hazardous Waste Management Facilities (EIR Impact 3.3-8)**

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

**5. Cumulative Impact on Habitat for Resident and Migratory Wildlife Species (EIR Impact 3.4-5)**

The project, in conjunction with growth allowed under the 1994 LRDP and other development planned in Yolo and Solano Counties, would cause the loss of agricultural land and ruderal/annual grassland habitat for resident and migratory wildlife species. Due to the disturbed nature of the project site, the project's contribution to this impact is small. The project incrementally contributes to, but does not exceed, cumulative impacts associated with agricultural land and ruderal/annual grassland habitat loss previously analyzed in the 1994 LRDP EIR, as updated and revised. Continued implementation of 1994 LRDP EIR Mitigation Measure 4.7-9(a) (addressing the protection of plant species, burrowing owl nesting habitat, raptor nesting habitat and nesting and foraging habitat for Swainson's hawks), incorporated into the project, would reduce the magnitude of the campus' contribution to this impact. However, 1994 LRDP EIR Mitigation Measure 4.7-9(b) (requiring Yolo County adopt habitat conservation mitigation) is within the responsibility and jurisdiction of Yolo County, and can and should be adopted by this public entity. Because the University cannot guarantee implementation of this measure, this cumulative impact is considered significant and unavoidable. This cumulative impact was adequately addressed in the Findings and Overriding Considerations adopted by The Regents in connection with its approval of the 1994 LRDP and certification of the 1994 LRDP EIR. The campus will reexamine potential cumulative biological resources impacts and the availability of additional feasible mitigation measures during the LRDP update process. The University finds this significant and unavoidable adverse impact is acceptable because the benefits of the project outweigh the unavoidable environmental impacts for the reasons set forth in Section II.I of these Findings.

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

The project, in conjunction with growth allowed under the 1994 LRDP and development in the region, would lead to significant increased traffic volumes, which would result in insufficient levels of service at major intersections. The project incrementally contributes to, but does not exceed, cumulative impacts associated with traffic volumes previously analyzed in the 1994 LRDP EIR, as updated and revised by the 1997-98 Major Capital Improvement Projects SEIR. 1994 LRDP EIR Mitigation Measures 4.3-1(a) (requiring continued campus support for Transportation Systems Management strategies to reduce campus motorized vehicle trips and encourage use of alternative modes of transportation) and 4.3-1(b) as revised (requiring traffic monitoring at key intersections on a regular basis and proposed physical changes to roadways and intersections) are incorporated into the proposed project and would reduce the magnitude of level of service exceedances. In addition, a new project-specific mitigation measure would reduce the potentially significant cumulative impact at Hutchison Drive and Health Sciences Drive to a less-than-significant level. Because the implementation of certain recommended physical improvements in 1994 LRDP EIR Mitigation Measure 4.3-1(b) are outside the University's jurisdiction to enforce, the impact would remain significant and unavoidable at three intersections (Richards Boulevard and I-80 Eastbound ramps, Richards Boulevard and Olive Drive, and Richards Boulevard and First Street). These impacts have been adequately addressed in the Findings and Overriding Considerations adopted by The Regents in connection with its approval of the 1994 LRDP and certification of the 1994 LRDP EIR. Campus growth through 2014-15 would likely cause elements of the roadway system that were not previously addressed in the 1994 LRDP EIR to operate at levels that would exceed the campus' standards of significance. Transportation and circulation mitigation measures identified in the 1994 LRDP EIR would be updated in the next LRDP EIR to

mitigate these new exceedances. The campus will reexamine potential cumulative transportation and circulation impacts and any new mitigation measures that may be required during the LRDP update process. The University finds this significant and unavoidable adverse impact is acceptable because the benefits of the project outweigh the unavoidable environmental impacts for the reasons set forth in Section II.I of these Findings.

#### **7. Cumulative Impact on the Noise Environment (Initial Study Items 5 a and d)**

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

#### **8. Cumulative Impacts Associated with Radioactive Materials (Initial Study Item 7 a)**

Increased use of radioactive materials associated with the project in conjunction with growth allowed under the 1994 LRDP and development in the region would increase the number of people exposed to radioactivity. The project incrementally contributes to, but does not exceed, cumulative impacts associated with radioactive materials previously analyzed in the 1994 LRDP EIR. Continued implementation of 1994 LRDP EIR Mitigation Measures 4.6-5(a) and (b) (the campus shall increase health and safety measures commensurate with risks pertaining to radioactive materials use, improve compliance with the laws and regulations pertaining to hazardous materials use, and establish independent and self-auditing mechanisms), incorporated into the project, will reduce the magnitude of the campus' contribution to this cumulative impact. However, the University cannot guarantee that additional radioactive materials used at locations outside University control would be managed safely. Because this authority falls within other jurisdictions to enforce and monitor, the University conservatively considers this cumulative impact significant and unavoidable. This cumulative impact was adequately addressed in the Findings and Overriding Considerations adopted by The Regents in connection with its approval of the 1994 LRDP and certification of the 1994 LRDP EIR. The campus will reexamine potential cumulative hazard and hazardous materials impacts and any new mitigation measures that may be required during the LRDP update

process. The University finds this significant and unavoidable adverse impact is acceptable because the benefits of the project outweigh the unavoidable environmental impacts for the reasons set forth in Section II.I of these Findings.

#### **9. Cumulative Impacts on Radioactive Waste Management Facilities (Initial Study 7 a)**

The operation of the project, in conjunction with growth allowed under the 1994 LRDP and other development in the region, would increase cumulative radioactive waste production and place an additional load on radioactive waste management facilities. The project incrementally contributes to, but does not exceed, cumulative impacts associated with radioactive waste production previously analyzed in the 1994 LRDP EIR. Continued implementation of 1994 LRDP EIR Mitigation Measure 4.6-6 (a) through (d) (requires management and treatment of radioactive waste on-campus by Environmental Health and Safety and implementation of campus-wide hazardous and radioactive waste minimization plans), incorporated into the project, will reduce the magnitude of the campus's contribution to this impact. Adequate programs, controls, and procedures are currently in place on campus to provide safe handling, treatment, and disposal of radioactive waste. The 1994 LRDP EIR noted that while these mitigation measures would address the campus' contribution to this significant impact, the campus cannot guarantee that additional radioactive waste generated at off-campus locations outside University control would be managed safely. Authority for this radioactive waste management falls within other jurisdictions to enforce and monitor. Therefore, the University conservatively considered this cumulative impact significant and unavoidable. This impact was adequately addressed in the Findings and Overriding Considerations adopted by The Regents in connection with its approval of the 1994 LRDP and certification of the 1994 LRDP EIR. The campus will reexamine potential cumulative hazard and hazardous materials impacts and any new mitigation measures that may be required during the LRDP update process. The University finds this significant and unavoidable adverse impact is acceptable because the benefits of the project outweigh the unavoidable environmental impacts for the reasons set forth in Section II.I of these Findings.

#### **10. Cumulative Impact Associated with Biohazardous Materials and Research Animals (Initial Study 7 a)**

Potential health and safety effects related to biohazardous materials and research animal use at UC Davis are generally limited to those individuals using the materials or persons in the immediate vicinity of the use. Potential biohazard and research animal risks associated with cumulative growth would primarily be localized, but cumulative development could increase the number of people in the area exposed to the hazards of infectious agents and animal research. The project incrementally contributes to, but does not exceed, cumulative impacts associated with biohazardous and research animal risks previously analyzed in the 1994 LRDP EIR. Continued implementation of 1994 LRDP EIR Mitigation Measures 4.6-9 and 4.6-10 (requiring that Injury and Illness Prevention plans, self-audits, independent audits, and waste minimization plans cover biohazard and research animal risks), incorporated into the project, would reduce the magnitude of the campus' contribution to this impact. However, the University cannot guarantee that additional biohazardous materials and research animals used outside University control will be managed safely. Because this responsibility falls within other jurisdictions to enforce and monitor, the University conservatively considers the impact significant and unavoidable. This cumulative impact was adequately addressed in the Findings and Overriding Considerations adopted by The Regents in connection with its approval of the 1994 LRDP and certification of the 1994 LRDP EIR. The campus will reexamine potential cumulative hazard

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

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

The project, in conjunction with growth allowed under the 1994 LRDP and development in the region, would increase use of groundwater from the deep aquifer. The magnitude of the impact on the aquifer is unknown because the status of the aquifer cannot be determined from available information and data. Continued implementation of 1994 LRDP EIR Mitigation Measure 4.14-1(a) (requiring various water conservation measures), incorporated into the project, will reduce the magnitude of potential impact on the aquifer. However, because the magnitude of this impact is unknown, the project-level and cumulative-level impacts of groundwater extraction from the deep aquifer are considered significant and unavoidable, to preserve a conservative approach. These project-level and cumulative-level impacts were adequately addressed in the Findings and Overriding Considerations adopted by The Regents in connection with its approval of the 1994 LRDP and certification of the 1994 LRDP EIR. Campus growth through 2014-15 would likely increase water use beyond levels previously anticipated under the 1994 LRDP. The campus will reexamine potential cumulative hydrology impacts and the availability of additional feasible mitigation measures during the LRDP update process. The University finds this significant and unavoidable adverse impact is acceptable because the benefits of the project outweigh the unavoidable environmental impacts for the reasons set forth in Section II.I of these Findings.

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

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

unavoidable adverse impact is acceptable because the benefits of the project outweigh the unavoidable environmental impacts for the reasons set forth in Section II.I of these Findings.

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

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

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

The project, in conjunction with growth allowed under the 1994 LRDP and other development in the region, would increase the cumulative number of people living and working in the Davis area who would be exposed to strong ground motion and other potential seismic effects from earthquakes on local or regional faults. The project incrementally contributes to, but does not exceed, this cumulative impact previously analyzed in the 1994 LRDP EIR. Implementation of 1994 LRDP EIR Mitigation Measures 4.9-1 (a) to (e) (requiring compliance of final building design with applicable building codes and seismic safety provisions, inclusion of seismic safety policies in the department Injury and Illness Prevention Plan, continuation of seismic rehabilitation activities for identified campus facilities and development of a campus-specific Seismic Safety Policy), incorporated as part of the project, will reduce the campus' contribution to this impact to a less-than-significant level. However, 1994 LRDP EIR Mitigation Measures 4.9-3 (b) and (c) (recommending that the City of Davis continue to monitor and respond to studies of regional seismic safety, update and enforce Building Code requirements and investigate and mitigate geologic soil hazards) is within the jurisdiction of the City of Davis, and can and should be adopted by this public entity. Because the campus cannot guarantee the implementation of this measure by the City of Davis, this cumulative impact is considered significant and unavoidable. This cumulative impact was adequately addressed in the Findings and Overriding Considerations adopted by The Regents in connection with its approval of the 1994 LRDP and certification of the 1994 LRDP EIR. The campus will reexamine

potential cumulative geology and soils impacts and the availability of additional feasible mitigation measures during the LRDP update process. The University finds this significant and unavoidable adverse impact is acceptable because the benefits of the project outweigh the unavoidable environmental impacts for the reasons set forth in Section II.I of these Findings.

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

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

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

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

unavoidable adverse impact is acceptable because the benefits of the project outweigh the unavoidable environmental impacts for the reasons set forth in Section II.I of these Findings.

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

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

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

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

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

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

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

The Final EIR identifies the following significant and potentially significant impacts associated with the project that would be reduced to "not significant" or "less-than-significant" levels by the implementation of 1994 LRDP EIR or project-specific mitigation measures. The associated mitigation measures are identified and briefly discussed below. For a detailed description of these mitigation measures, please see the text in the Draft EIR and Initial Study.

**1. Cumulative Impact of Increased Traffic on Campus (EIR 3.1-2)**

Cumulative growth associated with development under the 1994 LRDP, including the project, would contribute increased traffic volumes in the Health Sciences District that could exceed level of service standards at the intersection of Hutchison Drive and Health Sciences Drive. This cumulative impact would be reduced to a less than significant level by project-specific mitigation measure 3.1-2 (requires traffic volumes at the intersection of Hutchison Drive and Health Sciences Drive to be monitored and installation of a traffic signal when operating conditions at the intersection decline to an unacceptable level [LOS D or worse]). With a traffic signal, this intersection would operate at LOS B during the a.m. peak hour and at LOS C during the p.m. peak hour. This mitigation measure, incorporated as part of the proposed project, will reduce cumulative impacts on this intersection to a less-than-significant level. Other cumulative traffic impacts associated with the project in conjunction with 1994 LRDP and regional development are discussed in Part II.C, above.

**2. Project Impact to Active Burrowing Owl Habitat (EIR Impact 3.4-1)**

Development of the Veterinary Medicine Laboratory and Equine Athletic Performance Laboratory Facilities would result in the conversion of Ruderal/Annual Grassland, which could result in the loss of burrowing owl nesting and foraging habitat. The burrowing owl

is fully protected against take pursuant to Section 3503.5 of the California Fish and Game Code and is a CDFG species of special concern. Nesting burrowing owls have been recorded at various central campus locations since 1981; the history of this population is summarized on pages 3-52 through 3-54 of the Draft EIR. The 1994 LRDP EIR acknowledged this potential impact from the development of the Health Sciences District and included mitigation measures to address the impact. To ensure that the location of nesting burrowing owls is known at the time of project construction, 1994 LRDP EIR Mitigation Measures 4.7-3(a) (monitoring the area around the Medical Sciences Complex for presence or absence of owls) and 4.7-3(b) (conduct pre-construction breeding-season survey of proposed project site in consultation with CDFG during the same calendar year that construction is planned to begin) are incorporated into the project. If, as a result of pre-construction or annual surveys, burrowing owls are identified on the project site or within 250 feet of the proposed construction areas, Mitigation Measure 6.5-3 from the 1997-98 Major Capital Improvement Projects SEIR (passive relocation of owls following CDFG guidelines) would be implemented. Implementation of these mitigation measures will ensure that potential impacts to burrowing owls are reduced to less-than-significant levels.

**3. Project Impact to Loss of Raptor Nesting Habitat (EIR Impact 3.4-2)**

Development of the Veterinary Medicine Laboratory and Equine Athletic Performance Laboratory Facilities would result in conversion of Ruderal/Annual Grassland habitat, which could result in the loss of raptor nesting habitat. Implementation of 1994 LRDP EIR Mitigation Measures 4.7-4(a) and (b) (require pre-construction or pre-tree pruning Swainson's hawks surveys and annual nesting Swainson's hawk surveys), incorporated as part of the project, will ensure that this potential impact is reduced to a less-than-significant level.

**4. Project Impact to Swainson's Hawk Foraging Habitat (EIR Impact 3.4-3)**

Development of the Veterinary Medicine Laboratory and Equine Athletic Performance Laboratory Facilities would result in conversion of Ruderal/Annual Grassland habitat, which could result in the loss of Swainson's hawk nesting habitat. Implementation of 1994 LRDP EIR Mitigation Measures 4.7-5 (requiring compensation for the loss of Swainson's hawk foraging habitat at a 1:1 ratio), incorporated as part of the project, will ensure that this potential impact is reduced to a less-than-significant level.

**5. Project Impact to Swainson's Hawk Nesting Efforts (EIR Impact 3.4-4)**

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

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

Growth in population associated with development allowed under the 1994 LRDP, including the project, would increase demand for transit services. Implementation of 1994 LRDP EIR Mitigation Measure 4.3-5 (specifying actions to be taken to support transit use), incorporated into the project, will reduce this impact to a less-than-significant level by ensuring that adequate transit services are available to meet campus needs.

**7. Cumulative Impact on Parking Demand (Initial Study Item 4[f])**

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

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

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

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

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

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

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

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

The proposed project would involve the use of hazardous chemicals and radioactive materials at UC Davis, potentially exposing campus occupants to potential health or safety risks. Implementation of 1994 LRDP EIR Mitigation Measures 4.6-1 (requiring the campus to strengthen programs to improve compliance with applicable laws and regulations, to establish a self-audit mechanism and reporting system, and to conduct independent biennial health and safety audits) and 4.6-5(a) (strengthen the health physics program commensurate with increased radioactive materials use), incorporated as part of the project, will reduce this potential impact to a less-than-significant level.

**12. Project Impact Associated with Hazardous Chemical and Radioactive Materials Waste Generation (Initial Study Item 7 a and b)**

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

**13. Project Impact Associated with Biohazardous Materials and Laboratory Animal Use (Initial Study Item 7 a and b)**

The proposed project would involve the use of biohazardous materials and laboratory animals, potentially exposing campus occupants to potential health and safety risks. Implementation of 1994 LRDP EIR Mitigation Measures 4.6-9 and 4.6-10 would focus elements of Injury and Illness Prevention Plans on the risks associated with exposure to biohazardous materials, and animal bites and disease transmission. These measures will reduce this potential impact to a less-than-significant level.

**14. Project Impact Associated with Construction Activities and Potential Contamination (Initial Study Item 7 d)**

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

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

The project itself and the project in conjunction with cumulative growth in the region could contribute to the demand for emergency response capabilities. Continued implementation of 1994 LRDP EIR Mitigation Measures 4.6-22(a) (requiring adequate training and equipment for the campus emergency response team), 4.6-22(b) (requiring preparation of emergency planning documents), 4.6-22(c) (requiring preparation of a Business Plan, Injury and

Illness Prevention Plan, and Laboratory Chemical Hygiene Plan for all new buildings), 4.6-22(d) (requiring emergency planning and safety training for occupants of new buildings), and 4.6-22(e) (requiring measures related to the safe use of hazardous chemicals), are incorporated into the project. These mitigation measures are capable of reducing the potential project-level impact on emergency response capabilities to a less-than-significant level; however, the 1994 LRDP EIR considered the cumulative impact on emergency response significant and unavoidable because the University could not guarantee that the City of Davis and Yolo County would reach a Mutual Aid Agreement to provide first-response both in the campus and in the City and County. Since the 1994 LRDP EIR was published, the City of Davis and Yolo County have reached a Mutual Aid Agreement; therefore, this cumulative impact is now reduced to a less-than-significant level.

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

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

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

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

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

Increased siltation and sedimentation generated during construction activities associated with the project could adversely affect receiving water quality. NPDES Phase II regulations (requiring construction activities disturbing equal to or greater than one acre and less than five acres of land be subject to NPDES permitting requirements) will come into effect March 2003. This measure requires the campus contractor to file a Notice of Intent for coverage under the State General Construction Activity Storm Water Permit. Although the project would involve the disturbance of less than five acres, the campus would require the contractor for the project file for coverage under the general permit (1994 LRDP Mitigation Measure 4.8-4(a)), as construction would be ongoing when the new regulations would come into effect. Implementation of this measure will reduce the impact to a less-than-significant level.

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

Development of the project would increase the amount of runoff from the project site and could adversely affect receiving water quality. 1994 LRDP EIR Mitigation Measures 4.8-5(a) (requiring the project design to include a combination of Best Management

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

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

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

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

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

**22. Project Impact on Expansive Soils (Initial Study Item 10 d)**

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

**23. Project Impact on the Visual Landscape (Initial Study Items 13 c and e)**

The project could potentially affect valued elements of the central campus landscape identified in the 1994 LRDP. Implementation of 1994 LRDP EIR Mitigation Measures 4.11-1(a) to (d) (providing guidelines and oversight mechanisms for new structure design), incorporated into the project, will reduce this impact to a less-than-significant level.

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

The project could create glare, artificial light, heat and shade, making the immediate area uncomfortable for people. Implementation of 1994 LRDP EIR Mitigation Measure 4.11-4(b) (requiring compliance with campus guidelines to minimize discomfort from

light, glare and heat), incorporated into the project, will reduce this impact to a less-than-significant level.

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

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

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

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

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

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

**1. Project Impact on Hazardous Materials Transportation (Initial Study Items 7 a and b)**

Hazardous materials transported to, from, and among UC Davis facilities as a result of development of the project could expose people to potential health risks in the event of an accidental release. However, because of the excellent record of transport of these materials and ongoing compliance with applicable transport regulations, hazardous materials transport is considered a less-than-significant impact. Although not required, implementation of 1994 LRDP EIR Mitigation Measures 4.6-20(a) and (b) (specifying additional containment measures for the transportation of hazardous materials), incorporated into the project, would further reduce this less-than-significant impact.

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

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

## **F. Mitigation Monitoring Program**

When making findings, a lead agency must adopt a reporting or monitoring program for the changes to the project that it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment. The University hereby adopts the Mitigation Monitoring Program for the Veterinary Medicine Laboratory and Equine Athletic Performance Laboratory Facilities EIR, set forth in Section 4 of the Final Focused Tiered EIR. To the extent this project incorporates relevant 1994 LRDP EIR mitigation measures previously adopted by The Regents, implementation of these mitigation measures would be monitored pursuant to the 1994 LRDP EIR monitoring program (as revised), previously adopted by The Regents in connection with its approval of the 1994 LRDP and certification of the 1994 LRDP EIR. The 1994 LRDP EIR, as revised, identified mitigation measures that would further reduce environmental impacts determined to be less-than-significant. While there is no requirement in CEQA to mitigate insignificant environmental impacts, mitigation measures further reducing less-than-significant impacts are included in the approval of the project to further enhance environmental quality. The 1994 LRDP EIR and Veterinary Medicine Laboratory and Equine Athletic Performance Laboratory Facilities EIR Mitigation Monitoring Programs are designed to reduce or eliminate cumulative significant and unavoidable, significant, and potentially significant impacts, as well as impacts determined to be less-than-significant.

## **G. Alternatives**

Because the EIR for the project evaluated the impacts of both the Veterinary Medicine Laboratory and Equine Athletic Performance Laboratory Facilities, the alternatives evaluated in the EIR addressed both facilities as well. Three alternatives to the Veterinary Medicine Laboratory and Equine Athletic Performance Laboratory Facilities project were evaluated. One other alternative was also considered, but it was rejected as infeasible. The alternatives for these facilities are described and analyzed in Section 5 of the Draft EIR. The feasibility of each alternative, its ability to meet project objectives, and potential environmental impacts in comparison to the project are noted below.

### **1. Alternative 1: Construction of the Proposed Project at an Alternative Location**

This alternative would involve the construction of the proposed facilities at another location on campus. Only one potential alternative site for the project was identified. The site is on the south campus at ARS and consists of two parcels, one of which would be used for the Veterinary Medicine Laboratory and Equine Athletic Performance Laboratory, and one that would be developed into a parking lot to accommodate associated Veterinary Medicine affiliates. The first parcel is currently developed with horse corrals, and the second parcel is used to store old broken equipment and scrap materials. Alternative 1 would avoid the less-than-significant biological resources impacts of the proposed project. Impacts with respect to hazardous materials, transportation, and air quality would be similar to that of the proposed project. This alternative would displace horse corrals, and new horse corrals would have to be constructed elsewhere at ARS, an impact that would not occur with the proposed project.

Constructing this alternative would address three of the five project objectives: provide modern facilities for accreditation; provide space for a larger School of Veterinary Medicine class size; and move veterinary medicine facilities out of the central campus core area. This alternative would not eliminate the problem of cross-campus travel and

inefficiencies due to lack of consolidation, and would not represent the most efficient use of land resources on campus.

Although this alternative would avoid the biological impacts of the proposed project, under the proposed project these impacts would be reduced to a less-than-significant level through incorporation of 1994 LRDP EIR mitigation measures that are included as part of the project. This alternative was rejected because it would fail to consolidate veterinary medicine facilities in one portion of the campus, and therefore it would necessitate students and faculty to travel across the campus to attend classes. In addition to increasing cross-campus travel, this decentralized configuration would not be conducive to fostering interaction among students, faculty, and researchers, and it would locate the canine blood donor facility remote from the Veterinary Medicine Teaching Hospital, where the blood is needed. Further, whereas parking is already available in the Health Sciences District, a parking lot would need to be constructed if the project were located at ARS, representing an inefficient use of campus land.

## **2. Alternative 2: Construction of a Reduced Project at the Proposed Site**

This alternative would involve constructing a reduced-size project at the proposed project site. A reduced project could be constructed at the site by eliminating some project elements or locating elements at other locations (such as at ARS). For purposes of the analysis in the EIR, this alternative assumed the Veterinary Medicine Laboratory and associated ancillary facilities would be constructed at the Health Sciences District site proposed for the facility and the Equine Athletic Performance Laboratory would be constructed at a site in the ARS area. The ARS site for the Equine Athletic Performance Laboratory would be the same parcel of land considered under Alternative 1, above.

In contrast to the proposed project, this alternative would reduce three of the impacts of the proposed project on biological resources. However, the proposed project's impact to biological resources would be reduced to a less-than-significant level through incorporation of 1994 LRDP EIR mitigation measures. All other impacts would be similar to that of the proposed project. This alternative would displace horse corrals, and new horse corrals would have to be constructed elsewhere at ARS, an impact that would not occur with the proposed project.

Construction of the proposed facilities at two separate sites would address three of the five project objectives: provide modern facilities for accreditation; provide space for a larger School of Veterinary Medicine class size; and move veterinary medicine facilities out of the central campus core area. This alternative would not eliminate the problem of cross-campus travel and inefficiencies due to lack of consolidation, and it would not represent the most efficient use of land resources on campus.

Similar to Alternative 1, this alternative was rejected because, although some of the facilities would be constructed near the Veterinary Medicine Teaching Hospital, this alternative would still result in a decentralized configuration of veterinary medicine facilities by constructing the Equine Athletic Performance Laboratory at ARS. Further, this alternative would result in the inefficient use of campus land by leaving a small portion of the project site in the Health Sciences District vacant and using a small piece of land in ARS. This configuration would limit future use of land in these areas by requiring future projects to fit within the boundaries of the remaining parcels of vacant land.

### **3. Alternative 3: No Project Alternative**

Under the No Project alternative, although the proposed facilities would not be built, the campus would nonetheless have to implement actions to address the issues raised about the School of Veterinary Medicine by the American Veterinary Medical Association (AVMA) and American Association for Accreditation of Laboratory Animal Care (AAALAC). Issues raised included: the crowded conditions due to growth in class size relative to the space available; inadequate lighting, heating, ventilation and air-conditioning systems; inadequate support and storage areas; and the fact that the distance between facilities is not conducive to efficient class scheduling.

Under the No Project alternative, the campus would renovate existing buildings (Haring Hall, Haring Barn, Haring Annex, N Barn and the temporary building for the teaching treadmill) and install improved lighting, heating and ventilation systems. Where possible, the campus would add small structures or displace other users to provide support and storage space for animal surgeries. Given the space constraints in the existing buildings, the No Project alternative would at best allow for an increase in the per student space for surgeries to meet AVMA space standards. However, the No Project alternative would not provide adequate additional space to allow for an increase in the School of Veterinary Medicine's class size.

This alternative would avoid all less-than-significant impacts associated with the proposed project. While some improvement over current conditions could be achieved, the No Project alternative would not fully address the issues of overcrowding in the surgical suites or the distance between facilities that does not allow proper class scheduling. Failure to address these issues could result in continued problems with accreditation. The No Project alternative would also fail to address the other project objectives of consolidating veterinary medicine facilities in one portion of the campus (the Health Sciences District), and moving veterinary medicine facilities away from the core of the central campus.

The No Project Alternative was rejected because, although it would avoid all impacts of the proposed project, it would only partially attain the objective of allowing the School of Veterinary Medicine to meet AAALAC and AVMA accreditation requirements, guidelines, and standards, and it would fail to meet all other project objectives.

### **4. Additional Rejected Alternative**

This alternative would construct the proposed facilities at the sites where the functions are currently provided. This alternative would require that the existing structures at these sites be demolished, the sites cleared, and the replacement buildings constructed on the cleared sites. Therefore, under this alternative, the proposed facilities would be constructed at four or five separate sites.

This alternative would meet the objectives of providing modern facilities that meet accreditation requirements and applicable standards, and it would allow for the School of Veterinary Medicine class size to increase in the future. However, none of the other objectives of the proposed project could be achieved. The facilities would be scattered in four to five separate locations away from the Veterinary Medicine Teaching Hospital, and students, faculty, and staff would have to continue to travel across the campus. The problems with class scheduling due to the distance between facilities would continue. Inefficiencies due to multiple

locations of related functions would remain. This alternative would also leave veterinary medicine facilities in the core area of the central campus where their presence would continue to be disruptive to others, and this alternative would require that animals be moved back and forth between the surgeries and the holding facilities. This alternative would also not allow for the most efficient use of land on the campus.

This alternative was rejected because, while it would not avoid or minimize any of the impacts of the proposed project and would increase circulation impacts, it would also fail to meet three of the five key objectives of the proposed project.

## **H. Additional Findings**

1. Project-specific mitigation measure 3.1-2, adopted as part of this project, reduces a cumulative impact resulting from development under the 1994 LRDP and therefore revises the 1994 LRDP EIR. This revision is a minor change to the 1994 LRDP EIR and is considered an addendum that does not affect the Findings and Statement of Overriding Considerations adopted as part of the Regents approval of the 1994 LRDP.

2. As evaluated in the Cumulative Impact Analysis included as an appendix to the UC Davis Conference Center, Hotel, and Graduate School of Management Building Draft Focused Tiered Environmental Impact Report (State Clearinghouse No. 2001082067), 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.

## **I. 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 identified in the Final EIR but are not substantially mitigated, the agency must state in writing the reasons to support its actions based on the Final EIR and/or other information in the record. Despite the occurrence of significant and unavoidable adverse environmental effects in the areas of hazards and hazardous materials, biological resources, hydrology and water quality, transportation, noise, air quality, geology, cultural resources, aesthetics, and public services, the reasons for the approval of the project are as follows:

1. The project implements a portion of the 1994 LRDP and will provide modern animal teaching and research facilities to help meet the campus goals of providing adequate facilities to meet the needs of the growing student population and consolidating Health Sciences facilities in one area of campus. For this reason, the Statement of Overriding

Considerations adopted by The Regents in connection with its approval of the 1994 LRDP is equally relevant to, and is adopted as a part of, this project. All project-specific and cumulative significant and unavoidable impacts were addressed in the Findings and Overriding Considerations adopted by The Regents in connection with its approval of the 1994 LRDP.

2. The project would provide modern animal teaching and research facilities in full compliance with applicable guidelines and standards, and it would accommodate veterinary medicine programs long-term. Thus, the project would help remedy serious deficiencies in School of Veterinary Medicine facilities that have caused accreditation problems.

3. The project would add space needed to accommodate the projected future School of Veterinary Medicine student class size, thereby contributing to the long-term education of veterinary medicine students.

4. The project would relocate Veterinary Medicine Facilities away from the center of campus and would replace these facilities in the Health Sciences District. Thus, the project would improve the efficiency and communication of the School of Veterinary Medicine.

#### **J. Incorporation by Reference**

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

#### **K. Record of Proceedings**

Various documents and other materials constitute the record of proceedings upon which the 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.

#### **L. Summary**

1. 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 each of the significant effects of the project:

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

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

c. Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

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

a. All significant effects on the environment due to the approval of the project have been eliminated or substantially lessened where feasible.

b. Any remaining significant effects on the environment found to be unavoidable are acceptable due to the factors described in the Findings and Statement of Overriding Considerations adopted by The Regents in connection with the 1994 LRDP and certification of the 1994 LRDP EIR as discussed in Section II, I above. There are no changed circumstances since the preparation of these documents that require reanalysis of cumulative impacts.

### **III. APPROVALS**

The University hereby takes the following actions:

- A.** Adopts, incorporates into the project, and makes a condition of project approval, all project elements, project mitigation measures, and relevant 1994 LRDP EIR mitigation measures identified in the Final EIR, as discussed in the Findings, Section II, above.
- B.** Adopts the Mitigation Monitoring Program and Findings in their entirety as set forth in Section II, above.
- C.** Having reviewed certification of the Final EIR, independently reviewed and analyzed the Final EIR, conditioned the project as described above, and adopted the Findings, the University hereby approves the design of the Equine Athletic Performance Laboratory Facility, Davis campus.

October 24, 2002  
Date

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