

FINDINGS, AND APPROVAL OF DESIGN FOR THE CENTER FOR COMPANION ANIMAL HEALTH PROJECT, DAVIS CAMPUS CERTIFICATION OF THE FINAL EIR FOR THE VETERINARY MEDICINE FACILITIES IMPROVEMENT PROJECT

I. CERTIFICATION OF THE FINAL EIR

Pursuant to Title 14, California Code of Regulations, Section 15090, the Board of Regents of the University of California ("The Regents") hereby certifies that the Final Focused Tiered Environmental Impact Report ("Final EIR") for the Veterinary Medicine Facilities Improvement Project (SCH No. 20009212), which Final EIR analyzes the significant effects on the environment of the Veterinary Medicine Facilities Improvement Project, of which a part is the Center For Companion Animal Health Project for the University of California, Davis Campus ("UC Davis" or "campus" or "University"), and has been completed in compliance with the California Environmental Quality Act, Public Resources Code section 21000 *et seq.* ("CEQA"). The Regents further certifies that the Final EIR was presented to The Regents and that The Regents has reviewed and considered the information contained in the Final EIR prior to approving the design for the Center For Companion Animal Health Project ("the Project"), as set forth below in Section III. As part of this certification, The Regents hereby finds that the Final EIR reflects the independent judgment and analysis of the University.

II. FINDINGS

The following Findings are hereby adopted by The Regents 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. ENVIRONMENTAL REVIEW PROCESS

The Project analyzed in the Final EIR is fully described in Section Two of the Draft EIR. The Project, which is part of the larger Veterinary Medicine Facilities Improvement Project, includes the construction and operation of the Center for Companion Animal Health in the Health Sciences District of the campus. The new facilities would include administrative and faculty offices, research laboratories, clinical facilities, treatment/procedure rooms, a conference facility, animal holding wards, and support facilities.

An Initial Study and Focused Environmental Impact Report were prepared for the Veterinary Medicine Facilities Improvement Project, including the Project, in accordance with CEQA and the University of California Procedures for Implementation of CEQA. The environmental analyses in these documents are tiered from the UC Davis 1994 Long Range Development Plan (LRDP) EIR in accordance with Section 15152 and 15168(c) of the CEQA Guidelines. In compliance with CEQA and the State and University of California Guidelines for implementation of CEQA, the 1994 LRDP was approved and the accompanying LRDP EIR, State Clearinghouse No. 94022005 ("LRDP EIR"), was certified by The Regents on September 23, 1994. The environmental analysis in the 1994 LRDP EIR (State Clearinghouse #94022005)

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was amended by the Wastewater Treatment Plant (WWTP) Replacement Project EIR (State Clearinghouse #95123027 and #96072024) in 1997, by the 1997-98 Major Capital Improvement Projects SEIR (State Clearinghouse #97122016) in 1998, by the Center for the Arts Performance Hall and South Entry Roadway and Parking Improvements Tiered Initial Study and Mitigated Negative Declaration (State Clearinghouse #98092016) in 1998, by the USDA Western Human Nutrition Research Center Tiered Initial Study and Mitigated Negative Declaration (State Clearinghouse #99092060) in 1999, and by the Veterinary Medicine Laboratory and Equine Athletic Performance Laboratory Facilities Focused Tiered EIR (State Clearinghouse #2000022057) in 2000. For purposes of these Findings, the term “1994 LRDP” shall refer to the 1994 LRDP as amended and the term “LRDP EIR” similarly refers to the 1994 LRDP EIR as revised.

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 LRDP EIR. The LRDP EIR, which is 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.

The tiering of the environmental analysis for the Project allowed the Initial Study and EIR to rely 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 is no significant new information or change in circumstances that would require further analysis; and (4) long-term cumulative impacts. 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, is appropriate.

Based on the analysis contained in the Tiered Initial Study, it was determined that for those resource areas fully analyzed, the Project would not result in any significant impacts that cannot be mitigated to a less-than-significant level or are not sufficiently addressed by the 1994 LRDP EIR, as amended. However, the Project is considered potentially controversial due to the use of animals in the proposed facilities, and the potential for temporary disturbance of burrowing owl habitat. In addition, inadequate information regarding utility demand and points of connection was available during the preparation of the Tiered Initial Study to evaluate the significance of impacts relative to Utilities and Service Systems. Therefore, the Focused Tiered EIR for the Project further evaluates the significance of impacts in the areas of Hazards and Hazardous Materials, Biological Resources, and Utilities and Service Systems.

The campus published a Notice of Preparation (“NOP”) and Initial Study indicating that a Focused Tiered EIR would be prepared for the Project, in August 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 of the NOP and Initial Study extended from September 6, 2000 to October 6, 2000. A public

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scoping meeting on the project was held on October 12, 2000. Responses to comments on the NOP and Initial Study are included in Appendix B of the Draft EIR.

The Notice of Completion (“NOC”) and Draft EIR for the Project were published on October 30, 2000 (SCH #200009212). The official public notice announcing: (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, appeared in The Davis Enterprise, the local paper of public record, on October 30, 2000. An electronic memorandum announcing this information was sent to UC Davis Deans, Directors, and Department Heads on November 7, 2000. The public and agency review period extended from October 30, 2000 through December 13, 2000. During that time, the Draft EIR was reviewed by various governmental agencies, as well as interested individuals and organizations. Three comment letters were received. In addition, members of the public were invited by formal public notice to submit comments on the Draft EIR in testimony at a public hearing held for that purpose on November 29, 2000. One member of the public provided comments at the public hearing.

The comments received during the public review period are addressed in the Final EIR. The comments pertained to (1) impacts of the Project on avian species and California Department of Fish and Game’s concurrence with the proposed mitigation measures, (2) effects of the proposed parking on pasture land, and (3) effects of the proposed parking on the equestrian center. In response to these comments, additional information was presented in the FEIR regarding provision of replacement pasture land, UC Davis’ proposal to salvage existing equestrian equipment, and provisions included in the Project to allow the Equestrian Center access to existing bridle trails. In addition, the FEIR contains new information regarding an exceedance by the campus WWTP of the permit limit for copper in effluent. The analyses in the FEIR concludes that the Project will not exacerbate any copper exceedances and that mitigation measures being implemented by the campus will mitigate any future copper exceedance at the WWTP.

The Final EIR, which includes, among other components, the Tiered Initial Study published in September 2000, Draft EIR published in October 2000 and campus responses to comments received during the public review period for the Draft EIR, was published in March 2001. The information provided in the Final EIR served to restate and/or clarify environmental impacts and mitigation measures evaluated in the Draft EIR, and to provide new information regarding the copper levels in the WWTP effluent, and did not include any significant new information regarding project or cumulative impacts or mitigation measures; the campus therefore properly decided not to recirculate that document for additional public review. The analysis and conclusions contained in the Final EIR reflect the independent judgment of the University.

B. SIGNIFICANT UNAVOIDABLE ADVERSE IMPACTS AND DISPOSITION OF RELATED MITIGATION MEASURES

The Final EIR identified the following significant and unavoidable adverse impacts associated with the approval of the Project and identified related mitigation measures. It is hereby determined that these significant and unavoidable adverse impacts are acceptable for the reasons specified in Section II.G below.

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." (Cal. Code Regs., Title 14, Section 15355(b)). The focus of the Final EIR analysis was on impacts of cumulative development that might compound or interrelate with those of the Project. In accordance with the CEQA Guidelines, the Final EIR used a "plan" approach as a framework for the cumulative impact analysis which 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." (Cal. Code Regs., Title 14, Section 15130(b)). The Project implements a portion of the 1994 LRDP, the planning document which evaluates conditions in the UC Davis area. As a result, the cumulative impacts analysis in the Final EIR relies primarily on the LRDP EIR, which included analysis of projected campus development through the academic year 2005-06 and related cumulative development in the campus vicinity. Cumulative development impacts beyond the academic year 2005-06 that might cumulate with Project impacts are considered too speculative for analysis at this time.

The mitigation measures identified below are presented in summary form. For a detailed description of these mitigation measures, please see the appropriate text in the Draft EIR.

1. Cumulative Impact Associated With Hazardous Chemical Use (EIR Impact 3.1-10)

Cumulative development in the region, in conjunction with the Project, would increase the 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 LRDP EIR. LRDP EIR Mitigation Measures 4.6-1(a) through (c) (requiring the campus to strengthen programs to improve compliance with applicable laws and regulation, to establish a self-audit mechanism and reporting system, and to conduct independent biennial health and safety audits prior to occupying the first approved project following adoption of the 1994 LRDP) have already been implemented by the campus and reduce the Project's contribution to this impact to a less-than-significant level. However, the campus cannot guarantee the safe management of additional hazardous chemicals used at off-campus locations outside the control of the campus because this authority falls within other jurisdictions to monitor and enforce, and can and should be monitored and enforced by those public entities. For this reason the University conservatively considers this

cumulative impact to be 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.

2. Cumulative Impact Associated with Hazardous Waste Management Facilities (EIR Impact 3.1-11)

Cumulative development in the region that generates hazardous chemical waste, in conjunction with the Project, 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 LRDP EIR. LRDP EIR Mitigation Measures 4.6-1(a) through (c) (requiring implementation of a hazardous waste minimization plan and completion of the then-proposed Environmental Services Facility prior to occupying the first approved project following adoption of the 1994 LRDP) have already been implemented by the campus and reduce the Project's contribution to this impact to a less-than-significant level. However, the actions of the campus alone cannot mitigate this impact, and other government entities would need to also take steps to mitigate this impact. The feasibility and implementation of such steps cannot be guaranteed by the University because they fall within the jurisdictions of other public entities to monitor and enforce, and can and should be implemented by those public entities. For this reason the University conservatively considers this cumulative impact to be 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.

3. Cumulative Impacts Associated with Radioactive Materials (EIR Impact 3.1-12)

Development of the Project in combination with other regional developments relating to the use of radioactive materials would increase the number of people being exposed to radioactivity, which is a potentially significant impact. The 1994 LRDP EIR recommended implementation of Mitigation Measures 4.6-5(a) and (b)(the campus shall increase health and safety measures commensurately 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) to reduce the magnitude of this impact. These measures have been and would continue to be implemented as part of the Project and adequate safety controls, plans and procedures are in place to limit exposure to radiation, and therefore the Project's contribution to this cumulative regional impact would not exceed the significant and unavoidable cumulative regional impact previously identified in the 1994 LRDP EIR. The 1994 LRDP EIR noted that while the mitigation measures would address the campus' contribution to this significant impact, the campus cannot guarantee that additional radioactive materials used at off-campus locations outside the control of the University would be managed safely because this authority falls within other jurisdictions to monitor and enforce. For this reason the University conservatively considers this cumulative impact to be 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.

4. Cumulative Impacts on Radioactive Waste Management Facilities (EIR Impact 3.1-13)

The operation of the proposed facilities, in conjunction with other current or future development in the region that use radioactive materials, would create an increase in radioactive waste that would place an additional load on radioactive waste management facilities, which is considered a significant and unavoidable impact. The 1994 LRDP EIR recommended implementation of Mitigation Measure 4.6-6(a) through (d) which include management and treatment of radioactive waste on-campus by Environmental Health and Safety, and implementation of campus-wide hazardous and radioactive waste minimization plans. As these mitigation measures have been implemented and adequate programs, controls and procedures are currently in place on campus to provide safe handling, treatment and disposal of radioactive waste from the proposed project, the Project's contribution to this cumulative regional impact would not exceed the significant and unavoidable cumulative regional impact previously identified in the 1994 LRDP EIR. The 1994 LRDP EIR noted that while the 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 the control of the University would be managed safely because this authority falls within other jurisdictions to monitor and enforce. For this reason, the University conservatively considered 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.

5. Cumulative Impact Associated with Biohazardous Materials and Research Animals (EIR Impact 3.1-14)

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. For the most part, potential impacts associated with cumulative development would be localized, but cumulative development could increase the number of people in the Davis area exposed to the hazards of infectious agents and animal research, a possible significant impact. The 1994 LRDP EIR recommended implementation of Mitigation Measures 4.6-9 and 4.6-10, which have been and will continue to be implemented, and the Project's contribution would not exceed the significant and unavoidable cumulative regional impact previously identified in the 1994 LRDP EIR. However, as discussed in the 1994 LRDP EIR, the University of California cannot guarantee that additional biohazardous materials and research animals used in the Davis area would be managed safely because this responsibility falls within other jurisdictions to enforce and monitor. For this reason, the University conservatively considered 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.

6. Cumulative Impact on Habitat for Resident and Migratory Wildlife Species (EIR Impact 3.2-5)

The LRDP in combination with other anticipated development in the Davis area would cause the loss of 1,258 acres of 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. Furthermore, LRDP EIR Mitigation Measure 4.7-9(a) (incorporating LRDP EIR Mitigation Measures 4.7-1, 4.7-3, 4.7-4, 4.7-5, and 4.7-6, relating generally to the protection of plant species, burrowing owl nesting habitat, raptor nesting habitat and nesting and foraging habitat for Swainson's hawks, as more fully described in the Draft LRDP EIR at pp. 4.7-19 through 4.7-26) is incorporated into the Project, and the Project's contribution would not exceed the significant and unavoidable cumulative regional impact previously identified in the 1994 LRDP EIR. However, LRDP EIR Mitigation Measure 4.7-9(b) (requiring that Yolo County adopt mitigation related to habitat conservation, as more fully described in the Draft LRDP EIR at p. 4.7-29 and in the Draft Project EIR on page 3-40) is within the responsibility and jurisdiction of Yolo County, and can and should be adopted by that public entity. Adoption of such mitigation measures by neighboring jurisdictions would reduce this cumulative impact to a less-than-significant level, but because the implementation of this measure cannot be guaranteed by the campus, 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.

7. Potential Project and Cumulative Impacts on Water Supplied from the Deep Aquifer (EIR Impact 3.3-3)

Construction and operation of the Project would add new facilities on the campus and would lead to greater use of groundwater. Population growth and development of facilities associated with the LRDP and other anticipated development in the Davis area will also increase water use from the deep aquifer. However, the magnitude of the impact on the aquifer is unknown because the status of the aquifer cannot be determined from available information and data. LRDP EIR Mitigation Measure 4.14-1(a) (requiring various water conservation measures) is incorporated into the Project and will reduce the magnitude of any potential impact on the aquifer. However, in light of the unknown magnitude of the impact, the project-specific impact and the cumulative impact of this extraction are considered potentially significant and unavoidable, to preserve a conservative approach. These impacts were adequately addressed in the Findings and Overriding Considerations adopted by The Regents in connection with its approval of the 1994 LRDP.

8. Cumulative Impacts on the Transportation Network (IS Items 4a and b)

Development of the Project, in conjunction with 1994 LRDP development and cumulative development in the region, would lead to significant increases in traffic volumes which would result in insufficient levels of service at major intersections servicing the Project area. In addition, the aforementioned development would increase the demand for transit

services in the region. In order to mitigate cumulative level of service impacts identified in the 1994 LRDP EIR, as amended, implementation of 1994 LRDP EIR Mitigation Measures 4.3-1(a) and (b) was required. Mitigation Measures 4.3-1(a) requires continued campus support for Transportation Systems Management strategies to reduce campus motorized vehicle trips and encourage use of alternative modes of transportation (see page 51 of the Tiered Initial Study). 1994 LRDP EIR Mitigation Measure 4.3-1(b), as revised by the 1997-1998 Major Capital Improvement Projects SEIR, requires traffic monitoring at key intersections on a regular basis and proposed physical changes to roadways and intersections (which would result in increased speed, less idling time, etc.). Although implementation of 1994 LRDP EIR Mitigation Measures 4.3-1(a) and (b) would reduce the magnitude of level of service exceedances, the impact would remain significant and unavoidable at three intersections (Richards Boulevard and 1-80 Eastbound ramps, Richards Boulevard and Olive Drive, and Richards Boulevard and First Street). The feasibility and implementation of certain recommended physical improvements in the 1994 LRDP EIR Mitigation Measure 4.3-1(b) are outside the University's jurisdiction to determine and enforce. As no feasible improvements have been identified to improve the level of service at these intersections to acceptable levels, impacts to these intersections would remain significant and unavoidable, and have been adequately addressed in the Findings and Overriding Considerations adopted by The Regents in connection with its approval of the 1994 LRDP EIR.

9. Cumulative Impact on the Noise Environment (IS Items 5a, c, and d)

Development of the Project, in conjunction with 1994 LRDP development and other development in the Davis region, would create cumulative noise impacts due to traffic and other noise sources. In order to mitigate significant noise impacts related to the Project, Mitigation Measures 4.4-1, 4.4-3, and 4.4-4 of the 1994 LRDP would be required by the Project. The Project would contribute to, but not exceed, increased noise levels identified under the 1994 LRDP EIR. 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. Adoption of such mitigation measures by neighboring jurisdictions would reduce this cumulative impact to a less-than-significant level, but because the implementation of this measure cannot be guaranteed by UC 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.

10. Cumulative Impact Associated With Increased Emissions of Criteria Air Pollutants in the Region (IS Items 6b, c, and d)

Development of the Project, in conjunction with 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 ("air district"). The Project's impact incrementally contributes to, but does not exceed, the cumulative criteria air pollutant emissions

previously identified in the LRDP EIR. LRDP EIR Mitigation Measures 4.5-3(a) (requiring various Transportation Demand Management (TDM) measures to reduce use of automobiles, increased use of public transportation and acquisition of stationary source permits), 4.5-3(b) (requiring the campus to obtain permits for all stationary and area sources as required by the air district) and 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), are hereby readopted and incorporated into the Project, and will substantially lessen this significant cumulative effect to the extent feasible, but not to a less-than-significant level due to the non-attainment status of the area with respect to certain pollutants. This cumulative impact is therefore considered significant and unavoidable and has been adequately addressed in the Findings and Overriding Considerations adopted by The Regents in connection with its approval of the 1994 LRDP.

11. Cumulative Impact on Receiving Water Quality (IS Items 9a and f)

Cumulative agricultural and urban development in the region, in conjunction with the Project and 1994 LRDP development, could reduce receiving water quality. The Project incrementally contributes to, but does not exceed, cumulative impacts on receiving water quality previously analyzed in the LRDP EIR. LRDP EIR Mitigation Measures 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)-(c) (requiring monitoring of effluent discharge and compliance with Waste Discharge Requirements (WDR) (now revised to Order Number 97-236), actions to ensure compliance with established effluent limits if such limits are exceeded, and compliance with requirements of NPDES WDRs for the new WWTP), previously adopted by The Regents in connection with its approval of the 1994 LRDP, are hereby readopted and incorporated into the Project, and will reduce the campus' contribution to this impact to a less-than-significant level. However, 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) is within the responsibility and jurisdiction of other public entities, not the campus, and can and should be adopted by those public entities. Adoption of such mitigation measures by neighboring jurisdictions would reduce this cumulative impact to a less-than-significant level, but because the implementation of these measures cannot be guaranteed by the campus, 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.

12. Cumulative Impact on Groundwater Recharge Potential (IS Item 9b)

Cumulative development in Lower Cache-Putah Groundwater Basin, in conjunction with the Project, would increase the amount of impervious surface coverage, 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 LRDP EIR. LRDP EIR Mitigation Measures 4.8-3(a)-(b) (requiring measures to maximize percolation and infiltration of precipitation into the underlying ground water aquifer), previously adopted by The Regents in connection with approval of the 1994

LRDP, are hereby readopted and incorporated into the Project, and will reduce the campus' contribution to this impact. However, 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 responsibility and jurisdiction of other public entities, not the campus, and can and should be adopted by those public entities. Adoption of such mitigation measure by neighboring jurisdictions would reduce this cumulative impact to a less-than-significant level, but 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.

13. Cumulative Impact of Development on Potential Seismic Effects of Earthquakes (IS Item 10a)

Development under the 1994 LRDP, including the Project, along with cumulative 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 LRDP EIR. LRDP EIR Mitigation Measures 4.9-1(a)-(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), previously adopted by The Regents in connection with approval of the 1994 LRDP, are hereby readopted and incorporated into the Project, and will reduce the campus' contribution to this impact to a less-than-significant level. However, 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 responsibility and jurisdiction of the City of Davis, not the campus, and can and should be adopted by that public entity. Adoption of such mitigation measures by neighboring jurisdictions would reduce this cumulative impact to a less-than-significant level, but because the campus cannot guarantee the 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.

14. Potential Project and Cumulative Impact on Cultural Resources (IS Items 12b, d)

Excavation, grading and other activities associated with the construction of the Project and cumulative development in the region in conjunction with 1994 LRDP development, would result in the loss of prehistoric and historic resources. The Project incrementally contributes to, but does not exceed, this cumulative impact previously analyzed in the LRDP EIR. LRDP EIR Mitigation Measures 4.10-1(a)-(d)(generally prescribing measures to protect cultural resources), previously adopted by The Regents in connection with approval of

the 1994 LRDP, are hereby readopted and incorporated into the Project, and will substantially lessen this impact but not to a less-than-significant level. Further, 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 those entities. In addition, even if cultural resources were adequately recorded, destruction and/or removal from their place of origin reduces their value as a resource. For these reasons, these impacts previously identified by The Regents in connection with approval of the 1994 LRDP, 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.

15. Cumulative Impact on Rural Character of Yolo and Solano Counties (IS Items 13c and e)

Cumulative development in the region, in conjunction with the Project and 1994 LRDP development, would result in the alteration of the rural character of this region as urban development takes place. The Project incrementally contributes to, but does not exceed, this cumulative impact previously analyzed in the LRDP EIR. LRDP EIR Mitigation Measure 4.11-4(b)(requiring compliance with campus guidelines to minimize discomfort from light, glare and heat), previously adopted by The Regents in connection with approval of the 1994 LRDP, is hereby readopted and incorporated into the Project, and will reduce the Project's contribution to this impact to the extent feasible, but will not reduce this cumulative impact to a less-than-significant level. Further, 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 those public entities. Adoption of such a mitigation measure by the City of Davis and Yolo and Solano Counties would reduce this cumulative impact to a less-than-significant level, but 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.

16. Cumulative Impact on Fire Protection Services (IS Item 14a(i))

The Project, in conjunction with cumulative growth under the LRDP, 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 LRDP EIR. 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) are hereby readopted and incorporated into the Project, and would reduce the Project's contribution to this impact to a less-than-significant level. However, 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 that public entity. Adoption of such a mitigation measure by the City would reduce this cumulative impact to a less-than-significant level, but 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.

17. Cumulative Impact on Police Protection Services (IS Item 14a(ii))

The Project, in conjunction with cumulative growth under the LRDP, 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 LRDP EIR. LRDP EIR Mitigation Measure 4.12-3 (requiring implementation of measures to maintain current level of campus police protection services) is hereby readopted and incorporated into the Project, and would reduce the Project's contribution to this impact to a less-than-significant level. However, 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 that public entity. Adoption of such a mitigation measure by the City would reduce this cumulative impact to a less-than-significant level, but 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.

18. Cumulative Impact on the Davis Joint Unified School District (IS Item 14a (iii))

The Project, in conjunction with cumulative growth under the LRDP, 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 District previously identified in the LRDP EIR. 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 those public entities. Adoption of such a mitigation measure by the City and the DJUSD would reduce this cumulative impact to a less-than-significant level, but because the implementation of this measure cannot be guaranteed by the campus, 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.

C. **SIGNIFICANT IMPACTS IDENTIFIED IN THE EIR THAT ARE REDUCED TO A LEVEL OF "NOT SIGNIFICANT" OR "LESS THAN SIGNIFICANT" BY MITIGATION MEASURES INCORPORATED INTO THE PROJECT**

The Final EIR identifies the following significant impacts associated with the Project which are reduced to "not significant" (or less-than-significant) by mitigation measures identified in the EIR. It is hereby determined that the significant environmental impacts which these mitigation measures address will be mitigated to a less-than-significant level or avoided by incorporation of the mitigation measures into the Project.

The mitigation measures identified below are presented in summary form. For a detailed description of these mitigation measures, please see the appropriate text in the Draft EIR.

1. **Project Impact to Active Burrowing Owl Burrows (EIR Impact 3.2-2)**

Given the current locations of active burrowing owl burrows in the Health Sciences District, construction staging for the Project would likely disturb active burrows in the field east of the Health Sciences District. The burrowing owl is fully protected against take pursuant to Section 3503.5 of the California Fish and Game Code and is a California Department of Fish and Game 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 3-35 through 3-38 of the Draft EIR. The 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 hereby readopted and 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 building or construction staging areas, project-specific Mitigation Measure 3.2-1 (passive relocation of owls following CDFG guidelines) would be implemented. Adoption of this mitigation measure will ensure that the potential of impacts to burrowing owls is reduced to a less-than-significant level.

2. **Project Impact to Swainson's Hawk Nesting Efforts (EIR Impact 3.2-4)**

Construction of the Project could result in nest abandonment and nesting failure by Swainson's hawks located within a 0.5 mile radius of the Project site. Annual surveys conducted during the last 7 years for nesting Swainson's hawks have identified six nest sites within 0.5 mile of the Project site. LRDP EIR Mitigation Measures 4.7-6(a)-(b) (requiring a pre-construction breeding season survey of the project site and a 0.5 mile radius to determine if any nesting Swainson's hawks would be affected and, if necessary, annual surveys to determine the

locations of nesting Swainson's hawks and consultation with CDFG prior to project construction), previously adopted by The Regents in connection with approval of the 1994 LRDP, are hereby readopted and incorporated into the Project. Adoption of these mitigation measures will ensure that the potential for failure of Swainson's hawk nesting efforts due to Project construction is reduced to a less-than-significant level.

3. Cumulative Impact of Increased Traffic on Campus (IS Item 4b)

Cumulative growth associated with development under the LRDP, including the Project, would contribute to increased traffic volumes in the Health Sciences District and exceed applicable level of service at the intersection of Hutchison Drive and Health Sciences Drive. This cumulative impact was addressed by a project-specific mitigation measure included in the Veterinary Medicine Laboratory and Equine Athletic Performance Laboratory Facilities Focused Tiered EIR and adopted by The Regents. This measure requires traffic volumes at the intersection of Hutchison Drive and Health Sciences Drive to be monitored by the campus, and installation of a traffic signal as and when operating conditions at the intersection decline to and 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. Because this mitigation measure addresses a cumulative traffic impact, which includes traffic contributed by the Project, this mitigation measure has been readopted and incorporated into the Project, thereby reducing this impact to a less-than-significant level. Other cumulative traffic impacts due to the development of the Project in conjunction with 1994 LRDP development and cumulative development in the region are discussed in Section B.1 above.

4. Cumulative Impact Would Increase Demand for Transit Services (IS Item 4j)

Growth in population associated with development allowed under the 1994 LRDP, including the Project, as well as the campus Transportation Demand Management efforts, would increase demand for transit services. LRDP EIR Mitigation Measure 4.3-5 (specifying actions to be taken to support transit use) is hereby readopted and incorporated into the Project and will reduce this impact to a less-than-significant level by ensuring that adequate transit services are available to meet campus needs.

5. Temporary Project Impact on Noise Levels due to Earthmoving and General Construction Activities (IS Items 5a, 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. LRDP Mitigation Measures 4.4-1(a) through (f)(requiring implementation of noise reduction measures) are hereby readopted and incorporated into the Project and will reduce this impact to a less-than-significant level.

6. Project Impact on Permanent Noise Levels (IS Items 5a,c,d)

The proposed project would result in an increase in vehicle traffic that could expose existing and proposed academic and administrative uses to increased noise levels. Impact 4.4-3 of the 1994 LRDP EIR determined that structure-occupants could be exposed to significant noise levels from traffic and other sources. This was considered to be a significant impact and 1994 LRDP Mitigation Measures 4.4-3(a) and (b) (evaluate for potential exposure to noise levels exceeding 60 L_{dn}, and develop recommendations for features to achieve an interior noise level of 45 L_{dn}) are hereby readopted and incorporated into the Project to reduce this impact to a less-than-significant level.

7. Temporary Project Impact Associated with Increased Emissions of PM₁₀ due to Construction Activities (IS Item 6b(i))

Fugitive dust generated by project-related construction activities may cause violations of the state and federal 24-hour PM₁₀ standard at times and would contribute to significant PM₁₀ emissions previously identified in the 1994 LRDP EIR. These emissions would contribute to the continued exceedence of air quality standards enforced by the Yolo-Solano Air Quality Management District ("air district"). However, this construction impact would be temporary and short-term. LRDP EIR Mitigation Measures 4.5-1(a) through (d)(requiring various measures to reduce fugitive dust impacts during construction) are hereby readopted and incorporated into the Project, and will reduce this impact to a less-than-significant level.

8. Temporary Air Quality Impacts to Local Sensitive Receptors Due Construction Activities (IS Item 6d)

Sensitive receptors in the vicinity of the Project site include academic, clinical, and administrative facilities adjacent to the project site such as the Veterinary Medical Teaching Hospital (VMTH). Although construction related air quality impacts have the potential to be significant, 1994 LRDP EIR Mitigation Measure 4.5-1 (all construction contracts to include measures to reduce fugitive dust impacts including watering, covering of trucks and stockpiles and regular sweeping of construction sites) is hereby readopted and incorporated into the Project. As a result, although nearby receptors would be exposed to short-term elevated levels of PM₁₀, implementation of this mitigation measure would reduce this impact to a less-than-significant level.

9. Project and Cumulative Impact on Emergency Response (IS Item 7g)

Development of the Project could contribute to the demand for emergency response capabilities in the Davis area. LRDP EIR Mitigation Measure 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),

previously adopted by The Regents in connection with approval of the 1994 LRDP, are hereby readopted and incorporated into the Project. Adoption of these mitigation measures will ensure that the potential project impact on emergency response capabilities is reduced to a less-than-significant level.

Cumulative growth in the City of Davis, in conjunction with campus growth under the 1994 LRDP, including the Project, could contribute to cumulative demand for emergency response capabilities in the Davis area. LRDP EIR Mitigation Measure 4.6-22(a) (requiring adequate training and equipment for the campus emergency response team prior to occupying the first approved project following adoption of the 1994 LRDP) has already been implemented by the campus. Even with the implementation of the above mitigation measure, the 1994 LRDP EIR considered this impact 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. However, since that time, the City of Davis and Yolo County have reached a Mutual Aid Agreement and therefore this impact is now reduced to a less-than-significant level.

10. Project Impact to Receiving Water Quality Due to Construction Activities (IS Item 9a)

Although the area under construction would be under 5 acres, 1994 LRDP Mitigation Measure 4.8-4(a), which requires the campus contractor to file a Notice of Intent for coverage under the State General Construction Activity Storm Water Permit, would be implemented as part of the project due to the NPDES Phase II regulations which will come into effect March 2003. Under the Phase II regulations, construction activity disturbing equal to or greater than 1 acre and less than 5 acres of land would be subject to NPDES permitting requirements. As construction would be ongoing when the new regulations would come into effect, the campus would require the contractor to file for coverage under the general permit. Implementation of this mitigation measure would reduce the potential impact to a less-than-significant level.

11. Project Impact to Receiving Water Quality Due to Increased Storm Water Runoff (IS Item 9a)

Development of the Project would increase the amount of runoff from the Project site and could adversely affect receiving water quality. LRDP EIR Mitigation Measures 4.8-5(a)(requiring project design 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), previously adopted by The Regents in connection with approval of the 1994 LRDP, are hereby readopted and incorporated into the Project, and will reduce this impact to a less-than-significant level.

12. Project Impact to Receiving Water Quality Due to Increased Discharge of Treated Effluent (IS Item 9a)

Development of the Project would increase flows to the Wastewater Treatment Plant (WWTP), generating increased discharge of treated effluent into the South Fork of Putah Creek, and could adversely affect receiving water quality. LRDP EIR Mitigation Measure 4.8-6(a)-(c) (requiring monitoring of effluent discharge and compliance with WDR 97-236, actions to ensure compliance with established effluent limits if such limits are exceeded (including changes to WWTP operations if pre-treatment does not succeed in reducing copper concentrations in the effluent), and compliance with requirements of NPDES WDRs for the new WWTP), previously adopted by The Regents in connection with approval of the 1994 LRDP, is hereby readopted and incorporated into the Project, and will reduce this impact to a less-than-significant level.

13. Project Impact on Potential Seismic Effects of Earthquakes (IS Item 10a(ii and iii))

Development of 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. LRDP EIR Mitigation Measures 4.9-1(a)-(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), previously adopted by The Regents in connection with approval of the 1994 LRDP, is hereby readopted and incorporated into the Project, and will reduce this impact to a less-than-significant level.

14. Project Impact on Expansive Soils (IS Item 10d)

Soils underlying the project site exhibit moderate shrink-swell (expansion) potential. This is the potential for volume change in a soil with a loss or gain in moisture. A moderate shrink swell potential can cause damage to buildings and structures. The campus would implement 1994 LRDP Mitigation Measure 4.9-1(a), which would require review of the Project facility design to ensure compliance with CUBC requirements. Compliance with these requirements would mitigate potential adverse effects associated with expansive soils or other site geotechnical characteristics to the extent feasible, thereby reducing the hazard to a less-than-significant level.

15. Project Impact on the Visual Landscape (IS Items 13c, e)

Development of the Project could affect valued elements of the Central campus landscape identified in the LRDP. LRDP EIR Mitigation Measure 4.11-1(a)-(d)(providing guidelines and oversight mechanisms for new structure design), previously adopted by The Regents in connection with approval of the 1994 LRDP, is hereby readopted and incorporated into the Project, and will reduce this impact to a less-than-significant level.

16. Project Impact on Glare, Artificial Light, Heat and Shade (IS Item 13d)

Development of the Project could create glare, artificial light, heat and shade, making the immediate area uncomfortable for people. LRDP EIR Mitigation Measure 4.11-4(b)(requiring compliance with campus guidelines to minimize discomfort from light, glare and heat), previously adopted by The Regents in connection with approval of the 1994 LRDP, is hereby readopted and incorporated into the Project, and will reduce this impact to a less-than-significant level.

17. Project Impact on Fire Protection Services (IS Item 14a(i))

Development of the Project could result in decreased level of service from UC Davis fire protection services. LRDP EIR Mitigation Measures 4.12-1 (requiring implementation of measures to maintain current level of fire protection services) and 4.12-2 (determining adequate water pressure) are hereby readopted and incorporated into the Project, and would reduce this impact to a less-than-significant level.

18. Project Impact on Police Protection Services (IS Item 14a(ii))

Development of the Project could result in decreased level of service from the UC Davis Police Department. LRDP EIR Mitigation Measure 4.12-3 (requiring implementation of measures to maintain current level of police protection services) is hereby readopted and incorporated into the Project, and would reduce this impact to a less-than-significant level.

D. LESS-THAN-SIGNIFICANT IMPACTS IDENTIFIED IN THE EIR FOR WHICH MITIGATION MEASURES HAVE BEEN INCORPORATED INTO THIS PROJECT TO FURTHER REDUCE THE IDENTIFIED IMPACTS

The Final EIR identifies the following less-than-significant impacts for which mitigation measures have been identified. These mitigation measures are not required by CEQA to reduce the identified impacts to a less-than-significant level, but have been included in the Project to further reduce these less-than-significant impacts. 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 (IS Items 7a, 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 small amounts of hazardous materials involved, the “no accident” record of transport of these materials, and ongoing compliance with

applicable transport regulations, the Project is not considered to create a substantial health or safety hazard due to the risk of accidents. For these reasons, this impact is considered less-than-significant. LRDP EIR Mitigation Measures 4.6-20(a) and (b) (specifying additional containment measures for the transportation of hazardous materials) are hereby readopted and incorporated into the Project to further reduce this less-than-significant impact.

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

Development of the Project, campus development under the LRDP, and regional development will increase the demand for water from the shallow/intermediate aquifer. This aquifer does not indicate a declining trend based on monitoring data and the impact is not considered significant. The Project would require irrigation supplied from the shallow/intermediate aquifer for landscaping. However, 1994 LRDP EIR Mitigation Measures 4.8-5(a) (vi and vii) (drought tolerant vegetation and efficient irrigation systems), 4.14-1(a) (domestic water conservation measures), and 4.14-3(a) (utility water conservation measures) are hereby readopted and incorporated into the Project. In addition, the 1994 LRDP DEIR described impacts to the shallow/intermediate aquifer associated with utility water use as a result of buildout of the 1994 LRDP as less than significant. To ensure that static water levels in the shallow/intermediate aquifer remain sufficient, 1994 LRDP EIR Mitigation Measure 4.14-3(b) (annual shallow/intermediate groundwater monitoring) is hereby readopted and incorporated into the Project. Implementation of these mitigation measures would further reduce this less-than-significant impact. Impacts and mitigation measures regarding the deep aquifer are presented in B-7 above.

E. MITIGATION MONITORING PROGRAM

1. When making findings, a lead agency must adopt a reporting or monitoring program for the changes to the project that it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment. The Regents hereby adopts the Mitigation Monitoring Program for the Veterinary Medicine Facilities Improvement Project EIR, set forth in Section 4 of the Final EIR. To the extent this Project incorporates relevant 1994 LRDP EIR mitigation measures previously adopted by The Regents, implementation of these mitigation measures by this Project will be monitored pursuant to the 1994 LRDP EIR (as amended) monitoring program previously adopted by The Regents in connection with its approval of the 1994 LRDP EIR.

2. In the LRDP EIR, as revised, UC Davis identified some mitigation measures which would further reduce environmental impacts determined to be less-than-significant. While there is no requirement to mitigate insignificant environmental impacts, mitigation measures further reducing the less-than-significant impacts are included in the approval of the Project to further enhance environmental quality. The mitigation monitoring programs adopted by The Regents (see paragraph 1, above) monitor mitigation measures designed to reduce or eliminate significant impacts, as well as those mitigation measures designed to reduce environmental impacts which were initially determined to be not significant.

F. ALTERNATIVES

Two build alternatives to the Veterinary Medicine Facilities Improvement Project (Alternative 1 and Alternative 2) and the No Project Alternative (Alternative 3) were evaluated in the EIR. These alternatives are described and analyzed in Section Five 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: Reconstruction of the Proposed Facilities at their Current Sites

This alternative would involve the construction of the proposed Veterinary Medicine 3A building(s) and Instructional Facility at the site where some of the SVM programs are currently located in the core area of the campus. The temporary buildings to be vacated as part of the Project are located to the east of Bioletti Way on the Central Campus. The buildings currently house some SVM academic departments and are mainly used to conduct research. This alternative would require that the existing structures at this site be demolished, the site cleared, and replacement structures constructed on the cleared site. The Center for Companion Animal Health would be constructed at the same location as the Project.

This alternative would further reduce biological impacts of the Project related to construction activities. This alternative is very slightly environmentally superior to the Project. These impacts would be mitigated to a less-than-significant level under the Project however. Impacts to biological resources from trenching/utility upgrades would still occur as part of other planned development in the Health Sciences District. In addition, this alternative would likely place the same demand on utilities and related infrastructure as would the Project, and result in similar impacts related to hazards and hazardous materials as the Project.

Constructing the Project at this site would address the majority of the project objectives. It would eliminate the problems associated with the temporary buildings and provide modern facilities for researchers to work in. However, the division of the project into two separate buildings would not allow for the level of communication and interaction between research groups that could be achieved by a single structure. In addition, although the core area of the Central Campus does have some outdoor areas for interaction, they may not foster interaction between researchers with similar interests, as would a plaza in close proximity to other veterinary medicine related research buildings. This alternative would foster growth of UC Davis health sciences programs in the core area, contrary to a key Project objective of consolidating SVM facilities in the Health Sciences District. Most importantly, however, this alternative would necessitate the temporary relocation of all research programs currently housed in the temporary buildings. Although the purpose of this relocation would be the construction of modern laboratory replacement facilities, this type of disruption for a 4- to 5-year period would not enhance the displaced research programs. Therefore, this alternative would be inconsistent with fulfillment of the goals of the Project and the LRDP, and could potentially adversely affect accreditation of the SVM for the short term.

In summary, this alternative would reduce construction impacts to biological resources, excluding those impacts associated with utility trenching in the field to the east of the Health Sciences District. Impacts related to hazards and hazardous materials and utilities and service systems under this alternative would be the same as for the Project. However, it would not attain some of the key objectives of the Project, and therefore is not feasible.

2. **Alternative 2: Reconfiguration of the Proposed Facilities at the Proposed Location**

This alternative would involve construction of the proposed facilities at their respective locations in the Health Sciences District of the campus with slight modifications to the Veterinary Medicine Instructional Facility, the proposed trenching for installation of utility infrastructure, and the construction staging area. Under this alternative, the footprint of the Veterinary Medicine Instructional Facility would be reduced by creating a three-story building instead of the proposed two-story building. By reducing the footprint of the Veterinary Medicine Instructional Facility, a larger buffer zone would be established between the building site and the edge of the field where active burrowing owl nests are currently located. Similarly, utility distribution lines currently located in the field to the east of the Health Sciences District would be rerouted as feasible starting to the north of the vacant field and buried under existing roadways to avoid burrowing owl nests in the vicinity of the proposed trenching activities. Staging of construction equipment under this alternative would be located to the south of parking lot 50, in the area designated for parking under the Project. Access would be routed to the south and eastern sides of parking lot 50 to avoid potential noise disturbance to active burrowing owls nests.

This alternative would reduce impacts of the Project to active burrowing owl nesting sites related to construction of the proposed facilities. These impacts would be mitigated to a less-than-significant level under the Project, however. Furthermore, because active burrows could be located in close proximity to existing roadways, installation of the utility lines beneath area roads would potentially disturb active nests (one active nest is within 15 feet of the roadway); therefore, the impacts from Alternative 2 would be similar or slightly reduced compared to the Project. Therefore, the mitigation measures recommended in the EIR for the Project would be implemented to reduce this impact to a less-than-significant level. All other impacts to biological resources and hazards and hazardous materials would be the same under this alternative as for the Project. Impacts with respect to utilities and service systems would be similar to that of the Project, however, there would be additional costs and traffic impacts associated with installing the new utility infrastructure beneath area roads.

Constructing the proposed facilities as discussed under this alternative would address all of the project objectives. It would eliminate the problems associated with the temporary buildings, provide sufficient space for the expansion of SVM research programs and the establishment of a permanent home for the Center for Companion Animal Health. Some inconvenience may arise from increasing the level of floors in the Veterinary Medicine Instructional Facility from two to three, however, space requirements would still be met. In

addition, a three-story building is consistent with the original Project plan, and would not require further analysis for resource areas.

In summary, this alternative may reduce impacts to active burrowing owl nests somewhat in the vicinity of Veterinary Medicine Instructional Facility, though impacts to burrowing owl nests associated with installation of utility lines would remain the same. All impacts to burrowing owls would be mitigated to a less-than-significant level for both Alternative 2 and the Project. In addition, impacts related to other biological resources, and hazards and hazardous materials would remain the same as for the Project, but additional costs and traffic impacts may occur. This alternative is equally feasible as the Project, but the University declines to accept it because although it reduces impacts to biological resources somewhat, it does not eliminate the need for the same mitigation measures that are required for the Project.

3. Alternative 3: No Project Alternative

Under the No Project alternative, although the proposed facilities would not be built, the campus will nonetheless have to implement actions to address the deficiencies of the temporary buildings that house School of Medicine programs. These temporary structures require a high degree of maintenance related to structural integrity, fire safety, health safety, asbestos abatement, accessibility compliance, electrical systems, cooling systems, heating systems, water systems, and interior environment.

Under the No Project alternative, the campus would renovate the existing temporary buildings and install improved electrical systems, cooling systems, heating systems, and water systems. In addition, the campus would need to ensure the safety of building occupants by maintaining the buildings' structural integrity and fire and health safety. Given the space constraints in the existing buildings, under the No Project alternative the campus would not be able to expand the SVM's programs, including the Center for Companion Animal Health component. The campus could renovate the VMTH to accommodate some clinical needs of the SVM, however, there could be no expansion of current SVM research programs. All other research programs that were to be moved to the proposed Veterinary Medicine Facilities would remain at their current locations.

In contrast to the Project, this alternative would avoid all impacts of the Project except for the potential exposure of campus occupants and construction workers to contaminated building materials. However, this impact would be less than significant. While some improvement over current conditions would be achieved, the No Project alternative would not fully address the issue of overcrowding in the temporary buildings. Furthermore, this alternative would fail to address all the other project objectives. The No Project alternative would not allow the campus' CCAH program to move forward or provide space for the expansion of research programs. Lastly, the SVM programs would remain scattered across the campus and would not be consolidated into one area (the Health Sciences District) to allow for more efficient use of resources and create an interactive and collaborative research environment.

G. RECIRCULATION NOT REQUIRED

The following new information has been included in the Final EIR concerning the copper concentration in effluent from the campus wastewater treatment plant (“WWTP”).

A. The most recent quarterly monitoring (December 2000) of the effluent from the WWTP indicated that the plant had exceeded its permit limit for copper concentration. The permit limit is 13 parts per billion (ppb), and the measured concentration was 16 ppb. This is the first measured exceedence of the permit limit for copper at the new WWTP, which began operation in March 2000. The copper concentration in effluent from the old WWTP averaged 33 ppb, with a maximum concentration of 59 ppb, between 1998 and closure of the plant in 2000.

B. In both the 1994 LRDP EIR and the 1997 WWTP EIR, impacts on water quality in the South Fork of Putah Creek due to WWTP effluent were identified as significant. Mitigation measures were adopted (LRDP Mitigation Measure 4.8-6 and WWTP Mitigation Measure 4.1-6) which reduced the impact to a less-than-significant level. The campus is in the process of implementing these previously adopted mitigation measures, which involve strictly enforcing the pretreatment program and aggressively enforcing local limits by identifying and eliminating sources of copper to wastewater where feasible; and modifying operation and/or treatment processes at the WWTP where feasible. The campus has retained experts in the areas of source reduction and plant operation and treatment processes, which experts have determined that a combination of the mitigation measures discussed in the FEIR will be effective in mitigating the impacts of WWTP effluent on water quality in the South Fork of Putah Creek to a less-than-significant level.

C. The Project will not contribute to an increase in the exceedence of the permit limit for copper in WWTP effluent, and will make a de minimis contribution to the concentration of copper in WWTP effluent from all campus sources, because (1) the Project includes no special characteristics that would make it an atypical contributor to the wastewater received at the WWTP; hence, the Project will not increase copper concentrations in effluent; and (2) the previously adopted LRDP EIR and WWTP EIR mitigation measures will reduce the impact of the Project in combination with the impact from campus buildout under the LRDP to a less-than-significant level.

Recirculation of the Draft EIR is not required because the above described new information did not result in identification of a new significant impact from the project or from a new mitigation measure proposed to be implemented, or a substantial increase in the severity of an environmental impact.

H. STATEMENT OF OVERRIDING CONSIDERATIONS

The Regents have balanced the benefits of the Project against its unavoidable environmental risks in determining whether to approve the Project, and have determined that the benefits of the Project outweigh the unavoidable adverse environmental effects.

1. The Project implements a portion of the 1994 LRDP and will provide modern 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. Additional specific considerations for the approval of this Project include the following benefits of the Project: consolidate the Veterinary Medicine Facilities in the Health Sciences District of the campus, provide state-of-the-art facilities that will accommodate veterinary medicine programs on a long-term basis, ensure continued accreditation of the SVM in the long term, and expand the program of the Center for Companion Animal Health. The Project will achieve the best grouping of research programs for efficiency and communications, and the siting of the building in the campus' Health Sciences District will allow these programs to interact closely with other related programs that are already located or planned for the District. These benefits outweigh each of the unavoidable adverse environmental effects of the Project.

I. INCORPORATION BY REFERENCE

The Final EIR, the 1994 LRDP, the 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 Veterinary Medicine Laboratory and Equine Athletic Performance Laboratory Facilities Focused Tiered EIR, and the Findings and Overriding Considerations adopted by The Regents in connection with the LRDP EIR, the WWTP Replacement Project EIR, and the 1997-98 Major Capital Improvement Projects, the Veterinary Medicine Laboratory and Equine Athletic Performance Laboratory Facilities Focused Tiered EIR are hereby incorporated into these Findings in their entirety. Without limitation, this incorporation is intended to elaborate on the scope and nature of mitigation measures, the basis for determining the significance of impacts, the comparative analysis of alternatives, and the reasons for approving the Project.

J. 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 Office of Resource Management and Planning, located in Mrak Hall, Third Floor, University of California, One Shields Avenue, Davis, California 95616. The record of proceedings for the 1994 LRDP approval is also located in the Office of Resource Management and Planning. The custodian for these two records of proceedings is the Office of Resource Management and Planning.

K. SUMMARY

1. Based on the foregoing Findings and the information contained in the record, the Regents has made one of 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 which mitigate or avoid the significant effects on the environment.
- b. Those changes or alterations 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 LRDP EIR and in Section II.H, above.

III. APPROVALS

The Regents hereby takes the following actions:

- A. The Regents has certified the Final EIR for the Veterinary Medicine Facilities Improvement Project, as described in Section I., above.
- B. The Regents hereby adopts, incorporates into the Project, and makes a condition of Project approval, all Project elements, Project mitigation measures, and relevant LRDP EIR mitigation measures identified in the Final EIR, as discussed in the Findings, Section II, above.
- C. The Regents hereby adopts the Mitigation Monitoring Program and Findings in their entirety as set forth in Section II., above.
- D. Having certified the Final EIR, independently reviewed and analyzed the Final EIR, conditioned the Project as described above, and adopted the Findings, The Regents hereby approves the design of Center for Companion Animal Health Project, Davis Campus.