CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS
IN CONNECTION WITH THE APPROVAL OF THE
DESIGN OF THE COMPUTER SCIENCE AND ENGINEERING BUILDING UNIT 3B,
SAN DIEGO CAMPUS

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 Computer Science and Engineering Building Unit 3B Project (“The Project”), San Diego campus (“the campus”), Mitigated Negative Declaration (including the Project Initial Study), has been completed in compliance with the California Environmental Quality Act, Public Resources Code Sections 21000 et seq. (“CEQA”), 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

An Initial Study/ Mitigated Negative Declaration was prepared for the Project in accordance with CEQA and the University of California Procedures for Implementation of CEQA. The Initial Study for the Project is tiered from the campus 1989 Long Range Development Plan (LRDP) Environmental Impact Report (State Clearinghouse #88110209; LRDP EIR), which was certified by The Regents in connection with its approval of the 1989 LRDP on November 17, 1989. The 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 is consistent with the 1989 LRDP “Academic” land use designation. The tiering of the environmental analysis for the Project allowed the Project Initial Study to rely on the 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 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 LRDP EIR analysis to determine what level of additional environmental review, if any, is appropriate.
The Initial Study analyzes the potential Project impacts in relation to the environmental analysis in the LRDP EIR with regard to the following topic areas: (1) aesthetics; (2) agriculture 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 Initial Study, the Project may incrementally contribute to, but will not exceed, significant environmental impacts previously identified in the LRDP EIR. The Initial Study indicates that the Project may also result in new potentially significant environmental impacts that were not previously identified in the LRDP in the areas of geology/soils (unstable soils) and noise (rooftop equipment). Mitigation measures reported in the Initial Study will be implemented to reduce these impacts to a level where clearly no significant impact will occur. As a result, the campus prepared a draft Mitigated Negative Declaration that reflects these conclusions.

The Draft Initial Study/ Mitigated Negative Declaration was submitted to the State Clearinghouse and the Office of Planning and Research and circulated for a 30-day public review period beginning on November 22, 2000, and ending on December 21, 2000 (SCH #2000111142). During that time, the document was reviewed by various state and local agencies, as well as by interested individuals and organizations.

B. Relation of the Project to the LRDP EIR

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

The Project implements a portion of the 1989 LRDP. The LRDP EIR identified potentially significant environmental impacts resulting from implementation of LRDP development, and included mitigation measures to reduce the impacts of such development to the extent feasible. Despite the adoption of all feasible mitigation measures by The Regents, some LRDP impacts were identified as remaining significant and unavoidable. All significant 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.

Since none of the conditions described in CEQA or the CEQA Guidelines calling for preparation of a subsequent EIR have occurred, the Initial Study includes only minor technical changes or additions to the analysis set forth in the LRDP EIR, and the analysis in the Initial Study does not raise important new issues about the significant effects on the environment analyzed in the LRDP EIR, the Initial Study also serves as an addendum to the LRDP EIR.
purposes of the approval of the Project.

The following discussion elaborates on the disposition of the potentially significant, but mitigable to less than significant, impacts identified in the Initial Study and related mitigation measures:

Geology/Soils

The geotechnical investigation prepared by Geocon, Inc., on October 27, 2000 (Preliminary Geotechnical Investigation, UCSD EBU 3A, 4A, 3B and 4B, University of California, San Diego, La Jolla, California) identified undocumented fill soil on site, which is unstable, or that would become unstable as a result of the project, and could potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse. This instability is potentially significant, although no landslides are known to occur in this area of campus (Figure 3-20 of the 1989 LRDP EIR), and seismic risk at the site is not considered significantly greater than that of the surrounding developments. Moderately expansive soil observed on site possesses adequate soil support characteristics for the building.

The project would require approximately 15- to 18-foot deep excavation to install the basement portion of the building, which may effectively remove the soils of concern. To eliminate hazards due to remaining unstable soils, recommended measures identified in the site-specific geotechnical analysis conducted for the project (Geocon 2000; Appendix A) will be incorporated into the final project design. These measures include the removal and recompaction of undocumented fill.

This mitigation will reduce potentially significant geology and soil impacts to a less than significant level (see pages 21-22 of the Initial Study).

Noise

A noise study prepared by URS on November 10, 2000 (Acoustical Recommendations for the Engineering Building Unit 3B) identified operational noise from rooftop equipment as less than significant. The building design consists of a four-story building configured in an open “L” shape. Major building mechanical equipment, including larger air conditioning units, are expected to be located in the basement, as opposed to rooftop placement, thus reducing noise impacts on the surrounding environment. Minor equipment, including small exhaust fans, air conditioning units, and wireless communications antennas measuring less than ten feet in height would be placed on the rooftop. While these minor pieces of equipment are not anticipated to be noisy, there are noise sensitive receptors across the street from the proposed building, in
particular the Warren College Apartments and Residence Halls, that could be exposed to elevated noise levels.

Project-specific mitigation will include providing that rooftop equipment shall not exceed 56 dBA at a distance 50 feet from the equipment to ensure noise levels are acceptable at Warren College Apartments. Once a final design is developed, an acoustical specialist shall confirm that noise levels do not exceed 56 dBA at a distance of 50 feet. If noise levels exceed these standards, an acoustical consultant will determine the appropriate location and height of barriers that would attenuate noise levels.

In addition, neighboring uses such as the Warren College Apartments and Residence Halls, would be provided with adequate notice prior to construction, to minimize construction noise impacts. This notice would allow preparation and planning time for construction activities that could generate noise and vibration. Appropriate noticing and planning ahead would reduce the potential nuisance to neighbors.

This mitigation will reduce potentially significant noise impacts to a less than significant level (see pages 29-30 of the Initial Study).

C. Additional Findings

1. These Findings incorporate by reference in their entirety the text of the Final Initial Study and Mitigated Negative Declaration prepared for the Project, the 1989 LRDP, the 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.

2. 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 Program for the project-specific mitigation measures which 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.

3. Various documents and other materials constitute the record of proceedings upon which the Regents bases its findings and decisions contained herein. Most
4. 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. Further, no endangered, threatened or special status plant species on the Project site were identified by the Initial Study (see pages 18 - 19 of the Initial Study). Because the Project will have no impacts on wildlife as defined in Section 711.2 of the Fish & 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.

D. 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 Initial Study and Mitigated Negative Declaration to a level where clearly no significant effects would occur.

2. There is no substantial evidence in the record that the Project as revised may have any significant effect on the environment.

III. APPROVALS

The Regents hereby takes the following actions:

A. The Regents has approved the Final Initial Study and Mitigated Negative Declaration for the Project as described in Section I, above.

B. The Regents hereby approves and makes a condition of the Project all Project elements, Project mitigation measures and relevant LRDP EIR mitigation measures identified in the Project Final Initial Study.
C. The Regents hereby 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 Initial Study, conditioned the Project as described above, and adopted the Findings, The Regents hereby approves the design of the Computer Science and Engineering Building Unit 3B Project, San Diego campus.