

**CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS
IN CONNECTION WITH THE APPROVAL OF THE DESIGN OF THE
SEGUNDO COMMONS REPLACEMENT PROJECT, DAVIS CAMPUS**

I. ADOPTION OF THE MITIGATED NEGATIVE DECLARATION

In accordance with Title 14, California Code of Regulations, Section 15074, the Board of Regents of the University of California (The Regents) hereby finds that the Mitigated Negative Declaration and the Tiered Initial Study prepared for the proposed Segundo Commons Replacement Project (the project) have been completed in compliance with the California Environmental Quality Act, Public Resources Code Sections 21000 et seq. (CEQA). The Regents further finds that the Mitigated Negative Declaration, Tiered Initial Study, comments received during the public review process, and responses to these comments, were presented to The Regents, and that The Regents reviewed and considered the information contained in these documents prior to approving the project. The Regents hereby finds that the Mitigated Negative Declaration reflects the independent judgment and analysis of the University of California, and The Regents adopts the Mitigated Negative Declaration.

II. FINDINGS

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

A. Background

The Segundo Commons Replacement project is designed to provide a new 45,000 gross square foot structure to serve the cooking and dining needs of campus residents in and near the Segundo housing area on the UC Davis campus. The project consists of a single building located to the south of the existing Segundo housing area as well as bicycle, pedestrian, and utility connections to serve the new structure. The project site is currently used for recreation and includes irrigated recreation fields and lighted basketball courts. The UC Davis 1994 Long Range Development Plan (LRDP) land use map designated the project site as Physical Education/Intercollegiate Athletics, and Recreation. Project approval includes amending the 1994 LRDP land use map to provide the proper land use designation for the proposed project. A separate design item for the project titled Segundo Infill Housing is being presented at the November 2001 meeting.

B. Environmental Review Process

A Tiered Initial Study was prepared for the project in accordance with CEQA and the University of California Procedures for Implementation of CEQA. The Initial Study for the project, in accordance with Section 15168 of the CEQA Guidelines, is tiered from the campus 1994 Long Range Development Plan (1994 LRDP) Environmental Impact Report (EIR) (State Clearinghouse No. 94022005), as updated and revised by the 1997 Wastewater Treatment Plant (WWTP) Replacement

Project EIR (State Clearinghouse Nos. 95123027 and 96072024), 1997-98 Major Capital Improvement Projects Supplemental Environmental Impact Report (SEIR) (State Clearinghouse No. 97122016), Center for the Arts Performance Hall and South Entry Roadway and Parking Improvements Tiered Initial Study and Mitigated Negative Declaration (State Clearinghouse No. 98092016), USDA Western Human Nutrition Research Center Tiered Initial Study and Mitigated Negative Declaration (State Clearinghouse No. 99092060), and Veterinary Medicine Laboratory and Equine Athletic Performance Laboratory Facilities Focused Tiered EIR (State Clearinghouse No. 2000022057). Hereafter, references to the 1994 LRDP EIR include the 1994 LRDP EIR as updated and revised by the documents listed above.

The project is part of the physical development proposed in the 1994 LRDP, therefore, the environmental analysis for the project is presented and analyzed within the context of the 1994 LRDP and incorporates by reference applicable portions of the 1994 LRDP EIR. The 1994 LRDP EIR, which is a program EIR pursuant to Section 15168 of the CEQA Guidelines, analyzed the overall effects of campus growth and facility developments through 2005-06 and identified measures to mitigate the significant adverse project impacts and cumulative impacts associated with that growth.

As a tiered document, the Initial Study for the project relied on the 1994 LRDP EIR for: (1) a discussion of general background and setting information for environmental topic areas; (2) overall growth-related issues; (3) issues that were evaluated in sufficient detail in the 1994 LRDP EIR for which there are no significant new information or changes in circumstances that would require further analysis; and (4) cumulative impacts. The purpose of the project's Tiered Initial Study was to evaluate the potential environmental impacts of the project with respect to the existing 1994 LRDP EIR analysis in order to determine what level of additional environmental review, if any, would be appropriate.

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

Based on the analysis contained in the Tiered Initial Study, it was determined that for all resource areas, the project would not result in any significant impacts that cannot be mitigated to less-than-significant levels or are not sufficiently addressed by the 1994 LRDP EIR. The campus found that the project may incrementally contribute to, but will not exceed, significant environmental impacts previously identified in the 1994 LRDP EIR. In addition, the campus found that the project could result in two new potentially significant environmental impacts that were not previously identified in the 1994 LRDP EIR, but project-specific mitigation measures included in the Tiered Initial Study would reduce these impacts to a level where no significant impact could occur. The project-specific mitigation measures address potential

impacts from land use consistency with the 1994 LRDP and from project induced construction noise. Based on this analysis, the campus prepared a Mitigated Negative Declaration.

The project's Draft Tiered Initial Study was submitted to the State Clearinghouse in the Governor's Office of Planning and Research and circulated for a 30-day public review period beginning on September 17, 2001 and concluding on October 17, 2001. During that time, the document was reviewed by various state and local agencies, as well as by interested individuals and organizations. In addition to communication from the Governor's Office of Planning and Research acknowledging submittal and circulation of the Draft Tiered Initial Study, three comment letters were received during the public review period and considered by The Regents. These letters did not comment on any significant environmental impacts that had not already been identified, analyzed, and mitigated to a less than significant level, as discussed in the Tiered Initial Study.

The comments received during the public review period and responses thereto are provided in the final Tiered Initial Study. Letters were received from:: 1) the State Clearinghouse confirmed that no state agencies commented (the Regional Water Quality Control Board commented after the close of the public review period), 2) the Director of Intramural Sports and Sports Clubs expressed concern about the loss of recreation fields, 3) the City of Davis Planning and Building Director expressed support for the idea of banning residential freshmen from parking on campus, but expressed concern about possible spillover parking in residential areas, and 4) the Regional Water Quality Control Board provided information about regulations related to stormwater runoff. In response to comments 2 and 3, clarifying descriptions were provided in Section X: Comments and Responses to Comments of the final Tiered Initial Study. The clarifications explain the campus process for constructing new recreation fields and facilities and also explain the campus's planned efforts to coordinate with the City of Davis to minimize the potential effects of spillover parking in residential neighborhoods. In response to comment 4, the final Tiered Initial Study was revised to describe recently implemented procedures for construction stormwater permitting.

The Tiered Initial Study was also revised to reflect changes in the current circumstances. Cumulative population growth information was revised to reflect the changed status of recently approved projects. These revisions and the responses to comments do not change the conclusions presented in the Draft Tiered Initial Study. No new significant information has been added, no new impacts have been identified, no new mitigation measures are required, and the levels of significance of impacts after mitigation remain unchanged.

C. Relation of the Project to the 1994 LRDP EIR

All mitigation measures in the 1994 LRDP EIR adopted by The Regents that are relevant to the project, as identified in the project's Tiered Initial Study, as well as all project-specific mitigation measures and

all project components described in the Tiered Initial Study, are included in the Approval and incorporated into the project.

Project approval includes amending the 1994 LRDP land use map to provide the proper land use designation for the proposed project. The 1994 LRDP EIR identified potentially significant environmental impacts resulting from implementation of LRDP development, and included mitigation measures to reduce the impacts of such development to the extent feasible. Despite the adoption of all feasible mitigation measures by The Regents, some LRDP impacts remained significant. These significant and unavoidable impacts were fully addressed in the Findings and Overriding Considerations adopted by The Regents in connection with its approval of the 1994 LRDP as subsequently amended. There are no changed circumstances, no new information, and no new mitigation measures identified since the preparation of these documents that require reanalysis of cumulative impacts.

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

The following discussion addresses the new impacts identified in the Tiered Initial Study and the associated project-specific mitigation measures.

Land Use

The Tiered Initial Study states that the proposed dining commons would be located on land designated in the UC Davis 1994 LRDP as Physical Education/Intercollegiate Athletics and Recreation. The dining commons use would be inconsistent with the current LRDP land use designation, and accordingly, would conflict with the UC Davis 1994 LRDP. Amending the UC Davis 1994 LRDP land use map in the dining commons area from the current land use designation of Physical Education/Intercollegiate Athletics and Recreation to the designation of Housing would mitigate the identified impact to a less-than-significant level.

Project Specific Mitigation Measure 1. The Regents shall amend the 1994 LRDP land use map to change the proposed dining commons area from land designated for Physical Education/Intercollegiate Athletics and Recreation to land designated for Housing. The proposed land use amendment is shown on Figure 5 of the Tiered Initial Study.

Noise Levels

The Tiered Initial Study indicates that construction related noise impacts from the Segundo Commons Replacement project would result in temporary short-term increased noise levels during the approximate 20-month construction period that could adversely affect adjacent residential uses in the Segundo area. The nearest sensitive receptors would be the existing Segundo residences to the north of the infill housing project site. The Segundo Commons Replacement building would be built within approximately 75 feet of the existing residences and additional site work would be expected to occur within 15 feet of the existing residential buildings. Compliance with the 1994 LRDP EIR Mitigation Measure 4.4-1(a) through (f), would be required as part of the proposed project and would help reduce significant construction noise impacts. Due to the close proximity of the Segundo residents to the proposed construction area, additional mitigation measures may be needed. The following project specific mitigation measure would reduce noise related impacts caused by the Segundo Commons Replacement project to a less-than-significant level.

Project Specific Mitigation Measure 2. In addition to the noise mitigation provided by 1994 LRDP EIR Mitigation Measure 4.4-1, the campus shall include the following additional noise reduction features in the Segundo Commons Replacement project construction contract:

- (a) During the school year (fall through spring quarters), heavy equipment use shall be restricted to the hours of 8:00 A.M and 5:00 PM during weekdays and weekends.*
- (b) To the extent feasible, noise generating activities that would cause disturbance to building occupants shall be scheduled during summer, Thanksgiving, winter, and spring breaks when fewer people would be disturbed by construction noise.*

D. Incorporation by Reference

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

scope and nature of project and cumulative impacts, related mitigation measures, and the basis for determining the significance of such impacts.

E. Mitigation Monitoring Program

CEQA requires the Lead Agency approving a project to adopt a monitoring program for changes to the project that it adopts or incorporates into the project reporting, or in order to ensure compliance during project implementation. The Mitigation Monitoring Program for the project-specific mitigation measure identified above, prepared to serve this purpose, is included with the Tiered Initial Study and is hereby adopted by The Regents. Implementation of mitigation measures incorporated into the project that were previously adopted by The Regents for the 1994 LRDP EIR will be monitored pursuant to the mitigation monitoring program previously adopted by The Regents in connection with its approval of the 1994 LRDP, as subsequently amended.

F. Record of Proceedings

Various documents and other materials constitute the record of proceedings upon which The Regents bases its findings and decisions contained herein. Most documents related to this project are located in the campus Office of Resource Management and Planning, University of California, One Shields Avenue, 376 Mrak Hall, Davis, California 95616. The record of proceedings for the 1994 LRDP approval is also located in the Office Resource Management and Planning. The custodian for these two records of proceedings is the Office of Resource Management and Planning.

G. Summary

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

1. Changes or alterations have been required in, or incorporated into, the Approval for the project. These changes or alterations mitigate to a less-than-significant level or avoid the potentially significant environmental effects of the project as identified in the Tiered Initial Study.
2. There is no substantial evidence in the record as a whole that the project as proposed and mitigated may have a significant effect on the environment that was not previously identified and adequately analyzed in the 1994 LRDP EIR as updated and revised.

III. APPROVAL

The Regents hereby takes the following actions:

- A.** Adopts the Mitigated Negative Declaration for the project as described in Section I, above.
- B.** Approves and incorporates into the project all project elements, relevant 1994 LRDP EIR mitigation measures, project-specific mitigation measure, and the project-specific mitigation monitoring program identified in the project's Tiered Initial Study.
- C.** Amends the 1994 UC Davis LRDP land use map as shown on Figure 5 of the Tiered Initial Study.
- D.** Adopts the Findings in their entirety as set forth in Section II, above.
- E.** Approves the design of the Segundo Commons Replacement Project, Davis campus.