

**CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS
IN CONNECTION WITH THE APPROVAL FOR THE
UCSF-FRESNO MEDICAL EDUCATION AND RESEARCH CENTER,
SAN FRANCISCO CAMPUS**

I. CONSIDERATION OF THE FINAL MITIGATED NEGATIVE DECLARATION

The Board of Regents of the University of California (The Regents) hereby certifies, in conjunction with The Regents approval of the University of California, San Francisco – Fresno Medical Education and Research Center (the Project) that it has considered the City of Fresno Mitigated Negative Declaration for the expansion of the existing hospital campus at the Community Regional Medical Center to include the Project. The local redevelopment agency, the City of Fresno Development Department, acted as the Lead Agency for the approval of the Project. The Regents are acting as a Responsible Agency for the approval of the Project.

The Regents has received, and has reviewed and considered the information contained in the Mitigated Negative Declaration prior to approving the Project. The Regents finds that its approval of the Project reflects the independent judgement of The Regents.

Under the proposed project, a new three-story, 53,755 assignable square-foot building would be constructed on a 3.2-acre parcel at the Community Regional Medical Center in the City of Fresno. The Project would replace academic teaching space due to be lost by the closure of University Medical Center, the former County Hospital, in December 2003, and consolidation of UCSF-Fresno programs from several other sites, and support expansion of existing programs.

II. FINDINGS

The following Findings are hereby adopted by The Regents as required by Public Resources Code sections 21081, 21081.5, and 21081.6, as well as 14 California code of Regulations sections 15074 and 15096.

A. ENVIRONMENTAL REVIEW PROCESS

On September 18, 2001, the City of Fresno released for public review, a draft Initial Study and Mitigated Negative Declaration on three proposed new structures including a modular outpatient dialysis treatment facility, a two-story ambulatory care facility, and the UCSF – Fresno Project. Thus the Project under consideration for approval by The Regents as a Responsible Agency is a portion of a larger project analyzed and approved by City of Fresno.

In 1996, the existing medical center proposed a comprehensive redevelopment and expansion plan for the hospital campus site which was the subject of a Master Environmental Impact Report completed in 1996. The EIR analyzed the overall project potential for significant environmental impacts and found that such redevelopment could have adverse impacts on local street circulation and on air quality. Mitigation measures were incorporated into the project approval. Subsequently, a Negative Declaration and environmental assessment was undertaken to analyze a scaled down version of the project as described in the Master EIR. Therefore, the Mitigated Negative Declaration analysis of the UCSF – Fresno Project cites and incorporates by reference the two previous CEQA documents.

B. ENVIRONMENTAL IMPACTS

A Mitigated Negative Declaration has been prepared by the City of Fresno as Lead Agency. The document evaluates the Project and identifies significant potential adverse impacts in the following environmental categories: construction air quality, construction dust emissions, construction noise, construction light & glare, and operational storm runoff control. The Mitigated Negative Declaration recommends mitigation measures that would avoid or reduce all of the identified significant effects to less-than-significant levels. These measures are incorporated as conditions of approval.

No significant unavoidable adverse impacts are associated with approval of the Project. No statement of overriding considerations will be adopted as part of the consideration by The Regents of approving the Project.

C. SIGNIFICANT AND POTENTIALLY SIGNIFICANT ENVIRONMENTAL IMPACTS REDUCED TO LESS-THAN-SIGNIFICANT LEVELS BY MITIGATION MEASURES INCORPORATED AS CONDITIONS OF APPROVAL

The following potentially significant adverse impacts associated with approval of the Project are reduced to a less-than-significant level by mitigation measures identified in the final Mitigated Negative Declaration and incorporated into the Project. To the extent that these mitigation measures will not mitigate or avoid all significant impacts on the environment, it is hereby determined that these significant impacts are acceptable because the impact are not cause by the Project alone, but rather by the combined development of the Community Regional Medical Center and other projects in the larger downtown Fresno area.

1. **Impact on Air Quality:** The Project is located within Fresno County which is part of the San Joaquin Valley Air Basin. Fresno County has been classified as a serious non-attainment area for ozone and particulate matter.

Mitigation Measure: Ozone emissions will be mitigated during construction by the following measures.

- a. Equipment engines shall be maintained in good condition and proper tune per manufacturer's specifications
- b. From August to October, the construction period shall be lengthened so as to minimize the number of vehicles and equipment operating at the same time.

Facts: The proposed project will cumulatively contribute to the incremental decline in local air quality; however, the Project in and of itself is not significant. The City of Fresno and the University of California shall ensure that the construction measures are included in all construction development activity.

Finding: The Regents hereby confirm the City of Fresno finding that the proposed mitigation measures reduce the impact to a less-than-significant level.

2. **Impact on Generation of Construction Dust:** Construction of the Project will contribute to short-term impacts on increased dust and particulate matter. In consideration of the sensitive receptor of the operating hospital, construction dust mitigation is critical.

Mitigation Measure: To mitigate fugitive dust emissions during project construction, the following measures are required.

- a. On-site vehicle speed shall be limited to 15 miles per hour (mph)
- b. All areas with vehicle traffic shall be watered twice daily
- c. Roads shall be treated with a petroleum-based dust palliative
- d. Streets adjacent to the Project shall be swept as needed to remove silt, which may have accumulated from construction activities so as to prevent excessive amount of dust

- e. All clearing, grading earth moving, or excavation activities shall cease during periods of wind speed greater than 20 mph averaged over one hour
- f. All material transported off-site shall be either sufficiently watered or covered to minimize dust.

Facts: The City of Fresno and the University of California shall ensure that the construction measures are included in all construction development activity.

Finding: The Regents hereby confirm the City of Fresno finding that the proposed mitigation measures reduce the impact to a less-than-significant level.

3. **Impact on Increase in Existing Noise Levels:** Construction of the Project will generate high noise levels intermittently during construction on and adjacent to the site. In consideration of the sensitive receptor of the operating hospital, construction noise mitigation is crucial.

Mitigation Measure: The following measures contained in the Master EIR are meant to minimize the impact on the current hospital in operation on the site.

- a. The sponsor shall limit construction activities and related travel in the vicinity of the Project between 7:00 a.m. and 7:00 p.m. No construction activities shall be scheduled on Sundays and on legal holidays.
- b. The Project contractor shall use equipment with noise shielding and muffling devices
- c. Barriers such as walls, berms, etc. shall be placed between the noise source and the receiver where feasible.

Facts: The City of Fresno and the University of California shall ensure that the construction measures are included in all construction development activity.

Finding: The Regents hereby confirm the City of Fresno finding that the proposed mitigation measures reduce the impact to a less-than-significant level.

4. **Impact on Availability of Storm Water Drainage Facilities (on and off site):** Operation of the Project will be subject to drainage District No. "FF." Construction on five or more acres of land may require a US Environmental Protection Agency Notice of Intent for a general National Pollutant Discharge Elimination System permit. *The Project site totals 3.2 acres and would not be subject to the above permit requirement. Although this impact is less than significant, the City of Fresno has identified an additional mitigation measure.*

Mitigation Measure: The following measure contained in the Master EIR is meant to minimize the impact on storm runoff.

- a. Commensurate with storm runoff mitigation measure of EIR 10120, all roof drains shall drain onto and through landscaped areas to filter out pollutants in the rainfall and in dry air fallout.

Facts: The City of Fresno and the University of California shall ensure that the building design measure is included in the Project design for construction.

Finding: The Regents hereby confirm the City of Fresno finding that the impact is less than significant and that the proposed mitigation measure would further reduce or avoid this less-than-significant impact.

D. INCORPORATION BY REFERENCE

The final Mitigated Negative Declaration (which includes among other components the tiering from the Master EIR and the Negative Declaration / Environmental Assessment) is hereby incorporated into these Findings in its entirety. This incorporation is intended to elaborate on the scope and nature of mitigation measures, the basis for determining the significance of impacts, and the reasons for approving the Project.

III. ADDITIONAL FINDINGS

- A. The Regents has reviewed and considered the environmental effects of the Project as reflected in the Mitigated Negative Declaration issued by the City of Fresno Development Department on September 18, 2001.
- B. The Regents find that the Mitigated Negative Declaration is adequate for use by The Regents in its role as a Responsible Agency.
- C. The Regents further finds that there are no feasible alternatives or mitigation measures within the power of The Regents, other than those previously identified in the Mitigated Negative Declaration that would substantially lessen or avoid any potential environmental effect of the Project.

- D.** No significant unavoidable adverse impacts are associated with approval of the Project. No statement of overriding considerations will be adopted as part of the consideration by The Regents of approving the Project.
- E.** The Regents hereby adopts the conditions of project approval adopted by the City of Fresno as Lead Agency on September 18, 2001 in connection with issuing the Mitigated Negative Declaration deemed final and effective in the manner specified by Fresno Municipal Code. The Regents' Findings address each identified significant environmental effect of the Project in accordance with Public Resources Code section 21081.
- F.** 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 effect on wildlife resources, or the habitat upon which the wildlife depends. No threatened, endangered, or protected 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 final Mitigated Declaration (see page 4 of the Initial Study). The Project site is currently a paved surface parking lot. 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.

HAVING REVIEWED AND CONSIDERED THE FINAL MITIGATED NEGATIVE DECLARATION AS ADEQUATE, CONDITIONED THE PROJECT AS SET FORTH IN THE FOREGOING FINDINGS AND ADOPTED THE FOREGOING FINDINGS, THE REGENTS HEREBY APPROVE THE PROJECT.