I. APPROVAL OF THE MITIGATED NEGATIVE DECLARATION

Pursuant to Title 14, California Code of Regulations, Section 15074, the Board of Regents of the University of California (The Regents) hereby certifies that the Biomedical Library Renovation and Addition (the Project), San Diego campus (the Campus), Mitigated Negative Declaration (including the Project Tiered Initial Study) has been completed in compliance with the California Environmental Quality Act (CEQA), Public Resources Code Sections 21000 et seq., that the Mitigated Negative Declaration was presented to The Regents, and that The Regents has reviewed and considered the information contained in the Mitigated Negative Declaration prior to approving the Project. The Regents hereby finds that the Mitigated Negative Declaration reflects the independent judgment and analysis of the University, and approves 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, below.

A. Environmental Review Process

The Biomedical Library Renovation and Addition project proposes the addition of approximately 23,642 assignable square feet (asf) (41,000 gross square feet [gsf]) of space to the south of the existing library facility, and renovation of 27,456 asf (33,124 gsf) of the existing library. The library’s programmed area would nearly double in size from its current 27,456 asf (33,124 gsf) to 51,098 asf (74,124 gsf) as a result of the proposed project. The renovation of the existing library would provide the wiring and infrastructure necessary to accommodate advances in library information transfer. The renovation would also provide improved spatial configuration and functional adjacencies.

A Tiered Initial Study and Mitigated Negative Declaration were prepared for the Project in accordance with CEQA and the University of California Procedures for Implementation of CEQA. The Tiered Initial Study for the Project is tiered from the campus 1989 Long Range Development Plan (1989 LRDP) Environmental Impact Report (EIR) (State Clearinghouse Number 88110209), which was certified by The Regents in connection with its approval of the 1989 LRDP on November 17, 1989. The 1989 LRDP EIR analyzed the overall projected effects of campus growth and facility development through the year 2005, and identified measures to
mitigate the significant adverse impacts associated with that growth. The Project implements a portion of the 1989 LRDP.

The tiering of the environmental analysis for the Project allowed the Project Tiered Initial Study to rely on the 1989 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 1989 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 Project Initial Study was to evaluate the potential environmental impacts of the Project with respect to the existing 1989 LRDP EIR analysis to determine what level of additional environmental review, if any, is appropriate.

The Tiered Initial Study analyzes the potential Project impacts in relation to the environmental analysis in the 1989 LRDP EIR with regard to the following topic areas: (1) aesthetics; (2) agricultural resources; (3) air quality; (4) biological resources; (5) cultural resources; (6) geology/soils; (7) hazards/hazardous materials; (8) hydrology/water quality; (9) land use/planning; (10) mineral resources; (11) noise; (12) population/housing; (13) public services; (14) recreation; (15) transportation/traffic; and (16) utilities/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 1989 LRDP EIR. The University found that the Project may incrementally contribute to, but would not exceed, significant environmental impacts previously identified in the 1989 LRDP EIR. The Tiered Initial Study indicates that the Project may also result in potentially significant environmental impacts that were not previously identified in the 1989 LRDP, and thus require project-specific mitigation measures, in the areas of geology/soils and noise (construction noise). Mitigation measures reported in the Tiered Initial Study would be implemented to reduce these impacts to a level where no significant impact will occur. As a result, the Campus prepared a Mitigated Negative Declaration that reflects these conclusions.
The Draft Mitigated Negative Declaration and the Tiered Initial Study were submitted to the State Clearinghouse and the Office of Planning and Research and circulated for a 30-day public review period beginning on September 9, 2002, and ending on October 8, 2002. During that time, the documents were reviewed by various federal, state, and local agencies, as well interested individuals and organizations. During the public review period, one comment letter was received from the United States Marine Corps, Marine Corps Air Bases Western Area Miramar (USMC). The USMC letter addressed existing aircraft operations at the Marine Corps Air Station, Miramar (MCAS) and the potential visual and auditory exposure of aircraft overflights to UCSD occupants. The University’s response acknowledged these military overflights, indicated that the Tiered Project Initial Study had considered the aircraft operations in the analysis of potential environmental impacts of the project and recommended that the frequency of flights over the campus should be minimized to the extent possible.

B. Relation of the Project to the 1989 LRDP EIR

All mitigation measures in the 1989 LRDP EIR relevant to the Project, as identified in the Tiered Initial Study, as well as all Project components and Project mitigation measures described in the Tiered Initial Study, are included in the Approvals and are made conditions of the Project.

The Project implements a portion of and is consistent with the 1989 LRDP EIR. The 1989 LRDP EIR identified potentially significant environmental impacts resulting from implementation of 1989 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 1989 LRDP impacts were identified as remaining significant and unavoidable. All significant 1989 LRDP impacts were fully addressed in the Findings and Statement of Overriding Considerations adopted by The Regents in connection with its approval of the 1989 LRDP.

The following discussion elaborates on the disposition of potentially significant new impacts identified in the Tiered Initial Study and related Project-specific mitigation and/or the 1989 LRDP EIR Mitigation Measures identified in the Tiered Initial Study would reduce all potentially significant impacts to below a level of significance.

Geology and Soils

The previously placed fill soils, ranging from between 2 to 48 feet below the ground surface, encountered during the on-site geotechnical investigation are potentially compressible and unsuitable in their present condition to receive settlement-sensitive structures. Therefore, Project Specific Mitigation Measure 6-1 required that the existing fill soils within areas to receive settlement-sensitive structures or structural fill, should be scarified to a depth of at least
12 inches, moisture conditioned, and compacted to at least 90 percent relative compaction at about 1 to 3 percent above optimum moisture content.

A majority of the soils in the upper 5 feet encountered in the field investigation were considered to have a medium potential for expansion; however, if expansion occurs it could result in a potentially significant impact. Therefore, Project Specific Mitigation Measure 6-2 required that testing of the final subgrade soils after completion of fine grading should be conducted to evaluate the expansion potential to confirm or modify the recommendations of the geotechnical investigation.

The project would comply with the 1989 LRDP EIR Mitigation Measure 3.7.2.2, which requires that prior to approval of final design, Facilities Design and Construction will review and approve all building plans for compliance with the current provisions of Title 24 of the California Administrative Code of Regulations and the Uniform Building Code seismic standards.

These mitigation measures, along with the measures described in Appendix A of the Tiered Initial Study/Mitigated Negative Declaration (Geotechnical Recommendations and Conclusions), will reduce potentially significant impacts associated with settlement and expansion to a less than significant level.

**Noise**

A temporary increase in noise would be expected during the construction phase of the proposed project. As part of the overall construction activities, the proposed project could include drilling to install concrete piers for the building foundation during the initial phase of building construction. Typical intermittent noise levels associated with drilling operations are approximately 87 decibels at 50 feet from the operation. The duration of the drilling during project construction is expected to be short-term. The 1989 LRDP EIR concluded that short-term construction-related noise impacts are not considered significant; however, Project Specific Mitigation Measure 11-2 required the use of temporary sound attenuating measures to be applied on the south side of the existing Biomedical Library building, where the expansion will occur, to reduce short-term noise associated with construction activities. In addition, Project Specific Mitigation Measure 11-1 required UCSD to work with the Office of Learning Resources (OLR) and notify adjacent academic occupants of the construction schedule for the project to minimize any potential effects on their instruction activities.

Compliance with the measures listed above for construction noise would preclude any excessive noise levels from impacting nearby sensitive receptors.
C. **Incorporation by Reference**

These Findings incorporate, by reference in their entirety, the text of the Final Tiered Initial Study prepared for the Project, the Mitigated Negative Declaration, the 1989 LRDP, the 1989 LRDP EIR, and the Findings and Overriding Considerations adopted by The Regents in connection with its Approval of the 1989 LRDP. Without limitation, this incorporation is intended to elaborate on the scope and nature of Project and cumulative development impacts, related mitigation measures, and the basis for determining the significance of such impacts.

D. **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 makes a condition of Project approval in order to ensure compliance during Project implementation. The Mitigation Monitoring and Reporting Program that accompanies the Final Mitigated Negative Declaration has been prepared to serve this purpose and is hereby adopted by The Regents. To the extent this Project incorporates relevant 1989 LRDP EIR mitigation measures previously adopted by The Regents, implementation of these mitigation measures by this Project will be monitored pursuant to the existing 1989 LRDP EIR monitoring program previously adopted by The Regents in connection with its approval of the 1989 LRDP EIR.

E. **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 at the UCSD Physical Planning Office located at 10280 Torrey Pines Center South, Suite 340, La Jolla, California, 92093-0965. The record of proceedings for the 1989 LRDP approval is also generally located in the Physical Planning Office. The custodian for these two records of proceedings is the Physical Planning Office.

The Regents hereby finds that, upon consideration of the record as a whole, there is no evidence before it that the Project has a potential for any new adverse effects on wildlife resources or the habitat upon which the wildlife depends. The Project site is located on an area that has been previously disturbed or developed. No threatened, endangered, or special status animals, and no habitat necessary to sustain such animals, have been found on the Project site. Because the Project will have no impacts on wildlife as defined in Section 711.2 of the Fish and Game Code, the Project will not contribute to potential cumulative development impacts to such wildlife. The Regents hereby further finds, on the basis of substantial evidence in the record as a whole, that the presumption of adverse impacts to wildlife described in Section 753.5, Title 14, California Code of Regulations, has been rebutted.
F. 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 which mitigate or avoid the significant environmental effects of the Project as identified in the Final Tiered Initial Study and Mitigated Negative Declaration to a level where clearly no significant effects would occur beyond those effects previously and adequately analyzed in the 1989 LRDP EIR.

2. There is no substantial evidence in the record that the Project, as revised, may have any significant effect on the environment that was not previously identified and adequately analyzed in the 1989 LRDP EIR.

III. APPROVALS

The Regents hereby takes the following actions:

A. Adopts the Final Tiered Initial Study and Mitigated Negative Declaration for the Project as described in Section I, above.

B. Approves, incorporates, and makes a condition of the Project, all Project elements relevant to 1989 LRDP EIR mitigation measures, project-specific mitigation measures, and the project-specific mitigation monitoring program identified in the Final Tiered Initial Study and Mitigated Negative Declaration.

C. Adopts the Findings in their entirety as set forth in Section II, above.

D. Having approved the Mitigated Negative Declaration, independently reviewed and analyzed the Mitigated Negative Declaration and Final Tiered Initial Study, conditioned the Project as described above, and adopted the Findings, The Regents hereby approves the design of the Biomedical Library Renovation and Addition Project, San Diego Campus.