I. ADOPTION 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 finds that the Student Academic Support Services Building Project ("the Project") Mitigated Negative Declaration (including the Project Final Initial Study, hereinafter collectively referred to as the “MND”), has been completed by the University of California, Riverside (the “campus”) in compliance with the California Environmental Quality Act, Public Resources Code Sections 21000 et seq. ("CEQA"), that the MND was presented to The Regents, and that The Regents has reviewed and considered the information contained in the MND and the comments received during the public review process, prior to approving the Project. The Regents hereby finds that the MND reflects the independent judgment and analysis of the The Regents, and adopts the MND.

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. To the extent the Findings presented here summarize the MND, the summary is not intended to change any aspect of the complete text of the analysis and mitigation measures discussed in the MND.

A. Environmental Review Process.

The MND was prepared for the Project in accordance with CEQA and the University of California Procedures for Implementation of CEQA. The MND for the Project is tiered from the Riverside campus 2005 Long Range Development Plan Environmental Impact Report (State Clearinghouse #2005041164; "LRDP EIR"), which was certified by The Regents in connection with its approval of the 2005 LRDP in November 2005. The 2005 LRDP EIR analyzed the overall effects of campus growth and facility development through the planning year 2015-16 with a student population of 25,000 and identified measures to mitigate the significant adverse impacts associated with that growth.

The tiering of the environmental analysis for the Project allowed the MND to rely on the 2005 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 2005 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 MND was to evaluate the potential environmental
impacts of the Project with respect to the existing 2005 LRDP EIR analysis to determine what level of additional environmental review, if any, was appropriate.

The MND analyzes the potential Project impacts in relation to the existing environmental analysis in the 2005 LRDP EIR with regard to the following environmental topic areas: (1) aesthetics; (2) agriculture resources; (3) air quality; (4) biological resources; (5) cultural resources; (6) geology and soils; (7) hazards and hazardous materials; (8) hydrology and water quality; (9) land use and planning; (10) mineral resources; (11) noise; (12) population and housing; (13) public services; (14) recreation; (15) transportation/traffic; and (16) utilities and service systems.

Based on the analysis contained in the Initial Study, the campus found that the proposed Project may incrementally contribute to, but will not exceed, significant environmental impacts previously identified in the 2005 LRDP EIR. However, the campus also found that the proposed Project could result in new environmental impacts that were not previously identified in the 2005 LRDP EIR in the areas air quality (potential short-term construction-related impacts), geology and soils (potential seismic-related impacts) and transportation/traffic (potential emergency access impacts). Mitigation measures were included in the Initial Study that would reduce these impacts to a level where clearly no significant impact will occur. Based on this analysis, the campus prepared a proposed MND that reflects these conclusions.

The proposed MND was submitted to the State Clearinghouse in the Office of Planning and Research and circulated for a 30-day public review period beginning on January 31, 2006, and concluding on March 1, 2006. During that time, both documents were reviewed by various state and local agencies, as well as by interested individuals and organizations. The campus received five letters of comment during the public review period. The letter from the City of Riverside encouraged the campus to use high quality materials on the exterior of the building due to its visibility from a major City street. A response was prepared referring to the project description and illustrations in the Initial Study which indicate the proposed exterior materials and confirming that the campus shares the City’s interest in the use of quality materials. The letter from the Riverside County Flood Control and Water Conservation District indicated that they had no comment. No response was necessary. The letter from the Public Utilities Commission made safety recommendations for projects near railroad rights-of-ways. A response was prepared indicating that the project site was not adjacent or near a railway company right-of-way. The letter from the Southern California Association of Governments indicated that the project was not regionally significant and that they had no comment. No response was necessary. The letter from the Department of California Highway Patrol (“CHP”) questioned whether the MND adequately analyzed increased student traffic from the Project on Interstate 215. A response was prepared explaining that the MND was tiered from the Program EIR prepared for the LRDP which analyzed traffic impacts to Interstate 215, including the increased traffic from the proposed Project. The MND concluded that the Project would not increase daily trips by students because it does not add any students, but rather consolidates existing student
support services scattered throughout the campus. The MND further concluded that the proposed Project’s contribution of an additional 160 daily trips to the campus associated with staff new positions is not cumulatively considerable, and therefore has a less than a significant impact. Project implementation would not change the LOS documented in the LRDP traffic analysis; therefore, no traffic-related mitigation measures are recommended for the proposed Project.

After consideration, all comments were determined not to raise additional environmental issues that were not previously addressed in the MND or the 2005 LRDP EIR. The letters received and the campus responses are included in the Final MND, which is incorporated herein by reference. The Regents concludes that no new environmental concerns regarding the Project were raised in the comments, and that no new significant information has been added to the MND in response to comments requiring recirculation under Section 15088.5 of the CEQA Guidelines.

B. Relation of the Project to the 2005 LRDP EIR.

The Project is consistent with and implements a portion of the 2005 LRDP. The 2005 LRDP EIR, a Program EIR prepared pursuant to Section 15168 of the CEQA Guidelines (Title 14, California Code of Regulations, Sections 15000 et seq.) and Section 21080.09 of the Public Resources Code, identified potentially significant environmental impacts resulting from implementation of 2005 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 2005 LRDP impacts were identified as remaining significant and unavoidable. All significant 2005 LRDP impacts were fully addressed in the Findings and Statement of Overriding Considerations adopted by The Regents in connection with its approval of the 2005 LRDP. All mitigation measures in the 2005 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 Final MND, are included in the Approval and are made conditions of the Project.

C. LRDP Programs & Practices and Planning Strategies Incorporated Into The Project That Reduce Potentially Significant Impacts to “Less-Than Significant” Levels. The

The MND identifies the following potentially significant impacts associated with the project that would be reduced to “less-than-significant” levels by the implementation of previously adopted 2005 LRDP Programs & Practices (PP) and Planning Strategies (PS). The following discussion elaborates on the disposition of each potentially significant impact identified in the Initial Study and related PP and PS. For a detailed description of these mitigation measures, please see the text in the Initial Study.
1. Biological Resources. The MND indicates that the Project has a potential to impact roosting and foraging opportunities for special status avian species, including raptors, through removal of mature trees and landscaped areas. This potential impact is within the scope of impacts analyzed in the LRDP EIR. Previously adopted LRDP Planning Strategy Conservation 1 (requiring that native habitat, including native grasslands, and mature trees be preserved to the extent feasible), LRDP Planning Strategy Conservation 2 (requiring that buildings be sited to minimize site disturbance and maintain existing landscapes, including healthy mature trees), and LRDP Planning Strategy Conservation 3 (requiring that future development continue the practice of increased building densities on campus in order to preserve open space and conserve limited land resources) are continuing to be implemented and will aid in reducing the potential impacts to raptor and special-status avian species (see MND pages 3-16 to 18). As a result, the potential impact to special status avian species is less-than-significant.

2. Hazards and Hazardous Materials. The MND indicates that the Project has the potential to increase in the amount of hazardous materials that are used in routine building operations and maintenance that will be used, stored, transported, and disposed resulting in risk to the public. This increased use also has the potential to increase the risk of an accidental release of hazardous materials into the environment. This potential impact is within the scope of impacts analyzed in the LRDP EIR. Previously adopted LRDP Programs and Practices 4.7-1 (requiring implementation of current health and safety plans, programs, and practices related to the use, storage, disposal, or transportation of hazardous materials) are continuing to be implemented and will aid in reducing the potential impacts from the transport, use or storage of hazardous materials (see MND pages 3-26 to 27). As a result, the potential impact to the public from the increase use, storage, transport or accidental upset of hazardous materials is less-than-significant.

3. Hydrology & Water Quality. The MND indicates that the Project has the potential to result in temporary soil erosion due to construction related activities. This potential impact is within the scope of impacts analyzed in the LRDP EIR. Previously adopted LRDP Planning Strategy Conservation 2 (requiring the campus to site buildings to minimize site disturbance, reduce erosion and sedimentation, reduce storm water runoff, and maintain existing landscapes) is continuing to be implemented and will aid in reducing the potential impacts associated with construction-related soil erosion. In addition, the Project must comply with the campus Storm Water Management Plan (see MND pages 3-30 to 31). As a result, the potential temporary soil erosion impact is considered less-than-significant.

4. Hydrology and Water Quality. The MND indicates that the Project has the potential to violate water quality standards through stormwater runoff picking up pollutants from the construction site and carrying them into the storm drain system. This potential impact is within the scope of impacts analyzed in the LRDP EIR. Previously adopted LRDP Programs and Practices 4.8-1 (requiring that the campus continue to comply with all applicable water quality requirements established by the Santa Ana Regional Water Quality Control Board) and
LRDP Programs and Practices 4.8-3(d) (requiring that the campus continue to implement Best Management Practices, as identified in the UCR Storm Water Management Plan) are continuing to be implemented and will aid in reducing the potential water quality impacts from construction site runoff to the storm drain system (see MND pages 3-30 to 31). As a result, the potential impact to water quality from potential construction site runoff is less-than-significant.

5. Noise. The MND indicates that the Project has the potential to increase long-term operational noise from stationary sources, such as mechanical equipment. This potential impact is within the scope of impacts analyzed in the LRDP EIR. Previously adopted LRDP Programs and Practices 4.10-1(a) (requiring that the campus shield all stationary sources of noise that is located in close proximity to noise-sensitive buildings to ensure exterior noise levels generated do not exceed 60 dBA during the day and 55 dBA during the night at classrooms and office buildings) and LRDP Programs and Practices 4.10-1(b) (requiring incorporation of siting design measures to reduce long-term noise impacts) are continuing to be implemented and will aid in reducing the potential noise impacts from stationary sources (see MND pages 3-30 to 3-41). As a result, the potential exposure of persons to noise levels in excess of established standards is less-than-significant.

6. Noise. The MND indicates that the Project has the potential to generate excessive groundborne vibration from construction activities. This potential impact is within the scope of impacts analyzed in the LRDP EIR. Previously adopted LRDP Programs and Practices 4.10-2 (requiring that the hours of exterior construction activities be limited) are continuing to be implemented and will aid in reducing the potential impact of groundborne vibration from construction activities (see MND page 3-41). As a result, the potential of exposure of persons to excessive groundborne vibration from construction activities is less-than-significant.

7. Noise. The MND indicates that the Project has the potential to increase the ambient noise levels in the Project vicinity above existing levels do the increase in vehicle trips related to the additional 22 staff members occupying the Project. This potential impact is within the scope of impacts analyzed in the LRDP EIR. Previously adopted LRDP Programs and Practices 4.10-5(1) and 4.10-5(b) (requiring that the campus provide on-campus housing and implement an Alternative Transportation program to reduce vehicle trips to the campus) are continuing to be implemented and will aid in reducing the potential noise impacts related to the additional vehicle trips associated with the project (see MND pages 3-41 to 42). As a result, the potential permanent increase in ambient noise levels is less-than-significant.

8. Noise. The MND indicates that the Project has the potential to temporarily increase ambient noise levels due to construction activities. This potential impact is within the scope of impacts analyzed in the LRDP EIR. Previously adopted LRDP Programs and Practices 4.10-7(a) through 4.10-7(d) (requiring that the construction comply with specifications limiting hours of construction, scheduling and advance notice of certain noise-generating construction activities, and muffling and staging of construction equipment) are
continuing to be implemented and will aid in reducing the potential noise impacts related to
construction noise impacts (see MND pages 3-42 to 43). As a result, the potential temporary
increase in noise levels due to construction is less-than-significant.

9. Public Services. The MND indicates that the Project has the potential to
increase demands on Fire and Police protection services. This potential impact is within the
scope of impacts analyzed in the LRDP EIR. Previously adopted LRDP Programs and Practices
4.12-1(a) and (b) (requiring that fire and accident preventive measures be incorporated as new
development occurs) and 4.12-2(a) and (b) (requiring Police staffing levels to keep pace with
development and continued participation with the “UNET” program, a cooperative effort with
the City) are continuing to be implemented and will aid in reducing the potential impacts from
increased demand for Fire and Police services (see MND pages 3-45 to 46). As a result, the
potential impact due to increased demand for Fire and Police services is less-than-significant.

D. Potentially Significant Impacts That Would Be Mitigated to “Less-Than
Significant” Levels and Related Mitigations Measures.

The Initial Study identifies the following potentially significant impacts associated with
the project that would be reduced to “less-than-significant” levels by the implementation of
previously adopted 2005 LRDP mitigation measures and project-specific mitigation measures.
The following discussion elaborates on the disposition of each potentially significant new impact
identified in the Initial Study and related mitigation measures. For a detailed description of these
mitigation measures, please see the text in the Initial Study.

1. Air Quality.

The MND indicates that the Project has the potential to cause temporary
emissions of criteria pollutants (VOCs, NOx, CO, SOx and PM10) during construction, and long-
term emissions of criteria pollutants (ROC, VOCs, NOx, CO, SOx and PM10) as a result of
Project operations. Project implementation would not generate air emissions in excess of those
anticipated in the LRDP EIR. Further, Project construction emissions would not exceed
SCAQMD construction thresholds for these criteria pollutants.

To minimize construction-related emissions, Mitigation Measure 4.3-2 from the
LRDP EIR requires contract specifications regarding the required use of low NOx diesel fuel and
construction equipment as is readily available. LRDP EIR Programs & Practices 4.3-2(a) and
(b) require that the contract identify specific construction practices to reduce air quality impacts
and implementation of dust control measures consistent with the South Coast Air Quality
Management District (SCAQMD) Rule 403. Project-specific Mitigation Measures AQ-1 and
AQ-2 were also identified to reduce long-term operational emissions and require that all trucks
hauling excavated or graded material on-site comply with State Vehicle Code Section 23114,
and that the Project comply with SCAQMD Rule 1113 to ensure that the ROC content of
architectural coatings do not exceed South Coast Air Basin specified limits. These LRDP Mitigation Measures and Programs & Practices, and Project-specific mitigation measures have been included in the Approval and will reduce these impacts to a less than significant level (see pages 3-10 through 3-14 of the MND).

2. **Geology and Soils.**

   The MND indicates that the Project has the potential to be subject to seismically induced ground shaking which could result in damage to the structure and risk to its occupants. The MND also indicates that the Project has the potential to result in secondary seismic hazards related to ground shaking, including liquefaction and ground failure.

   LRDP EIR Program & Practice 4.6.1(c) has been incorporated into the Approval, and requires that the Project comply with University of California’s Policy for Seismic Safety, as amended, which requires Project design and construction to adhere to the most stringent of provisions included in the California Code of Regulations, Title 24, Administrative Code, the California State Building Code, and local seismic requirements. As required by LRDP EIR Programs & Practices 4.6.1(a), a site-specific geotechnical study (MTGL, Inc., September 28, 2005) was also prepared for the Project and made recommendations regarding Project design and construction to reduce structural damage and risk to occupants during seismic ground shaking and secondary seismic hazards. Project-specific Mitigation Measure GEO-1 requires implementation of the recommendations of the MTGL study, and has been included in the Approval to reduce these potential impacts to a less than significant level (see pages 3-21 to 3-24 of the MND).

3. **Transportation/Traffic.**

   The Initial Study indicates that the project could result in the need for improvements to provide emergency vehicle access to the site. LRDP EIR Planning Strategy Transportation 4, requiring that over time the campus limit general vehicular circulation in the central campus, LRDP EIR Planning Strategy Open Space 5, requiring that the Carillon Mall be retained at a width of approximately 200 feet, and Project-specific Mitigation Measure TRA-1, requiring that adequate emergency access be provided and verified by the Campus Fire Marshal prior to finalizing the construction documents have been included in the Approval and will reduce these impacts to a less than significant level (see pages 3-50 to 3-51 of the Initial Study).

E. **Additional Findings.**

1. These Findings incorporate by reference in their entirety the text of the Final Initial Study prepared for the Project, the Project Mitigated Negative Declaration, the 2005 LRDP, the 2005 LRDP EIR, and the Findings and Overriding Considerations adopted by The Regents in connection with its approval of the 2005 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 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 2005 LRDP EIR mitigation measures previously adopted by The Regents, implementation of these mitigation measures by this Project will be monitored pursuant to the existing 2005 LRDP EIR monitoring program previously adopted by The Regents in connection with its approval of the 2005 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 documents related to this Project are located in the Office of Design and Construction, located at 3615A Canyon Crest Drive, Riverside, California 92507. The record of proceedings for the 2005 LRDP approval is generally located in the Office of Capital and Physical Planning, 3637 Canyon Crest Drive, Riverside, California 92507. The custodian for the project record of proceedings is the UCR Office of Design and Construction. The custodian for the 2005 LRDP record of proceedings is the UCR Office of Capital and Physical Planning.

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, not previously identified in the 2005 LRDP EIR. 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 3-16 to 3-19 of the Initial Study). 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 the 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 Initial Study and Mitigated Negative Declaration to a level where clearly no significant effects would occur beyond those effects previously identified and adequately analyzed in the 2005 LRDP EIR.

2. There is no substantial evidence in the record that the Project as revised may have any significant effect on the environment not previously identified and adequately analyzed in the 2005 LRDP EIR.

III. APPROVALS.

The Regents, hereby takes the following actions:

A. Hereby adopts the Mitigated Negative Declaration for the Project as described in Section I, above.

B. Hereby approves and makes a condition of the Project all Project elements, Project mitigation measures and relevant 2005 LRDP EIR mitigation measures identified in the Project Initial Study.

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

D. Having adopted 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 Student Academic Support Services Building project, Riverside campus.