CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS
IN CONNECTION WITH THE APPROVAL OF THE
COASTAL LONG RANGE DEVELOPMENT PLAN
SANTA CRUZ MARINE SCIENCE CAMPUS

September 2004

I. CERTIFICATION OF THE FINAL EIR

The University of California ("University"), as lead agency, has completed the Final Environmental Impact Report ("Final EIR") for the Coastal Long Range Development Plan ("Coastal LRDP" or "CLRDP") for the University of California, Santa Cruz ("UC Santa Cruz") Marine Science Campus ("the campus"). The Final Environmental Impact Report ("Final EIR") has been assigned State Clearinghouse No. 2001112014.

The September 2004 Final EIR is a program EIR that assesses the potential environmental effects of implementation of the Coastal LRDP at a program level, identifies means to eliminate or reduce potential adverse impacts, and evaluates a reasonable range of alternatives to the Coastal LRDP as proposed. The Final EIR also assesses the potential environmental effects of five projects proposed by UC Santa Cruz for implementation under the Coastal LRDP. The Final EIR includes comments on the January 2004 Draft EIR submitted by interested public agencies, organizations and members of the public, and provides written responses to the environmental issues raised in those comments. Approval of design, site development and infrastructure for each of the five projects will be addressed in a separate action of The Regents and/or University officials delegated such authority pursuant to the Standing Orders and Bylaws of The Regents of the University of California.

Pursuant to Public Resources Code Section 21081 and Title 14, California Code of Regulations, Section 15090, the Board of Regents of the University of California ("The Regents") certifies that it has been presented with the Final EIR and that it has reviewed and considered the information contained in the Final EIR prior to making the following certifications and findings, the findings in Section II and the approvals in Section III, below.

The Regents is certifying the Final EIR for the entirety of the actions described in the findings below and in the Final EIR as comprising the Coastal LRDP for the UC Santa Cruz Marine Science Campus.

Pursuant to Section 15090 of the CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.) The Regents certifies that the Final EIR has been completed in compliance with the California Environmental Quality Act ("CEQA") and the State CEQA Guidelines.

The Regents further certifies that the Final EIR satisfies the requirements for a long range development plan EIR prepared under Public Resources Code Section 21080.09 and CEQA Guidelines Section 15081.5 as well as Section 30605 of the California Coastal Act (Public

Resources Code, Division 20) and Section 13559 of implementing regulations at 14 California Code of Regulations, Section 13001 et seq.

The Regents further certifies that the Final EIR reflects its independent judgment and analysis.

Based upon the foregoing, The Regents finds and determines that as the certified Environmental Impact Report for the Coastal LRDP, the Final EIR provides the basis for approval of the Coastal LRDP, and the supporting findings set forth in Section II below. In accordance with Public Resources Code Section 21080.09, such further review as may be required under the provisions of CEQA for implementation of projects implementing the Coastal LRDP shall be based upon the Final EIR or a tiered analysis based upon the Final EIR.

The Regents further finds and determines that the Final EIR shall serve as the basis for compliance with CEQA for all discretionary actions by other state and local agencies necessary to implementation of the Coastal LRDP, including projects implementing the Coastal LRDP. Discretionary actions taken by state or local agencies acting as responsible or trustee agencies under CEQA with respect to the Coastal LRDP and projects implementing the Coastal LRDP, shall be based upon the Final EIR together with any tiered analysis as may be prepared by the University based upon the Final EIR for such projects.

II. FINDINGS

The Regents is adopting these findings for the entirety of the actions described in these findings and in the Final EIR for the Coastal LRDP for the UC Santa Cruz Marine Science Campus.

Approvals of projects contemplated by the Coastal LRDP will be made by The Regents and/or University officials delegated such authority pursuant to the Standing Orders and Bylaws of The Regents of the University of California.

Having received, reviewed and considered the Final EIR and other information in the record of proceedings, The Regents hereby adopts the following findings in compliance with CEQA, the CEQA Guidelines, and the University's procedures for implementing CEQA:

Part A: Findings regarding the environmental review process and the contents of the Final EIR.

Part B: Findings regarding impacts and disposition of related mitigation measures.

Part C: Findings regarding the Mitigation Monitoring Program ("MMP").

Part D: Findings regarding alternatives to the project and the reasons that such alternatives have been rejected.

Part E: Statement of Overriding Considerations determining that the benefits of the project outweigh the significant and unavoidable environmental impacts that will result and therefore justify approval of the project despite such impacts.

The Regents certifies that these findings are based on full appraisal of all viewpoints, including all comments received up to the date of adoption of these findings, concerning the environmental issues identified and discussed in the Final EIR. The Regents adopts these findings and Statement of Overriding Considerations for the approvals set forth in Section III, below.

A. ENVIRONMENTAL REVIEW PROCESS

1. Development of the Proposed Coastal LRDP

To date, development on the UC Santa Cruz Marine Science Campus has been guided by the 1992 UCSC Institute of Marine Sciences Long Marine Laboratory Master Plan that addresses the 16 upland acres then under University ownership as well as the 25-acre Younger Lagoon Reserve which was incorporated into the UC Natural Reserve System. The Coastal LRDP was prepared over a period of about three years following the University's purchase of approximately 55 acres immediately to the east of, and adjacent to, its previous holdings. The Coastal LRDP is a separate document from the Long Range Development Plan for the 2,000-acre main campus of UC Santa Cruz, which is located approximately 2 miles to the north.

The Marine Science Campus lies entirely within the area designated "coastal zone" under the California Coastal Act ("Coastal Act"). To date, the Coastal Commission has reviewed individual projects proposed by the University through case-by-case analysis of individual permit applications. The adoption of the Coastal LRDP by The Regents and subsequent certification by the California Coastal Commission will result in the delegation to the University of California of the authority to undertake or authorize any development project consistent with the plan without a coastal development permit, subject to notice and opportunity for the Commission to review the project for consistency with the CLRDP.

2. Environmental Review Process

An Environmental Impact Report was prepared for the Coastal LRDP in accordance with CEQA, Coastal Commission regulations, and the University of California Procedures for Implementation of CEQA.

On November 1, 2001, a Notice of Preparation ("NOP") was circulated to state, regional, and local agencies and to community organizations and individuals. Comments on the NOP were received from the California Coastal Commission California, the California Department of Toxic Substances Control, Department of Transportation (Caltrans), the Monterey Bay Unified Air Pollution Control District, the California Regional Water Quality Control Board, Association of Monterey Bay Area Governments (AMBAG), the City of Santa Cruz, the Sierra Club, and the Terrace Point Action Network. Seven members of the public also submitted written comments on the NOP. A scoping meeting was held on November 14, 2001, at the Seymour Discovery

Center at the Long Marine Laboratory. The meeting was advertised and the public was invited to attend; approximately 17 members of the public attended the meeting; 6 people provided comments on the proposed content of the EIR. All written and oral comments received on the NOP were taken into consideration in the preparation of the EIR.

The Notice of Completion ("NOC") of the Draft EIR was published on January 29, 2004. The Draft EIR (SCH# 2001112014) was circulated for review and comment by the public and other interested parties, agencies, and organizations for a 50-day period. This review period was from January 29, 2004 to March 19, 2004. A public hearing on the Draft EIR was held on February 19, 2004. Eight individuals provided comments on the Draft EIR at the public hearing. In addition, seventeen comment letters or email messages were received during the public review period and were considered by UC Santa Cruz. Responses to all public comments are contained in the Final EIR.

The Final EIR contains all of the comments received during the public comment period, including a transcript of the public meetings, together with written responses to those comments which were prepared in accordance with CEQA, the CEQA Guidelines, and the University's procedures for implementing CEQA. The Regents finds and determines that the Final EIR provides adequate, good faith and reasoned responses to all comments received during the public review period and raising significant environmental issues. Consideration was accorded to late comments to the extent feasible.

3. Absence of Significant New Information

CEQA Guidelines Section 15088.5 requires a lead agency to recirculate an EIR for further review and comment when significant new information is added to the EIR after public notice is given of the availability of the Draft EIR but before certification. New information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect that the project proponent declines to implement. The Guidelines provide examples of significant new information under this standard. Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.

The Regents recognizes that the Final EIR incorporates information obtained by the University since the Draft EIR was completed, and contains additions, clarifications, modifications and other changes as follows:

Changes to the Coastal LRDP. The changes to the proposed Coastal LRDP are limited to insignificant modifications to the text, tables and figures. These changes are generally of an administrative nature such as correcting typographical and graphical errors, making minor adjustments to data, and adding or changing certain phrases to improve readability.

The Regents finds that these changes and clarifications do not affect the campus population or operations at full implementation of the Coastal LRDP. None of these changes will result in new or more severe environmental impacts. In addition, none of these changes

materially change the campus' development footprint or the impacts that will occur due to development within that footprint. As a result, these changes do not require recirculation of the Final EIR under CEQA Guidelines Section 15088.5.

Changes to the Draft EIR. Various insignificant modifications have been made to the text, tables and figures of the Draft EIR, as set forth in the Final EIR. These changes are generally of an administrative nature such as correcting typographical errors, making minor adjustments to the data, and adding or changing certain phrases to improve readability. The Regents finds that these changes are of a minor, non-substantive nature and do not require recirculation of the EIR.

Based on the foregoing, and having reviewed the information contained in the Final EIR and in the record of proceedings, including the comments on the Draft EIR and the responses thereto, and the above-described information, The Regents hereby finds that no significant new information has been added to the Final EIR since public notice was given of the availability of the Draft EIR that would require recirculation under CEQA Guidelines Section 15088.5. The new information added to the EIR and referred to above does not involve any new or more severe significant impacts or indicate that the Draft EIR was in any way inadequate or conclusory.

4. Differences of Opinion Regarding the Impacts of the Project

In making its determination to certify the Final EIR and to approve the project, The Regents recognizes that the project implicates several controversial environmental issues, and that a range of technical and scientific opinion exists with respect to these issues. The Regents has acquired a better understanding of the breadth of this technical and scientific opinion by its review of the Draft EIR, the comments received on the Draft EIR and the responses to those comments. Having reviewed and considered, as a whole, the evidence and analysis presented in the Final EIR, the evidence and analysis presented in the comments on the Draft EIR, the evidence and analysis presented in the responses to those comments, and the evidence and analysis presented in the Final EIR, The Regents has gained a comprehensive and well-rounded understanding of the environmental issues presented by the proposed project. In turn, this understanding has enabled The Regents to make fully informed, thoroughly considered decisions after taking account of the various viewpoints on these important issues. The Regents accordingly certifies that its findings are based on full appraisal of all viewpoints expressed in the Final EIR, as well as other relevant information in the record of proceedings for the proposed project.

B. IMPACTS AND MITIGATION MEASURES

The following section summarizes the environmental impacts of the project, and includes the findings of The Regents as to those impacts, as required by CEQA and the CEQA Guidelines. The findings provide the written analysis and conclusions of The Regents regarding the environmental impacts of the project, mitigation measures, alternatives to the project and the mitigation measures proposed by the Final EIR and adopted by The Regents as conditions of approval.

These findings summarize the environmental determinations of the Final EIR about project impacts before and after mitigation and do not attempt to describe the full analysis of each environmental impact contained in the Final EIR. Instead, these findings provide a summary description of each impact, describe the applicable mitigation measures and/or applicable CLRDP Implementation Measures identified in the Final EIR and adopted by The Regents, and state The Regents' findings on the significance of each impact after imposition of the adopted mitigation measures and CLRDP Implementation Measures. A full explanation of these environmental findings and conclusions can be found in the Final EIR and these findings hereby incorporate by reference the discussion and analysis in the Final EIR supporting the Final EIR's determinations regarding mitigation measures and the project's impacts. In making these findings, The Regents ratifies, adopts and incorporates the analysis and explanation in the Final EIR in these findings, and ratifies, adopts and incorporates in these findings the determinations and conclusions of the Final EIR relating to mitigation measures and environmental impacts, except to the extent any such determinations and conclusions are specifically and expressly modified by these findings.

As set forth in Part III, below, The Regents adopts and incorporates as conditions of approval, the mitigation measures set forth in these findings to reduce or avoid the potentially significant and significant impacts of the project, as well as certain less-than-significant impacts. In adopting these mitigation measures, The Regents intends to adopt each of the mitigation measures proposed in the Final EIR. Accordingly, in the event a mitigation measure recommended in the Final EIR has inadvertently been omitted from these findings, said mitigation measure is hereby adopted and incorporated in the findings below by reference. In addition, in the event the language of the mitigation measures set forth below fails to accurately reflect the mitigation measures in the Final EIR due to a clerical error, the language of the mitigation measure as set forth in the Final EIR shall control, unless the language of the mitigation measure has been specifically and expressly modified by these findings.

In comments on the Draft EIR, various measures were suggested by commenters as proposed additional mitigation measures or modifications to the EIR's proposed mitigation measures. The Regents hereby adopts and incorporates by reference the reasons set forth in the response to comments contained in the Final EIR as its grounds for rejecting adoption or modification of these mitigation measures.

1. Significant and Unavoidable Impacts

Transportation/Traffic

a. *Impact 4.15-1: Impact of Short-Term Development on Existing Traffic at Mission Street/Bay Street Intersection.* The addition of traffic from the short-term development program to the Mission Street / Bay Street intersection would increase the existing volume by 3.1 percent (i.e., more than the 3-percent threshold) at this signalized intersection, which is projected to operate at LOS E during the PM peak hour. The 3-percent threshold would be exceeded at this intersection when the project

generates 143 new PM peak hour trips. This would be a significant impact.

General Mitigation 4.15-1 The University shall contribute its fair share (as defined on page 4.15-33 of the Draft EIR) toward the cost of improvements to the intersection of Mission and Bay Street which would include re-striping the southbound Bay Street approach (which currently includes a left-turn and shared left-turn/through/right lane) to provide a separate right-turn lane, a shared through-left lane, and a left-turn lane. With this improvement, intersection operations would improve to LOS D with 37.7 second of delay in the peak hour.

FINDING: The traffic analysis performed for the CLRDP indicates that implementation of General Mitigation 4.15.1 would improve operations of the Mission Street/Bay Street intersection to an acceptable level of service under existing-plus-short-term-development conditions. However, the mitigation would require acquisition of additional right-of-way and road widening in order to meet Caltrans' minimum design standards. As a consequence, the mitigation may be infeasible. Furthermore, implementing the improvements is in the responsibility and jurisdiction of another agency and not of the University, and cannot be guaranteed by the University. The CLRDP includes policies and implementation measures to promote alternative modes of transportation (Policies 5.2 and 5.5 through 5.8 and the associated implementation measures) that will reduce vehicle trips. However, the reduction in vehicle trips that will be achieved through these measures cannot be quantified at this time and it is not possible to evaluate whether these measures would reduce the impact to a less-than-significant level. Therefore, The Regents finds that although implementation of General Mitigation 4.15-1 and of CLRDP Policies 5.2 and 5.5 through 5.8 and the associated implementation measures will reduce the overall effect of short-term development on existing traffic at the Mission Street/Bay Street Intersection, this impact remains significant after adoption of the mitigation. No other mitigation measures have been suggested. For the reasons set forth in Section II. D of these Findings, The Regents finds that there are no feasible alternatives that would substantially lessen the impact. The Regents finds this remaining significant impact to be acceptable because the benefits of the project outweigh this and the other unavoidable environmental impacts of the project for the reasons set forth in Section II.E of these findings.

b. *Impact 4.15-3 Impact of Short- and Long-Term Development on Existing Traffic at Mission Street/Bay Street Intersection.* The addition of traffic from the short- and long-term development program to the Mission Street / Bay Street intersection would increase the existing volume by 7.3 percent (i.e., more than the 3 percent threshold) at this signalized intersection, which is projected to operate at LOS E during the PM peak hour under Existing Plus Short- and Long-Term Development Conditions. The 3 percent threshold would be exceeded at this intersection when the

project generates 143 new PM peak hour trips. This would be a significant impact.

General Mitigation 4.15-3 Implement General Mitigation Measure 4.15-1.

FINDING: The traffic analysis performed for the CLRDP indicates that implementation of General Mitigation 4.15.1 would improve operations of the Mission Street/Bay Street intersection to an acceptable level of service under existing-plus-short-and-long-term-development conditions. However, the mitigation would require acquisition of additional right-of-way and road widening in order to meet Caltrans' minimum design standards. As a consequence, the mitigation may be infeasible. Furthermore, implementation of the improvements is in the responsibility and jurisdiction of another agency and not of the University, and cannot be guaranteed by the University. The CLRDP includes policies and implementation measures to promote alternative modes of transportation (Policies 5.2 and 5.5 through 5.8 and the associated implementation measures) that will reduce vehicle trips. However, the reduction in vehicle trips that will be achieved through these measures cannot be quantified at this time and it is not possible to evaluate whether these measures would reduce the impact to a less-than-significant level. Therefore, The Regents finds that although implementation of General Mitigation 4.15-1 and of CLRDP Policies 5.2 and 5.5 through 5.8 and the associated implementation measures will reduce the overall effect of short- and long-term development on traffic at the Mission Street/Bay Street Intersection, this impact remains significant after mitigation. No other mitigation measures have been suggested. For the reasons set forth in Section II. D of these Findings, The Regents finds that there are no feasible alternatives that would substantially lessen the impact. The Regents finds this remaining significant impact to be acceptable because the benefits of the project outweigh this and the other unavoidable environmental impacts of the project for the reasons set forth in Section II.E of these findings.

c. *Impact 4.15-4 Impact on Existing Traffic at Mission Street/Chestnut Street Intersection.* The addition of traffic from the short- and long-term development program to the Mission Street / Chestnut Street intersection would increase the existing volume by 3.8 percent (i.e., more than the 3 percent threshold) at this signalized intersection, which is projected to operate at LOS F under Existing Plus Short- and Long-Term Development Conditions. The 3 percent threshold would be exceeded at this intersection when the project generates 272 new PM peak hour trips. This would be a significant impact.

General Mitigation 4.15-4 The University shall contribute its fair share (as defined on page 4.15-33 of the Draft EIR) toward the cost of improvements to the Mission Street/Chestnut Street intersection, which would involve the following modifications: (1) convert the southbound dual right-turn lanes on Mission Street to a single-lane "free"

right-turn lane and widen of the west leg of the intersection to accommodate a new 500-foot-long, third lane for merging; or (2) install a triple southbound right-turn lane, which would also require the new merge lane. In both cases, the modifications would require major reconstruction of the intersection, and possibly right-of-way acquisition and building modification/relocation.

FINDING: The traffic analysis performed for the CLRDP indicates that implementation of General Mitigation 4.15-4 would improve operations of the Mission Street/Chestnut Street intersection to an acceptable level of service under existing-plus-short-and-long-term-development conditions. However, the mitigation would require major reconstruction of the intersection and may also require right-of-way acquisition and modification or relocation of buildings. As a consequence, the mitigation may be infeasible. Furthermore, implementation of the improvements is in the responsibility and jurisdiction of another agency and not of the University, and cannot be guaranteed by the University. The CLRDP includes policies and implementation measures to promote alternative modes of transportation (Policies 5.2 and 5.5 through 5.8 and the associated implementation measures) that will reduce vehicle trips. However, the reduction in vehicle trips that will be achieved through these measures cannot be quantified at this time and it is not possible to evaluate whether these measures would reduce the impact to a less-than-significant level. Therefore, The Regents finds that although implementation of General Mitigation 4.15-4 and of CLRDP Policies 5.2 and 5.5 through 5.8 and the associated implementation measures will reduce the overall effect of short- and long-term development on traffic at the Mission Street/Chestnut Street Intersection, this impact remains significant after mitigation. No other mitigation measures have been suggested. For the reasons set forth in Section II. D of these Findings, The Regents finds that there are no feasible alternatives that would substantially lessen the impact. The Regents finds this remaining significant impact to be acceptable because the benefits of the project outweigh this and the other unavoidable environmental impacts of the project for the reasons set forth in Section II.E of these findings.

d. *Impact 4.15-5 Impact on 2020 Baseline Traffic at Mission Street/Bay Street Intersection.* The entire development program under the Coastal LRDP would cause total traffic volume to increase by between 5.0 and 5.9 percent (i.e., more than the 3-percent threshold) at the signalized Mission Street/Bay Street intersection, which is projected to operate at LOS E and F during the AM and PM peak hours, respectively, under 2020 Baseline Plus Project Conditions. This would be a significant impact.

<u>General Mitigation 4.15-5</u> Implement General Mitigation 4.15-1.

FINDING: The traffic analysis performed for the CLRDP indicates that implementation of General Mitigation 4.15.1 would reduce the overall effect of the

entire CLRDP development program on operation of the Mission Street/Bay Street intersection under 2020-Baseline-Plus-Project conditions. However, even with the improvement, the intersection would operate at an unacceptable level of service. In addition, the mitigation would require acquisition of additional right-of-way and road widening in order to meet Caltrans' minimum design standards for lane widths. As a consequence, the mitigation may be infeasible. Furthermore, implementation of the improvements is in the responsibility and jurisdiction of another agency and not of the University, and cannot be guaranteed by the University. The CLRDP includes policies and implementation measures to promote alternative modes of transportation (Policies 5.2 and 5.5 through 5.8 and the associated implementation measures) that will reduce vehicle trips. However, the reduction in vehicle trips that will be achieved through these measures cannot be quantified at this time and it is not possible to evaluate whether these measures would reduce the impact to a less-than-significant level. Therefore, The Regents finds that although implementation of General Mitigation 4.15-1 and of CLRDP Policies 5.2 and 5.5 through 5.8 and the associated implementation measures will reduce the overall effect of the entire CLRDP development program on traffic under 2020 conditions at the Mission Street/Bay Street Intersection, this impact remains significant after mitigation. No other mitigation measures have been suggested. For the reasons set forth in Section II. D of these Findings, The Regents finds that there are no feasible alternatives that would substantially lessen the impact. The Regents finds this remaining significant impact to be acceptable because the benefits of the project outweigh this and the other unavoidable environmental impacts of the project for the reasons set forth in Section II.E of these findings.

e. *Impact 4.15-6 Impact on Intersection Operations --Cumulative.* The proposed Coastal LRDP in conjunction with other regional development would cause the AM and PM peak hour traffic to increase significantly at six study intersections, which would reduce the levels of service to unacceptable levels, a significant cumulative impact. This impact would occur both in the short term (2010) and in the long term (2020). The project's contribution to this impact at five of the six affected intersections would be cumulatively considerable.

General Mitigation 4.15-6 Implement General Mitigation Measures 4.15-1 and 4.15-4. In addition, the University shall contribute its fair share (as defined on page 4.15-33 of the Draft EIR) toward the cost of improvements to the intersections at High Street/Western Drive, Empire Grade/Heller Drive, and State Route 1/River Street (SR 9). Mitigation measures include traffic signals at the High Street/Western Drive and Empire Grade/Heller Drive intersections. Potential improvements for the State Route 1/River Street (SR 9) intersection will be identified by the City of Santa Cruz.

FINDING: The traffic analysis performed for the CLRDP indicates that implementation of General Mitigation 4.15.6 would reduce the overall effect of the

proposed CLRDP in conjunction with other regional development on the intersections at Mission Street/Bay Street, Mission Street/Chestnut Street, State Route 1/River Street, High Street/Western Drive and Empire Grade/Heller Drive. However, the improvements may require acquisition of additional right-of-way and as a result the mitigation may be infeasible. Furthermore, implementation of the improvements is in the responsibility and jurisdiction of another agency and not of the University, and cannot be guaranteed by the University. The CLRDP includes policies and implementation measures to promote alternative modes of transportation (Policies 5.2 and 5.5 through 5.8 and the associated implementation measures) that will reduce vehicle trips. However, the reduction in vehicle trips that will be achieved through these measures cannot be quantified at this time and it is not possible to evaluate whether these measures would reduce the impact to a less-than-significant level. Therefore, The Regents finds that although implementation of General Mitigation 4.15-6 and of CLRDP Policies 5.2 and 5.5 through 5.8 and the associated implementation measures will reduce the overall effect of the CLRDP on the intersections listed above, this impact remains significant after mitigation. No other mitigation measures have been suggested. For the reasons set forth in Section II. D of these Findings, The Regents finds that there are no feasible alternatives that would substantially lessen the impact. The Regents finds this remaining significant impact to be acceptable because the benefits of the project outweigh this and the other unavoidable environmental impacts of the project for the reasons set forth in Section II.E of these findings.

Utilities, Service Systems, and Energy

a. *Impact 4.16-1 Impact on Water Supply.* The Coastal LRDP, in conjunction with other existing development and probable future growth in the service territory of the Santa Cruz Water District, would result in a demand for potable water that would require development of new water supply sources, and the development of these sources could result in significant adverse impacts.

General Mitigation 4.16-1a All toilets, urinals, showers, and washing machines installed as part of this project shall be specified as low-flush and low-flow in order to reduce onsite water consumption. The University shall install low-flow toilets and urinals that are 1.6 gallon/flush or less and low-flow showers that are 2 gallons per minute (gpm) or less in new development. Further, in all new residential uses washing machines must be certified by the Consortium on Energy Efficiency (CEE) to be water- and energy-efficient (such as those with the Energy Star® label).

General Mitigation 4.16-1b If and when the City adopts policies requiring all projects (or all similar institutional or commercial projects) within the water system to offset new water demand or any other water demand reduction policies, the University will consider voluntary compliance with the policy, with appropriate credit being given to account for

UCSC's previous water conservation activities (in excess of that accomplished by the similar institutional and/or commercial entities covered by the City policy).

General Mitigation 4.16-1c For projects proposed by non-UC entities on the campus, non-UC entities shall be required, through contracts and agreements, to implement General Mitigation Measure 4.16-1a to minimize water usage.

General Mitigation 4.16-1d The City can and should identify and develop new water supplies to reliably accommodate increases in water supply due to UCSC Marine Science Campus Coastal LRDP-related growth and other background growth during normal and drought conditions.

FINDING: The Regents finds that although implementation of General Mitigation 4.16-1a through 4.16-1c will minimize the use of potable water on the Marine Science Campus and thereby minimize the project's contribution to cumulative impacts from development of new water sources, it is not known whether the entire water deficit will be adequately addressed by the new water sources the City may identify and whether all environmental impacts associated with Santa Cruz Water Department water supply projects would be reduced to a less-than-significant level. Therefore, this impact remains significant after mitigation. No other mitigation measures have been suggested. For the reasons set forth in Section II. D of these Findings, The Regents finds that there are no feasible alternatives that would substantially lessen the impact. The Regents finds this remaining significant impact to be acceptable because the benefits of the project outweigh this and the other unavoidable environmental impacts of the project for the reasons set forth in Section II.E of these findings.

2. Significant but Mitigable Impacts

Air Quality

a. *Impact 4.3-1 Increased Air Emissions from Construction Activities.* Construction activities associated with development under the CLRDP could generate substantial amounts of fugitive dust, which would result in potential health and nuisance impacts in the immediate project vicinity. This would be a temporary significant impact.

General Mitigation 4.3-1 The University shall require construction contractors to implement a dust abatement program to reduce the contribution of project construction to local respirable particulate matter concentrations. Elements of this program shall include the following as appropriate for each project:

- Water all active construction areas at least twice daily. Frequency shall be based on the type of operation, soil, and wind exposure.

- Cover all trucks hauling soil, sand, and other loose materials, or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer).
- Pave, apply water two times daily, or apply non-toxic soil stabilizers to all unpaved access roads, parking areas, and construction staging areas.
- Sweep daily with water sweepers any paved access roads, parking areas, and staging areas at construction sites.
- Sweep streets daily with water sweepers if visible soil material is carried onto adjacent public streets.
- Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas or previously graded areas left inactive for ten days or more.
- Enclose, cover, water twice daily or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.).
- Limit traffic speeds on unpaved roads to 15 miles per hour.
- Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
- Replant vegetation in disturbed areas as quickly as possible.
- In the event that grading and excavation at two or more large project sites is proposed to occur concurrently (large sites defined as involving more than 2 acres), install wheel washers at the entrance of the construction sites.
- Phase construction projects in such a manner that minimizes the area of surface disturbance (e.g., grading, excavation) and the number of vehicle trips on unpaved surfaces.

FINDING: As discussed on pages 4.3-15 of the Draft EIR, significant emissions of dust would result only if significant grading and earthmoving were underway at multiple projects simultaneously. General Mitigation Measure 4.3-1 outlines a dust abatement program that includes measures that reduce dust emissions from each project so that emissions from simultaneous construction projects would not exceed significance thresholds. Therefore, The Regents finds that implementation of General Mitigation 4.3-1 will reduce the temporary significant impact of fugitive dust from construction activities resulting in potential health and nuisance impacts, to a less-than-significant level.

Cultural Resources

a. *Impact 4.5-1 Disturbance of Native American Human Burial Sites.* Construction activities associated with development in the upper terrace, middle terrace, and lower terrace development areas could disturb previously undiscovered human burial sites of Native American groups, a potentially significant impact.

General Mitigation 4.5-1 If human remains are discovered during the construction of a development project under the CLRDP, the University and/or its employees shall notify the Santa Cruz County Coroner's Office immediately. Upon determination by the

County Coroner that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission, pursuant to subdivision (c) of Section 7050.5 of the Health and Safety Code, and the County Coordinator of Indian Affairs and appropriate Native American consultation shall be conducted, as outlined by PRC 5097.98. Implementation Measure 3.9.1, Construction Monitoring, as identified in the CLRDP, shall also apply. UC Santa Cruz will be responsible for implementing this mitigation measure.

FINDING: As discussed on page 4.5-8 of the Draft EIR, archeological surveys and previous construction projects on the project site and vicinity have not resulted in the discovery of any human remains. Furthermore, General Mitigation 4.5-1 would ensure that, in the event of a discovery, disturbances would be halted and appropriate mitigation would be developed and carried out. Therefore, The Regents finds that implementation of General Mitigation 4.5-1 will reduce the potentially significant impact associated with disturbance of Native American human burial sites to a less-than-significant level.

Hazards and Hazardous Materials

a. *Impact 4.7-1 Increased Use of Hazardous Chemicals.* Implementation of the CLRDP could increase use of hazardous materials by non-UC entities on campus, which could create hazards to the public or the environment under routine and/or non-routine conditions. This represents a potentially significant impact.

Project-Specific Mitigation 4.7-1 For projects proposed by non-UC entities on campus that involve laboratories, non-UC entities shall be required, through contracts and agreements, to implement programs and controls that provide the same level of protection required of campus laboratories and departments.

- Non-UC entities shall provide to campus EH&S copies of all required environmental reports to local, state, and federal environmental and safety regulators.
- Non-UC entities shall submit the qualifications of designated laboratory directors to UC Santa Cruz EH&S Office prior to commencing laboratory operations. Such documentation shall be in the form of educational and professional qualifications/experience.
- Non-UC entities shall submit a copy of applicable regulatory environmental documents prior to commencing on-site research. Applicable documents may include a Hazardous Materials Business Plan, an EPA Hazardous Waste Generator ID Number, a Wastewater Discharge Permit, and air permits regulating fume hood exhaust or emissions from other equipment. Copies of revisions or updates to regulatory documents shall be submitted to EH&S in a timely manner.
- Non-UC entities shall submit certification of compliance with NIH biosafety principles to the UC Santa Cruz EH&S Office prior to commencing on-site research or pilot plant manufacturing activities. Non-UC entities shall submit copies of completed medical waste management plans, biosafety management plans,

inventories of infectious or genetically modified agents, applicable permits and updates.

- Non-UC entities shall submit proof of license with Department of Health Services Radiological Health Branch prior to commencing on-site research or pilot plant manufacturing activities involving the use of ionizing radiation or radiation producing machines, or alternatively request to be permitted under UCSC's Radioactive Material License. In either case, Non-UC entities shall submit copies of proposed radioactive material or radiation use protocols to the UCSC Radiation Safety Committee for their review and approval before any radioisotopes or radiation producing machines are brought on site.
- If hazardous material quantities are proposed to be increased above applicable threshold quantities as defined in California Code of Regulations, Title 19, Division 2, Chapter 4.5, non-UC entities shall implement a Risk Management Plan/California Accidental Release Prevention Plan (RMP/Cal-ARP), which discusses the handling and storage of acutely hazardous materials on site. The RMP/Cal-ARP shall be approved by the CUPA and filed with the UC Santa Cruz EH&S Office prior to commencing proposed operations.
- Non-UC entities shall submit certification to the UC Santa Cruz EH&S to verify that applicable requirements for handling and disposal of hazardous wastes have been met prior to commencing on-site research or pilot plant manufacturing activities. Non-UC entities shall submit copies of management plans for handling and disposal of hazardous wastes, and written verification of contracts with licensed waste disposal firms.

FINDING: As discussed on page 4.7-16 of the Draft EIR, under the CLRDP, spills or releases of hazardous materials would be highly regulated and controlled, protecting the public and the environment. Project-Specific Mitigation 4.7-1 would provide additional protection to the extent that campus standards exceed regulatory requirements. Therefore, The Regents finds that the implementation of Project-Specific Mitigation 4.7-1 will reduce the potentially significant impact associated with public hazards from the increased use of hazardous chemicals by non-UC entities on campus to a less-than-significant level.

Noise

a. *Impact 4.11-1 Noise Associated with Development of UCSC Marine Science Campus.* Development of the UC Santa Cruz Marine Science Campus under the Coastal LRDP could locate noise sources and sensitive receptors in close proximity on the campus, creating the potential to expose persons to, or generate, noise levels in excess of noise/land use compatibility standards. This would be a potentially significant impact.

General Mitigation 4.11-1 Prior to developing marine research and education facilities on the middle terrace east of McAllister Way, or additional support housing on the upper terrace, the University shall conduct a project-specific noise analysis. Project-level

mitigation measures shall be incorporated into the design of these facilities to reduce potentially significant noise impacts, if necessary.

FINDING: General Mitigation 4.11-1 will ensure that project-level noise impacts will be identified and mitigated. Therefore, The Regents finds that the implementation of General Mitigation 4.11-1 will reduce the potentially significant impact associated with proximity of noise sources to on-site sensitive receptors to a less-than-significant level.

b. *Impact 4.11-4 Noise from Construction Activities.* Noise generated by construction activity under the Coastal LRDP may substantially increase noise levels at nearby sensitive receptors, resulting in temporary and localized noise impacts. This would be a potentially significant impact.

General Mitigation 4.11-4 Prior to the initiation of construction, the University shall approve a construction noise mitigation program including but not limited to the following:

- The University shall require that construction activities be limited to a schedule that minimizes disruption to noise-sensitive uses on the project site and in the vicinity through implementation of the following: Construction equipment shall be properly outfitted and maintained with feasible noise-reduction devices to minimize construction-generated noise.
  - Construction activities during daytime and evening hours (7:00 AM to 10:00 PM) shall not occur within 150 feet of sensitive receptors, when feasible. Construction activities within 500 feet of sensitive receptors activities shall not occur during nighttime hours (10:00 PM to 7:00 AM).
  - Whenever possible, academic and administrative staff, as well as residents who will be subject to construction noise, shall be informed one week before the start of each construction project.
  - Loud construction activity as described above within 150 feet of an academic or residential use shall, to the extent feasible, be scheduled during holidays, spring break, or summer break.
- To reduce noise impacts from construction, the University shall require that construction contractors muffle or otherwise control noise from construction equipment through implementation of the measures below. The effectiveness of these measures is quantified in Table 4.11-4 (see page 4.11-21 of Draft EIR).
  - Internal combustion engines used for any purpose at the construction sites shall be equipped with a muffler of a type recommended by the manufacturer.
  - Equipment used for construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically-attenuating shields or shrouds, wherever feasible);
  - Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for construction shall be hydraulically or electrically powered wherever feasible to

avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used. Such mufflers can lower noise levels from the exhaust as much as 10 dBA. External jackets on the tools themselves shall be used where feasible, and this could achieve a reduction of 5 dBA. Quieter procedures such as using drilling equipment rather than impact equipment shall be implemented whenever feasible.

– Stationary noise sources shall be located as far from sensitive receptors as feasible. If they must be located near sensitive receptors, they shall be muffled to the extent feasible and/or, where practicable, enclosed within temporary sheds.

- The University shall require that a temporary wooden wall be placed around construction activity areas that are within 150 feet of sensitive receptors to provide additional noise attenuation, where feasible. The wall should impede the direct line of site between the noise sources and sensitive receptors.
- The University shall require that construction-related material haul trips access the campus via Natural Bridges Drive and Delaware Avenue in order to minimize noise exposure to residential land uses.
- The University shall identify potential noise impacts related to construction of long-term projects proposed under the CLRDP, and develop project-specific noise mitigation measures as may be necessary. The University shall take into account the location of the five campus facilities that will have been developed in the near-term as well as off-campus developments nearby. The analysis shall also take into account the sequence in which long-term projects are to be constructed and shall identify appropriate mitigation, as may be required. These future facilities may be sensitive receptors or may act as barriers to noise approaching other sensitive receptors.

FINDING: General Mitigation 4.11-4 will limit the hours of construction activity, which will avoid evening and nighttime construction noise impacts to sensitive receptors more than 150 feet from the noise source. Protection is provided for receptors within 150 feet to the extent feasible. Routing of construction traffic away from residential streets will minimize the construction traffic noise impacts on residences. Therefore, The Regents finds that implementation of General Mitigation 4.11-4 will reduce the temporary significant impact associated with construction-related noise to a less-than-significant level.

3. Less than Significant Impacts for which EIR Mitigation Measures Are Proposed

Agricultural Resources

a. *Impact 4.2-1 Conversion of Adjacent Farmland.* With the inclusion of Coastal LRDP policies and implementation measures, development under the Coastal LRDP would not result in substantial pressures that could lead

to the conversion of adjacent Farmland to other uses. The impact is therefore considered less than significant.

General Mitigation 4.2-1

- UCSC will install a four-foot-high landscaped fence along the Younger Ranch property line that will extend from the bend in the existing access road, northward along the property line. The fence will be sited and constructed to have a uniform gap of 16 inches between a smooth wire defining the bottom of the fence and the ground. This will assure that wildlife passage can continue to occur through the fence.
- UCSC will install tree and shrub landscaping approximately 25 feet inside the fence (to minimize shading effects on Younger Ranch crops), consisting of an indigenous, drought-resistant mosaic of mid-level shrubs and taller trees to help dissipate dust generation from the west. Tree and shrub choices will be made in conjunction with the landscape architect experienced in the use of native plants and vegetation. Trees and shrubs will be selected for non-invasive character. Native blackberries are recommended, as they would serve as an access barrier.
- UCSC will install the fence and landscaping prior to groundbreaking of any CLRDP project components.

CLRDP Implementation Measures: Implementation measures 2.2.1, 2.1.2, 2.2.1, 2.2.2, 2.2.3, 3.8.1, and 3.8.2, set forth in the MMP, are included in the project to avoid and minimize impacts on adjacent farmland.

FINDING: The CLRDP implementation measures listed above address the primary concerns of adjacent agricultural landowners by providing development setbacks, creating a stable urban/rural boundary, and specifying that the University will offer to enter into an indemnification and hold harmless agreement with the owners of the adjacent Younger Ranch. General Mitigation Measure 4.2-11 further reduces the effects by limiting nuisance impacts on Marine Science Campus population and the potential for trespass onto Younger Ranch. Therefore , The Regents finds that with the implementation of General Mitigation 4.2-1 and CLRDP Implementation Measures 2.2.1, 2.1.2, 2.2.1, 2.2.2, 2.2.3, 3.8.1, and 3.8.2, the potential for conversion of adjacent Farmland to other uses resulting from development under the Coastal LRDP is a less-than-significant impact. Implementation of General Mitigation 4.2-1 will further reduce this less-than-significant impact.

Biological Resources

a. *Impact 4.4-1 Impacts to California Red-legged Frog ("CRLF") Habitat.* Implementation of the Coastal LRDP would not affect CRLF breeding habitat and would avoid impacts on dispersing CRLF by setting development back from off-site areas where the species has previously been observed. The impact on the species would be considered less than significant.

Project-Specific Mitigation 4.4-1 For all projects proposed in the upper terrace under the CLRDP, the University will implement the following:

- A preconstruction survey for CRLF will be conducted of all areas proposed for grading and construction by a qualified biologist, approved by the USFWS. If CRLF are observed, grading activities shall be postponed and USFWS shall be consulted to determine appropriate actions to avoid impact. Consultation with the USFWS will result in either a determination of the need to obtain a permit or in the identification of measures to avoid take of the individual(s).
- The biological monitor shall also conduct meetings with the contractor(s) and other key construction personnel to describe the importance of the species, the need to restrict work to designated areas, and to discuss procedures for avoiding harm or harassment of wildlife encountered during construction.

CLRDP Implementation Measures: Implementation measure 3.2.4, set forth in the MMP, is included in the project to improve CRLF habitat.

FINDING: As discussed on pages 4.4-62 to 4.4-63 of the Draft EIR, the project site does not provide appropriate breeding habitat for CRLF and does not provide suitable aestivation habitat. The CLRDP avoids impacts on dispersing CRLF by setting development back from off-site areas where the species has previously been observed and by preserving areas that provide potential habitat for the species. Project-Specific Mitigation Measure 4.4-1 further reduces the potential to adversely affect the species, should any individuals be present. Therefore, The Regents finds that the impacts on CRLF habitat resulting from the implementation of the CLRDP is a less-than-significant impact.

b. *Impact 4.4-2 Disturbance of Native Raptor Nests.* Development on, and restoration of, annual grassland and coastal scrub on the middle and upper terrace development zones could cause a lost of nesting raptors that may be present, primarily through the direct effects of ground disturbance and the indirect effects of increased human activity and noise. Because raptor nesting records are limited for the site, and due to abundant alternate and protected habitat in the region, the probability of this impact is low and the degree of impact is considered less than significant.

Project Specific Mitigation 4.4-2 UCSC shall ensure that construction activities avoid disturbing nests of raptors (and other special-status birds). If ground-disturbing activities are scheduled to occur during the breeding season (February 1 through August 31), the following measures are required to avoid potential adverse effects on nesting special-status raptors and other birds:

- A qualified wildlife biologist will conduct preconstruction surveys of all potential nesting habitat. For burrowing owls, such surveys will follow the most recent CDFG *Burrowing Owl Survey Protocol and Mitigation Guidelines*.

- If active raptor nests are found during preconstruction surveys, a no-disturbance buffer acceptable in size to CDFG will be created around active raptor nests and nests of any other special-status birds during the breeding season, and maintained until it is determined that all young have fledged. Raptor or other bird nests initiated during construction are presumed to be unaffected, and no buffer is necessary. However, the "take" of any individuals will be prohibited.
- If preconstruction surveys indicate that nests are inactive or potential habitat is unoccupied during the construction/restoration period, no further mitigation is required. Trees and shrubs that have been determined to be unoccupied by special-status birds or that are located outside the no-disturbance buffer for active nests may be removed.

FINDING: There is limited evidence that raptors currently nest on the site, and there is abundant alternate and protected habitat in the region. Therefore, The Regents finds that the disturbance of native raptor nests resulting from development and restoration of the middle and upper terraces is a less-than-significant impact. Implementation of Project-Specific Mitigation 4.4-2 will further reduce this less-than-significant impact by ensuring that if active raptor nests are present they will be found and will not be disturbed by construction activities.

c. *Impact 4.4-3 Disturbance of Black Swift Nests.* Construction of expanded seawater system facilities could cause a direct loss of nesting black swift not now known to nest, but with the potential to do so in any given year, an adverse but less than significant impact.

Project Specific Mitigation 4.4-3 UCSC will ensure that construction/operation activities avoid disturbing nests of black swift. If construction activities are scheduled to occur during the breeding season (June 1 through September 30), the following measures will be implemented to avoid potential adverse effects:

- UCSC will conduct pre-construction surveys to determine presence of active black swift nests within the project area. Published literature suggests that the optimal survey time is the final two hours of daylight, when chick provisioning rates may increase and adults are returning to the colony to roost. Targeting surveys for the last hours of daylight should also maximize the probability of counting breeding as opposed to nonresident foraging individuals.
- If active nests are found during preconstruction surveys, UCSC will delay construction until after fledging occurs. If preconstruction surveys indicate that nests are inactive or potential habitat is unoccupied, no further mitigation is required.

FINDING: Black swift are not now known to nest on the site. Therefore, The Regents finds that the disturbance of black swift nests resulting from the construction of the expanded seawater system facilities is a less-than-significant impact. Implementation of Project-Specific Mitigation 4.4-3 will further reduce this

less-than-significant impact by ensuring that, if active nests are present, they will be found and will not be disturbed by construction activities.

Traffic, Circulation, and Parking

a. *Impact 4.15-2 Bicycle and Pedestrian Safety.* The addition of project-generated pedestrians to Delaware Avenue could result in an increase in hazards by increasing the potential for pedestrian conflicts with vehicles and bicyclists. This impact would occur on the 900-foot portion of the north side of Delaware Avenue when there is no sidewalk. Due to low level of pedestrian activity, the impact is considered less than significant.

General Mitigation 4.15-2 UCSC will contribute its fair-share (see page 4.15-33 of Draft EIR for definition of fair share) towards construction of a separate pedestrian path on the north side of Delaware Avenue from Shaffer Road to the existing sidewalk west of Natural Bridges Drive. This improvement could be as simple as installing a raised asphalt curb approximately five to six feet away from the existing curb or edge of pavement with openings to maintain existing drainage. Design and construction of this improvement to close the existing gap in pedestrian facilities in this area can and should completed by the City of Santa Cruz since Delaware Avenue is under its jurisdiction.

FINDING: The number of pedestrians added to Delaware Avenue with implementation of the project is expected to be minimal. Therefore, The Regents finds pedestrian/vehicle/bicycle conflicts to be a less-than-significant impact. Implementation of General Mitigation 4.15-2 will further reduce this less-than-significant impact.

4. Impacts that Are Less than Significant with Implementation of Coastal LRDP Measures

Aesthetics

a. *Impact on Scenic Vistas and Scenic Resources.* Implementation of the CLRDP would not have a significant adverse impact on scenic vistas and scenic resources.

CLRDP Implementation Measures: Implementation Measures 4.1.1 and 4.2.1 through 4.2.7, set forth in the MMP, are included in the project to avoid and minimize impacts on scenic vistas and scenic resources.

FINDING: The CLRDP delineation of development zones and open space retains significant view corridors. The CLRDP further limits visual intrusion upon public views from important vantage points by providing design guidelines to ensure compatibility of buildings with the natural landscape. Therefore, The Regents finds that with the implementation of CLRDP Implementation Measures 4.1.1 and 4.2.1 through 4.2.7 included as part of the Coastal LRDP, the impact on existing scenic

vistas and scenic resources will be less than significant. No additional mitigation is required.

b. Impact on Visual Character and Quality. Implementation of the CLRDP would not have a potentially significant impact on visual character and quality.

CLRDP Implementation Measures: Implementation Measures 4.2.1 through 4.2.7, set forth in the MMP, are included in the project to avoid and minimize impacts on visual character and quality.

FINDING: The CLRDP design guidelines will ensure that sensitive site and architectural planning, including appropriate scale and massing, architectural designs will ensure that the proposed development will be compatible with the height and scale of existing development at the site. The establishment of open space areas and the proposed landscaping will create a graduated visual link to adjacent rural areas. Therefore,The Regents finds that with the implementation of CLRDP Implementation Measures 4.2.1 through 4.2.7 included as part of the Coastal LRDP, the impact on existing scenic vistas and scenic resources will be less than significant. No additional mitigation is required.

c. Impact on Light and Glare. Light and glare created by development under the CLRDP would not result in a potentially significant impact on daytime or nighttime views in the area.

CLRDP Implementation Measures: Implementation Measures 4.4.1 through 4.4.4, set forth in the MMP, are included in the project to avoid and minimize impacts associated with new sources of light and glare.

FINDING: The CLRDP includes implementation measures and design guidelines that will ensure that new development avoid spilling light into natural habitat areas and surrounding neighborhoods, as well as measures to minimize artificial light interference with views of the coastal night sky. These implementation measures and design guidelines provide specific standards that apply to building facilities, streets, parking areas, pathways, and special areas and features. Therefore, The Regents finds that with the implementation of CLRDP Implementation Measures 4.4.1 through 4.4.4, included as part of the Coastal LRDP, the impact on existing scenic vistas and scenic resources will be less than significant. No additional mitigation is required.

Biological Resources

a. Impact on Special Status Wildlife Species. Development allowed under the CLRDP would not result in a potentially significant impact on the snowy plover, merlin, loggerhead shrike, tricolored blackbird, peregrine

falcon, saltmarsh common yellowthroat, or the San Francisco dusky-footed woodrat.

CLRDP Implementation Measures: Implementation Measure 3.2.4, set forth in the MMP, is included in the project to protect and enhance on-site habitat for special status wildlife species.

FINDING: As discussed on pages 4.4-60 to 4.4-61 and 4.4-66 of the Draft EIR, snowy plover, saltmarsh common yellow throat and the San Francisco dusky-footed woodrat habitat would not be disturbed by the actions proposed in the CLRDP. Merlin, tricolored blackbird, and loggerhead shrike have been found on the site only occasionally and their foraging would not be extensively disrupted. Peregrine falcon, an international migrant with a vast home range, would not be significantly affected by the loss of ruderal grassland and furthermore, they may persist in urbanized environments. In addition, CLRDP Implementation Measure 3.2.4 will protect special status species through protection and enhancement of habitat. Therefore, The Regents finds that with the implementation of Implementation Measure 3.2.4 included as part of the Coastal LRDP, the impact on special status wildlife species will be less than significant. No additional mitigation is required.

b. *Impact on Tidewater Goby.* Development under the CLRDP would not result in a direct or indirect potentially significant impact on tidewater goby present in Younger Lagoon.

CLRDP Implementation Measures: Implementation Measure 3.2.7, which requires the implementation of the Stormwater Concept Plan and is set forth in the MMP, is included in the project to avoid and minimize impacts associated with changes in the quality of site runoff that could affect tidewater goby.

FINDING: As discussed on pages 4.4-61 to 4.4-62 of the Draft EIR, implementation of the Stormwater Concept Plan for the project will ensure that stormwater runoff is managed and treated to prevent degradation of water quality. Consequently, development under the CLRDP is not anticipated to result in any significant changes to the lagoon ecosystem occupied by the tidewater goby. Therefore, The Regents finds that with the implementation of Implementation Measure 3.2.7 included as part of the Coastal LRDP, the impact on tidewater goby will be less than significant. No additional mitigation is required.

c. *Impact on Raptor Foraging Habitat.* Development allowed under the CLRDP would not result in a potentially significant impact on raptor foraging habitat.

CLRDP Implementation Measures: Implementation measure 3.2.6, 3.4.1, 4.4.1, and 4.4.3, set forth in the MMP, are included in the project to protect and enhance raptor

foraging habitat, provide a buffer for sensitive habitat areas, prohibit unauthorized trail development, and limit direct lighting from buildings and parking lots.

FINDING: As discussed on pages 4.4-64 of the Draft EIR, CLRDP implementation measures 3.2.6, 3.4.1, 4.4.1 and 4.4.3 will compensate for the loss of raptor foraging habitat on the site by protecting and enhancing the remaining habitat. Therefore, The Regents finds that with the implementation of Implementation Measures 3.2.6, 3.4.1, 4.4.1 and 4.4.3 , included as part of the Coastal LRDP, the impact on raptor foraging habitat will be less than significant. No additional mitigation is required.

d. *Impact on Sensitive Habitats and Wetlands.* Development under the CLRDP would not result in a direct or indirect potentially significant impact on sensitive habitats and wetlands.

CLRDP Implementation Measures: Implementation Measures 3.2.1, 3.2.2, 3.2.5, 3.2.6, 3.2.8, 3.3.1, 3.4.1 through 3.4.3, 3.5.1 through 3.5.4, 3.6.1, 3.7.1, 3.7.2, 4.4.1, and 4.4.3, set forth in the MMP, are included in the project to avoid and minimize impacts on sensitive habitats and wetlands.

FINDING: As discussed on pages 4.4-67 to 4.4-68 of the Draft EIR, sensitive habitats are designated within resource protection zones and are outside the development area of the CLRDP, with the exception of wetland W7, which would be filled as part of restoration activities conducted as part of the project. Further, the CLRDP measures listed above provide for buffers to protect wetlands, wetland enhancement, enhancement and protection of sensitive plant communities, and measures to limit noise and lighting intrusion into sensitive habitat. , Therefore, The Regents finds that with the implementation of CLRDP Implementation Measures 3.2.1, 3.2.2, 3.2.5, 3.2.6, 3.2.8, 3.3.1, 3.4.1 through 3.4.3, 3.5.1 through 3.5.4, 3.6.1, 3.7.1, 3.7.2, 4.4.1, and 4.4.3, included as part of the Coastal LRDP, the impact on sensitive habitats and wetlands will be less than significant. No additional mitigation is required.

e. *Impact on Wildlife Movement.* Development under the CLRDP would not result in a significant adverse impact on wildlife movement.

CLRDP Implementation Measures: Implementation Measure 3.2.3, which is set forth in the MMP and requires the establishment of a wildlife corridor along the northern site boundary, enhancement of the corridor to facilitate movement, and coordination with adjacent property owner to promote the extension of the corridor, is included in the project to avoid and minimize impacts on wildlife movement.

FINDING: CLRDP Implementation Measure 3.2.3 provides for the establishment, protection, and enhancement of a wildlife corridor that will maintain aquatic

habitats and vegetation cover for wildlife dispersing between the Moore Creek Drainage, Antonelli Pond and YLR. As discussed in the Final EIR (page 4.4-69 of the Draft EIR and in the responses to comments SA-3-12 and LA-2-14, the wildlife corridor is of an adequate width for those animals know to be resident in the project area. The project also provides a buffer for the corridor and the adjacent railroad tracks further benefit wildlife movement. Therefore, The Regents finds that with the implementation of Implementation Measure 3.2.3 included as part of the Coastal LRDP, the impact on wildlife movement will be less than significant. No additional mitigation is required.

f. *Conflict with Policies for the Protection of Biological Resources.* Development under the CLRDP would not conflict with the Younger Lagoon Reserve Management Plan.

CLRDP Implementation Measures: Implementation Measures 3.5.1 through 3.5-4 which are set forth in the MMP and focus on the protection and enhancement of Younger Lagoon Reserve habitats, protection of special-status species in the reserve, provide for monitoring and maintenance programs for the reserve, and other CLRDP policies (3.2, 3.5, 3.6, 4.3, 4.4, 5.1, 6.1, 7.1 through 7.3, and 8.2), are included in the project to avoid and minimize conflicts with the Reserve Management Plan.

FINDING: As discussed on page 4.4-70 of the Draft EIR, the CLRDP was developed in consultation with the YLR manager and is consistent with the goals of the YLR Management Plan. The CLRDP includes policies and implementation measures to avoid and minimize conflicts with the YLR Management Plan, including Implementation Measures 3.51. through 3.5.4. Therefore, The Regents finds that with the implementation of Implementation Measures 3.5.1 through 3.5.4 and other measures included as part of the Coastal LRDP, there would be no conflict between the project and the management plan for the Younger Lagoon Reserve. No additional mitigation is required.

Cultural Resources

a. *Impact on Archaeological Resources.* Implementation of the CLRDP would not cause a substantial adverse change in the significance of a unique archaeological resource, as defined in CEQA Guidelines 15064.5.

CLRDP Implementation Measures: Implementation Measure 3.9.1, Construction Monitoring which is set forth in the MMP, is included in the project to avoid and minimize impacts on archaeological resources that may be encountered during project construction.

FINDING: Archaeological surveys on the project site and vicinity have not resulted in the discovery of any surface or subsurface archaeological resources on the project site. CLRDP Implementation Measure 3.9.1 will ensure that any unknown

archaeological resources will not be impacted by construction activities. Therefore, The Regents finds that with the implementation of Implementation Measure 3.9.1 included as part of the Coastal LRDP, the impact on archaeological resources will be less than significant. No additional mitigation is required.

Geology, Soils and Seismicity

a. *Impact related to Seismically Induced Slope Failure.* Implementation of the CLRDP would not expose people and structures on campus to adverse effects associated with seismically induced slope failure.

CLRDP Implementation Measures: Implementation Measure 2.12.1 related to bluff setbacks, set forth in the MMP, is included in the project to avoid and minimize impacts associated with slope failure.

FINDING: CLRDP Implementation Measure 2.12.1 would maintain a setback of 100 feet from bluffs for buildings and facilities along the coastal bluff, thereby minimizing the potential that people or property would be exposed to seismically induced landslide hazards. Therefore, The Regents finds that with the implementation of CLRDP Implementation Measure 2.12.1 included as part of the Coastal LRDP, the impact from potential slope failure will be less than significant. No additional mitigation is required.

b. *Impact related to Unstable Geologic Unit.* Development under the CLRDP would not occur on a geologic unit that is unstable or that would become unstable and could result in collapse.

CLRDP Implementation Measures: Implementation Measure 2.12.1 related to bluff setbacks, set forth in the MMP, is included in the project to avoid and minimize impacts associated with potentially unstable seacliffs.

FINDING: CLRDP Implementation Measure 2.12.1 would maintain a setback of 100 feet from bluffs for buildings and facilities along the coastal bluff, thereby minimizing the potential that people or property would be exposed to hazards associated with unstable seacliffs. Therefore, The Regents finds that with the implementation of CLRDP Implementation Measure 2.12.1 included as part of the Coastal LRDP, the impact from potentially unstable seacliffs will be less than significant. No additional mitigation is required.

Hazards and Hazardous Materials

a. Impact from Routine Use, Transport and Disposal of Hazardous Materials by UCSC Departments. Implementation of the CLRDP would increase the use of hazardous materials on the campus and also increase the amount of hazardous waste generated at the site.

CLRDP Implementation Measures: Implementation measures 3.10.1 and 3.10.2, set forth in the MMP, are also included in the project to avoid and minimize impacts from hazardous materials use, transport and disposal.

FINDING: CLRDP Implementation Measures 3.10.1 and 3.10.2 would ensure that hazardous materials are managed in compliance with federal and state regulations related to the storage, disposal, and transportation of hazardous substances. Compliance with these regulations will minimize the potential for hazards to the public or the environment. Therefore, The Regents finds that with the implementation of CLRDP Implementation Measures 3.10.1 and 3.10.2 included as part of the Coastal LRDP, the impact from increased use of hazardous materials and increased generation of hazardous waste will be less than significant. No additional mitigation is required.

b. Impact from Hazardous Material Release. Implementation of the CLRDP would incrementally increase the risk of accidental spillage of hazardous substances.

CLRDP Implementation Measures: Implementation Measures 3.10.1 and 3.10.2, set forth in the MMP, are included in the project to avoid and minimize impacts from accidental releases.

FINDING: CLRDP Implementation Measures 3.10.1 and 3.10.2 would ensure that hazardous materials are managed in compliance with federal and state regulations related to the storage, disposal, and transportation of hazardous substances. Compliance with these regulations will minimize the potential that a release of hazardous materials into the environment would create a significant hazard to the public or the environment. Therefore, The Regents finds that with the implementation of CLRDP Implementation Measures 3.10.1 and 3.10.2 included as part of the Coastal LRDP, the impact from potential accidental releases of hazardous materials will be less than significant. No additional mitigation is required.

Hydrology and Water Quality

a. Impact of Increased Runoff and Pollutant Loads on Water Quality. Development under the CLRDP would increase impervious surfaces on the campus and alter drainage patterns. Although the volume of runoff and pollutant loads would increase, water quality would not be adversely affected.

CLRDP Implementation Measures: Implementation Measures 7.1.1 through 7.1.10, and 7.2.1 through 7.2.4, set forth in the MMP, are included in the project to avoid and minimize water quality impacts from increased runoff volumes and pollutant loads.

FINDING: Implementation Measures 7.1.1 through 7.1.10 and 7.2.1 through 7.2.4 provide for measures to eliminate or reduce stormwater pollutants at the source, and for treatment of stormwater to remove pollutants from stormwater through the use of vegetated filter strips, vegetated swales, wet ponds and engineered treatment systems. Sediment and other pollutants would be removed from stormwater runoff prior to discharge to onsite wetland features and the YLR. Therefore, The Regents finds that with the implementation of CLRDP Implementation Measures 7.1.1 through 7.1.10 and 7.2.1 through 7.2.4 included as part of the Coastal LRDP, the impact from increased urban runoff will be less than significant. No additional mitigation is required.

b. *Impact on Groundwater Resources.* Although campus growth under the CLRDP would increase the impervious surfaces on the site, groundwater recharge would be maintained at pre-development levels.

CLRDP Implementation Measures: Implementation Measure 7.1.6, set forth in the MMP, is included in the project to maintain pre-development recharge rates at the site and avoid impact to the volume of groundwater.

FINDING: Implementation Measure 7.1.6 requires that in each drainage basin no more than 70 percent of the land shall be impervious. In addition, with implementation of the Stormwater Concept Plan, vegetated swales and detention ponds will promote infiltration of surface water, which will offset the infiltration capacity lost due to impervious surfaces added under the CLRDP. Furthermore, no development is proposed for infiltration areas supplying ocean bluff seeps.Therefore, The Regents finds that with the implementation of CLRDP Implementation Measure 7.1.6 included as part of the Coastal LRDP, the impact from increased impervious surfaces on groundwater recharge will be less than significant. No additional mitigation is required.

c. *Impact related to Erosion and Sedimentation due to Altered Drainage Patterns.* Implementation of the CLRDP would alter drainage patterns in the project area and increase impervious surfaces, but would not result in increased erosion and sedimentation.

CLRDP Implementation Measures: Implementation Measures 7.1.1, 7.1.2, 7.1.3, 7.1.7, 7.2.1, 7.2.3, 7.2.4, and 7.3.1, set forth in the MMP, are included in the project to avoid and minimize water quality impacts from erosion and sedimentation.

FINDING: As discussed on pages 4.8-29 to 4.8-30, the project site is not currently a high erosion hazard. Furthermore, Implementation Measures 7.1.1, 7.1.2, 7.1.3, 7.1.7, 7.2.1, 7.2.3, 7.2.4, and 7.3.1 provide for incorporation of stormwater systems that would control, reduce or eliminate erosion caused by excessive stormwater flows, and require that post-development flows and discharge rates do not exceed

pre-development conditions. The CLRDP also provides for improvements at locations with existing erosion problems, thereby eliminating existing primary sediment source areas. Therefore, The Regents finds that with the implementation of CLRDP Implementation Measures 7.1.1, 7.1.2, 7.1.3, 7.1.7, 7.2.1, 7.2.3, 7.2.4, and 7.3.1 included as part of the Coastal LRDP, the impact from increased urban runoff will be less than significant. No additional mitigation is required.

d. *Impact related to Flooding due to Altered Drainage Patterns.* Although the implementation of the CLRDP would alter drainage patterns and increase impervious surfaces, it would not result in localized flooding and contribution to offsite flooding.

CLRDP Implementation Measures: Implementation Measures 7.1.1 and 7.1.3, set forth in the MMP, are included in the project to avoid and minimize flooding impacts from altered drainage patterns.

FINDING: As discussed on page 4.8-32 of the Draft EIR, the stormwater management and water quality measures included in the CLRDP would reduce localized flooding by constructing detention facilities to detain flows and release them at pre-development rates and volumes. Therefore, The Regents finds that with the implementation of CLRDP Implementation Measures 7.1.1 and 7.1.3 included as part of the Coastal LRDP, the flooding impact from altered drainage patterns will be less than significant. No additional mitigation is required.

e. *Impact from Increased Runoff.* Although campus growth under the CLRDP would increase peak flow rates, it would not exceed the capacity of the existing drainage systems.

CLRDP Implementation Measures: Implementation Measures 7.1.3 and 7.1.7, set forth in the MMP, are included in the project to avoid and minimize impacts from increases in peak flow rates.

FINDING: As discussed on pages 4.8-33 to 4.8-34 of the Draft EIR, the stormwater management and water quality measures included in the CLRDP would reduce localized flooding by constructing detention facilities designed to detain flows and release them at pre-development rates and volumes. This would ensure that the additional runoff resulting from the increase in impervious surfaces would not exceed the capacity of existing stormwater drainage systems. Therefore, The Regents finds that with the implementation of CLRDP Implementation Measures 7.1.3 and 7.1.7 included as part of the Coastal LRDP, the impact from increases in peak flow rates of site runoff will be less than significant. No additional mitigation is required.

Land Use and Planning

a. *Impact related to Compatibility with Adjacent Land Uses.* Implementation of the CLRDP would not conflict with any local land use plans such that a conflict is created with any existing adjacent land uses or planned uses. This is a less-than-significant impact.

CLRDP Implementation Measures: Implementation Measures 2.1.1, 2.1.2, 2.2.1, 2.2.2, 2.2.3, 3.8.2, 2.3.1, and 2.3.2, set forth in the MMP, are included in the project to avoid and minimize conflicts of CLRDP development with adjacent land uses.

FINDING: As discussed on pages 4.9-11 to 4.9-12 of the Draft EIR, the University has reviewed the City of Santa Cruz General Plan/Local Coastal Program designations and policies of the site and has consulted and coordinated with the City in order to make the CLRDP consistent to the fullest extent with the City's Local Coastal Program. Based on this review, the proposed project would be in conformance with the relevant City plans or policies for the site. Consistent with the County's General Plan/Local Coastal Program, Implementation Measures 2.1.1, 2.1.2, 2.2.1, 2.2.2, 2.2.3, 3.8.2, 2.3.1, and 2.3.2 provide for an agricultural buffer, prohibit extension of sewer and water lines beyond the city limit line. Therefore, The Regents finds that with the implementation of CLRDP included as part of the Coastal LRDP, the impact from conflict with adjacent land uses will be less than significant. No additional mitigation is required.

Traffic, Circulation and Parking

a. *Impact on Parking Capacity.* Implementation of the CLRDP would not have a significant adverse impact on parking capacity.

CLRDP Implementation Measures: Implementation Measures 5.1.1, 5.4.1 through 5.4.3, 5.5.1 through 5.5.6, 5.6.1 through 5.6.4, 5.7.1 through 5.7.3, and 5.8.1 through 5.8.3, set forth in the MMP, are included in the project to avoid and minimize impacts on parking capacity.

FINDING: As discussed on pages 4.15-44 to 4.15.45 of the Draft EIR, parking to accommodate the increased demand created by development under the CLRDP would be controlled through the use of permits and time restrictions. The Transportation Demand Management effort and pedestrian and bicycle enhancement will reduce the demand for parking. Therefore, The Regents finds that implementation of CLRDP Implementation Measures 5.1.1, 5.4.1 through 5.4.3, 5.5.1 through 5.5.6, 5.6.1 through 5.6.4, 5.7.1 through 5.7.3, and 5.8.1 through 5.8.3 will reduce the effect of the project on parking capacity to a less-than-significant level.

b. *Alternative Transportation Policies, Plans, or Programs.* Implementation of the CLRDP will not conflict with applicable policies, plans, or programs supporting alternative transportation.

CLRDP Implementation Measures: Implementation Measures 5.6.1 through 5.6.4 and 5.7.1 through 5.7.3, set forth in the MMP, are included in the project to avoid and minimize potential conflicts with alternative transportation policies, plans, and programs.

FINDING: As discussed on page 4.15-47 of the Draft EIR, the proposed project promotes the use of alternative transportation by offering shuttle service, providing secure bicycle parking, providing onsite bus stops with shelters and turnouts, and enhancing pedestrian travel between transit stops. Therefore, The Regents finds that implementation of Coastal LRDP Implementation Measures 5.6.1 through 5.6.4 and 5.7.1 through 5.7.3, 5 will reduce the effect of the project associated with conflicts with applicable policies, plans or programs supporting alternative transportation.

5. Less than Significant Impacts

Visual Resources

a. Cumulative Impact on Visual Resources. Implementation of the CLRDP, together with cumulative development in the vicinity, would not have a significant impact on scenic vistas, scenic resources, visual character and quality, and light and glare.

FINDING: For the reasons stated in the Final EIR (pages 4.1-45 through 4.1-47 of the Draft EIR), The Regents finds that implementation of CLRDP in conjunction with other regional development would not result in a significant cumulative impact on visual resources. No mitigation is required.

Agricultural Resources

a. Impact related to Conversion of Farmland. Although the Implementation of the CLRDP would convert Unique Farmland to non-agricultural uses, the impact would be less than significant.

FINDING: As discussed on pages 4.2-13 to 4.2-14 of the Draft EIR, the absence of a viable irrigation water source, the fragmented nature of the land parcels due to existing development, and potential conflicts with existing development limit the usability of the site for agriculture. Therefore, The Regents finds that implementation of CLRDP would not result in a significant impact on designated Farmland. No mitigation is required.

b. *Impact on lands under Agricultural Zoning/Williamson Act Contract.* Implementation of the CLRDP would have no impact on Williamson Act lands or lands under agricultural zoning.

FINDING: As discussed on page 4.2-13, the project site and the adjoining Younger Ranch are not under Williamson Act contract. The Younger Ranch is under agricultural zoning, but the project would not affect this zoning. Therefore, The Regents finds that implementation of the CLRDP would not affect Williamson Act lands or lands under agricultural zoning. No mitigation is required.

c. *Cumulative Impact associated with the Conversion of Designated Farmland.* Implementation of the CLRDP, in conjunction with other development in the Santa Cruz westside study area, would not result in a significant cumulative impact on designated farmland from conversion to non-agricultural uses.

FINDING: As discussed on pages 4.2-16 to 4.2-17 of the Draft EIR, agriculture on the project site would not be viable. Measures included in the CLRDP and General Mitigation Measure 4.2-1 would reduce any conflicts between the campus and the adjacent agricultural lands. Therefore, The Regents finds that implementation of the CLRDP in conjunction with other study area development, would not result in a significant cumulative impact on designated Farmlands. No mitigation is required.

Air Quality

a. *Impact associated with Increased Emissions of Precursors of Ozone from Construction Activities.* The increase in air emissions of ozone precursors from construction activities associated with the CLRDP would be a less-than-significant impact.

FINDING: As discussed on page 4.3-17 of the Draft EIR, construction emission sources other than fugitive dust sources are generally included in the emissions inventory that is the basis for the regional air quality plans and would not be expected to impede attainment or maintenance of ozone and carbon monoxide standards in the Air Basin. Therefore, The Regents finds that implementation of the CLRDP would not result in a significant impact on air quality from increased emissions of ozone precursors from construction activities. Therefore, no mitigation is required.

b. *Impact associated with Increased Emissions of Toxic Air Contaminants from Construction Activities.* The increase in air emissions of toxic air contaminants from construction activities associated with the CLRDP would be a less-than-significant impact.

FINDING: As discussed on page 4.3-18 of the Draft EIR, the estimated maximum acute exposure levels of toxic air contaminants from construction activities are well

below acceptable thresholds. Therefore, The Regents finds that implementation of the CLRDP would not result in a significant impact on air quality from increased emissions of toxic air contaminants from construction activities. Therefore, no mitigation is required.

c. *Impact of Emissions of Criteria Pollutants Associated with Stationary and Mobile Sources related to Campus Operations.* Implementation of the CLRDP would not result in emissions of criteria pollutants above the significance thresholds. This is a less-than-significant impact.

FINDING: As discussed on page 4.3-19 of the Draft EIR , estimated emissions of criteria pollutants from development under the CLRDP would not exceed the significance thresholds recommended by the Monterey Bay Unified Air Pollution Control District. Therefore, The Regents finds that implementation of the CLRDP would not result in a significant impact on air quality from increased emissions of criteria pollutants from stationary and mobile sources associated with campus operations. Therefore, no mitigation is required.

d. *Impact of CO Emissions Associated with Vehicular Traffic related to Campus Operations.* Implementation of the CLRDP would not contribute substantially to a violation of CO standards or expose receptors to substantial CO concentrations associated with vehicular traffic. This is a less-than-significant impact.

FINDING: As discussed on page 4.3-22 of the Draft EIR, CO concentrations with addition of traffic generated by project development would remain below State and federal ambient standards. Therefore, The Regents finds that the potential for implementation of the CLRDP to contribute substantially to a violation of CO standards or expose receptors to substantial CO concentrations associated with vehicular traffic is a less-than-significant impact; therefore, no mitigation is required.

e. *Impact of Emissions of Toxic Air Contaminants Associated with Campus Operations.* Implementation of the CLRDP would not expose campus occupants and other populations in the vicinity of the campus to substantial air toxics concentrations. This is a less-than-significant impact.

FINDING: As discussed on pages 4.3-22 to 4.3-23 of the Draft EIR, estimated emissions of toxic air contaminants from operations at the project site would not exceed significance thresholds for increased cancer risk or non-carcinogenic health effects. Therefore, The Regents finds that exposure to toxic air contaminants resulting from implementation of the Coastal LRDP is a less-than-significant impact; therefore, no mitigation is required.

f. *Impact of Emissions of Pollutants associated with Objectionable Odors.* Implementation of the CLRDP would not involve operations that could result in objectionable odor emissions. There would be no impact.

FINDING: As discussed on page 4.3-24 of the Draft EIR, implementation of the proposed project is not expected to result in the emission of pollutants associated with objectionable odors. Therefore, The Regents finds that implementation of the CLRDP would not result in a significant impact on air quality from objectionable odor emissions. Therefore, no mitigation is required.

g. *Cumulative Impact of CO Emissions.* Traffic resulting from the implementation of the CLRDP in conjunction with traffic from other development in the Santa Cruz westside study area would not contribute substantially to a violation of CO standards or expose receptors to substantial CO concentrations. This is a less-than-significant impact.

FINDING: As discussed on page 4.3-25 of the Draft EIR, CO concentrations with addition of traffic generated by the proposed project and cumulative development would remain below State and federal ambient standards. Therefore, The Regents finds that traffic from implementation of the CLRDP, in conjunction with traffic from other development, would not result in a significant impact on air quality from CO increased emissions. Therefore, no mitigation is required.

h. *Cumulative Impact on Regional Air Quality.* Because the proposed CLRDP is consistent with the 2000 Air Quality Management Plan for the Monterey Bay Region, the incremental impact from the implementation of the CLRDP on regional air quality would be less than significant.

FINDING: For the reasons stated in the Final EIR (page 4.3-2 of the Draft EIR), The Regents finds that the incremental impact from implementation of the CLRDP on regional air quality would be less than significant. Therefore, no mitigation is required.

Biological Resources

a. *Impact associated with Loss of Special-Status Plant Species.* Development under the CLRDP would not affect special-status plant species as these are not present on the terrace portion of the site. There would be no impact.

FINDING: As discussed on page 4.4-60 of the Draft EIR, no special-status plant species occur or are expected to occur on the project site. Therefore, The Regents finds that implementation of the CLRDP would not result in a significant impact on special-status plant species. Therefore, no mitigation is required.

b. *Cumulative Impact on Special Status Plant Species.* Although other development in the Santa Cruz westside study area could result in a cumulative impact on special status plant species, development under the CLRDP would not contribute to this cumulative impact.

FINDING: As discussed on page 4.4-60 of the Draft EIR, no special-status plant species occur or are expected to occur on the project site. Therefore, The Regents finds that implementation of the CLRDP would not contribute to a significant cumulative impact on special-status plant species. Therefore, no mitigation is required.

c. *Cumulative Impact on Special Status Wildlife Species.* Development under the CLRDP in conjunction with other development in the Santa Cruz westside study area would not result in a significant cumulative impact on special-status wildlife species.

FINDING: As discussed on page 4.4-71 of the Draft EIR, cumulative development in the vicinity of the project site will not have significant impacts on CRLF. Cumulative impacts on nesting special-status birds are not expected because all projects under the CLRDP would be required to conduct pre-construction surveys and implement mitigation measures to avoid active nest sites found during the survey. The Regents finds that implementation of the CLRDP in conjunction with other development in the Santa Cruz westside, would not result in a significant impact on special-status wildlife species. Therefore, no mitigation is required.

d. *Cumulative Impact on Sensitive Habitats and Wetlands.* Development under the CLRDP in conjunction with other development in the Santa Cruz westside study area would not result in a significant cumulative impact on sensitive habitats and wetlands.

FINDING: For the reasons stated in the Final EIR (page 4.4-71 of the Draft EIR), The Regents finds that implementation of the CLRDP in conjunction with other development in the Santa Cruz westside, would not result in a significant impact on sensitive habitats and wetlands. Therefore, no mitigation is required.

e. *Cumulative Impact on Wildlife Movement.* Although other development in the Santa Cruz westside study area could result in a cumulative impact on wildlife movement, with the inclusion of CLRDP implementation measures, development under the CLRDP would not contribute to this cumulative impact.

FINDING: For the reasons stated in the Final EIR (page 4.4-72 of the Draft EIR), The Regents finds that development under the CLRDP would not contribute to a cumulative impact on wildlife movement. Therefore, no mitigation is required.

f. *Cumulative Impact resulting from Conflict with Plans and Policies for the Protection of Biological Resources.* Development under the CLRDP in conjunction with other development in the Santa Cruz westside study area would not result in a significant cumulative impact on biological resources due to conflict with area plans for the protection of biological resources.

FINDING: For the reasons stated in the Final EIR (pages 4.4-72 to 4.4-73 of the Draft EIR), The Regents finds that development under the CLRDP in conjunction with other development in the Santa Cruz westside, would not result in a significant cumulative impact on biological resources due to conflicts with area plans. Therefore, no mitigation is required.

Cultural Resources

a. *Impact on Historic Resources. Implementation of the CLRDP would not damage or destroy or otherwise affect a historic building or structure as none is present on the site. There would be no impact.*

FINDING: As discussed on pages 4.5-6 to 4.5-7 of the Draft EIR, there are no known historic resources within the project area, and the State Office of Historic Preservation concurs that the site of the shipwreck, the *La Feliz*, and her mast would not be directly or indirectly affected by the project. Therefore, The Regents finds that there would be no impact on historic resources; therefore, no mitigation is required.

b. *Impact on Paleontological Resources.* Implementation of the CLRDP would not destroy or otherwise affect paleontological resources as these are not found in the strata that would be excavated for project implementation. The impact would be less than significant.

FINDING: For the reasons stated in the Final EIR (pages 4.5-8 to 4.5-9 of the Draft EIR), The Regents finds that the impact related to paleontological resources is less than significant; therefore, no mitigation is required.

c. *Cumulative Impact on Archaeological, Historical Resources and Paleontological Resources.* Development under the CLRDP would not contribute to cumulative damage to and loss of the resource base of unique archaeological resources, historical resources, and paleontological resources. This is a less-than-significant impact.

FINDING: For the reasons stated in the Final EIR (Pages 4.5-9 to 4.5-10 of the Draft EIR), The Regents finds that the cumulative impact on archaeological, historical and paleontological resources is less than significant; therefore, no mitigation is required.

Geology, Soils, and Seismicity

a. *Impact related to Surface Fault Rupture.* Implementation of the CLRDP would not expose people and structures on campus to potentially adverse effects associated with fault rupture as no active faults are present on the site.

FINDING: No known active faults capable of causing surface rupture occur on the project site or in he near vicinity (Draft EIR page 4.6-17). Therefore, The Regents finds that the impact related to surface fault rupture is less than significant; therefore, no mitigation is required.

b. *Impact related to Seismic Ground Shaking.* Implementation of the CLRDP would expose people and structures on campus to adverse effects associated with seismic ground shaking, but the risk to life or property would be minimized by constructing buildings to current codes. This is a less-than-significant impact.

FINDING: For the reasons stated in the Final EIR (pages 4.6-17 to 4.6-18 of the Draft EIR), The Regents finds that the impact related to seismic ground shaking is less than significant; therefore, no mitigation is required.

c. *Impact related to Seismically Induced Ground Failure and Liquefaction.* Implementation of the CLRDP would expose people and structures on campus to adverse effects associated with seismic ground failure and liquefaction, but the risk to life or property would be minimized by constructing buildings in compliance with the recommendations of the geotechnical investigation for each project. This is a less-than-significant impact.

FINDING: For the reasons stated in the Final EIR (pages 4.6-18 to 4.6-19 of the Draft EIR), The Regents finds that the impact related to seismic ground failure and liquefaction is less than significant; therefore, no mitigation is required.

d. *Impact related to Soil Erosion and Loss of Top Soil.* Development under the CLRDP would not result in a significant impact associated with soil erosion. This is a less-than-significant impact.

FINDING: For the reasons stated in the Final EIR (page 4.6-21 of the Draft EIR), The Regents finds that the potential for significant soil erosion from development under the Coastal LRDP is low and the impact is less than significant; therefore, no mitigation is required.

e. *Impact related to Expansive Soil.* Implementation of the CLRDP would not result in construction of campus facilities on expansive soil. This is a less-than-significant impact.

FINDING: For the reasons stated in the Final EIR (page 4.6-22 of the Draft EIR), The Regents finds that implementation of the Coastal LRDP would not have a significant impact associated with construction on expansive soil; therefore, no mitigation is required.

f. *Impact related to the Construction of Septic Tanks.* Implementation of the CLRDP would not require the construction of septic tanks or alternative wastewater disposal systems in areas on campus where soils are not capable of adequately supporting them. There would be no impact.

FINDING: For the reasons stated in the Final EIR (4.6-22 to 4.6-23 of the Draft EIR), The Regents finds that implementation of Coastal LRDP will not result in an impact associated with construction of septic tanks or alternative wastewater disposal systems; therefore no mitigation is required.

g. *Cumulative Impact from Exposure to Seismic Ground Shaking.* Cumulative development, including the development on campus under the CLRDP, would expose people or structures to potential adverse effects involving seismic ground shaking. However, all new construction would comply with the current building codes and the impact would be less than significant.

FINDING: For the reasons stated in the Final EIR (page 4.6-23 of the Draft EIR), The Regents finds that the cumulative impact associated with seismic ground shaking that would result from development under the Coastal LRDP in conjunction with other development in the region is less than significant; therefore, no mitigation is required.

h. *Cumulative Impact on Stability of Coastal Bluffs.* Implementation of the CLRDP would not require structural protection of seacliffs because of the development setbacks. No other development is likely along the seacliffs in the Santa Cruz westside study area. No cumulative impact would occur.

FINDING: For the reasons stated in the Final EIR (page 4.6-24 of the Draft EIR), The Regents finds that the cumulative impact associated with the seacliffs and the need for structural protection in the study area is less than significant; therefore, no mitigation is required.

Hazards and Hazardous Materials

a. *Impact from Handling of Hazardous Materials near Schools.* Implementation of the CLRDP would not result in handling of hazardous

or acutely hazardous materials within 1/4- mile of an existing or proposed school, and would not create a significant hazard to those attending the schools. There would be no impact.

FINDING: As discussed on page 4.7-19 of the Draft EIR, none of the development projects comprising the development program under the proposed project would be located within 1/4 mile of a public or private elementary, middle, or high school. Therefore, The Regents finds that there is no potential for implementation of the CLRDP to result in hazards associated with handling of hazardous or acutely hazardous materials within ¼ mile of a school; therefore, no mitigation is required.

b. *Impact from Exposure to Contaminated Soil or Groundwater at a Listed Site.* Construction activities on campus under the CLRDP would not expose construction workers and campus occupants to contaminated soil or groundwater as the campus is not on the Cortese or CERCLIS lists. There would be no impact.

FINDING: As discussed on page 4.7-19 of the Draft EIR, the project site is not listed as a contaminated site. Although public comments expressed concern about pesticide contamination of soils on the site (comments Org-2-12 and I-4-49), soil quality assessments found that constituents of organochlorine pesticides detected in the shallow onsite soils were well below the U.S. EPA Region 9 Preliminary Remediation Goals for residential land use (Draft EIR pages 4.7-10 through 4.7-12). Therefore, The Regents finds that the potential for construction activities under the Coastal LRDP to expose construction workers and campus occupants to contaminated soil or groundwater is low; therefore no mitigation is required.

c. *Hazards from Proximity to a Public/Private Airport.* Implementation of the CLRDP would not involve development near a public use or private airport, which could result in safety hazards for people residing or working in the area. There would be no impact.

FINDING: For the reasons stated in the Final EIR (page 4.7-19 of the Draft EIR), The Regents finds that implementation of Coastal LRDP would not result in a hazard from proximity to an airport; therefore no mitigation is required.

d. *Impact associated with Interference with Emergency Operations Plan.* Campus development under the CLRDP would not physically interfere with the City's Emergency Response Plan. There would be no impact.

FINDING: For the reasons stated in the Final EIR (page 4.7-20 of the Draft EIR), The Regents finds that implementation of Coastal LRDP would not result in an impact associated with interference with the City's Emergency Response Plan; therefore no mitigation is required.

e. *Impact associated with Wildland Fires.* Campus development under the CLRDP would not increase the risk of wildland fires. The impact would be less than significant.

FINDING: For the reasons stated in the Final EIR (page 4.7-20 of the Draft EIR), The Regents finds that implementation of Coastal LRDP would not result in a significant impact associated with wildland fires; therefore no mitigation is required

f. *Cumulative Impact from Increased Hazardous Materials Use.* Campus development under the CLRDP in combination with growth in the Santa Cruz westside study area would not significantly increase hazards to the public or the environment associated with the use and transport of hazardous materials and the generation of hazardous waste. This is a less-than-significant impact.

FINDING: For the reasons stated in the Final EIR (pages 4.7-20 through 4.7-22), The Regents finds that the increased use and transport of hazardous materials and increased generation of hazardous waste resulting from implementation of the Coastal LRDP in conjunction with other development in the region is a less-than-significant impact; therefore, no mitigation is required.

g. *Cumulative Impact from Increased Hazardous Emissions near Schools.* Campus development under the CLRDP in combination with growth in the Santa Cruz westside study area would not result in a significant cumulative impact on area schools from handling of hazardous materials. This is a less-than-significant impact.

FINDING: For the reasons stated in the Final EIR (page 4.7-21 of the Draft EIR), The Regents finds that the increased handling of hazardous materials resulting from implementation of the Coastal LRDP in conjunction with other development in the region would result in a less-than-significant impact on area schools; therefore, no mitigation is required.

Hydrology and Water Quality

a. *Impact from Flooding in a 100-year Flood Zone.* The campus is not located within a 100-year flood zone; therefore there would be no impact.

FINDING: For the reasons stated in the Final EIR (page 4.8-36 of the Draft EIR), The Regents finds that there would be no impact related to location of facilities within a 100-year flood zone; therefore, no mitigation is required.

b. *Impact related to Tsunami, Seiche or Mudflow*. The campus is located 40 feet above sea level; therefore there would be no impact from tsunamis or

seiches. The site is not subject to mudflows. Therefore there would be no impact.

FINDING: For the reasons stated in the Final EIR (page 4.8-37 of the Draft EIR), The Regents finds that there would be no impact related to tsunamis, seiches or mudflows; therefore, no mitigation is required.

c. *Cumulative Impact of Storm Water Runoff on Water Quality.* Development under the CLRDP, in conjunction with other development in the Santa Cruz westside study area, would increase impervious surfaces and thereby increase storm water runoff, and would add new sources of polluted runoff. However the cumulative impact would be less than significant because of the Stormwater Concept Plan that would be implemented by the University and the Stormwater Management Plan that would be implemented by the City of Santa Cruz in compliance with Phase II NPDES requirements.

FINDING: For the reasons stated in the Final EIR (pages 4.8-37 through 4.8-39 of the Draft EIR), The Regents finds that the impact from increased urban runoff from CLRDP development and other development in the Santa Cruz westside would be less than significant; therefore, no mitigation is required.

Land Use and Planning

a. *Impact on Established Communities.* Implementation of the CLRDP would not physically divide an established community. There would be no impact.

FINDING: For the reasons stated in the Final EIR (page 4.9-11 of the Draft EIR), The Regents finds that there would be no impact on established communities; therefore, no mitigation is required.

b. *Impact resulting from Conflict with Land Use Plans and Policies.* Implementation of the CLRDP would not conflict with an applicable land use plan, policy, or regulation of an agency with jurisdiction over the project that was adopted for the purpose of avoiding or mitigating an environmental effect. This is a less-than-significant impact.

FINDING: For the reasons stated in the Final EIR (page 4.9-11 of the Draft EIR), The Regents finds that the potential for the Coastal LRDP to conflict with an applicable land use plan, policy, or regulation is a less-than-significant impact; therefore, no mitigation is required.

c. *Impact due to Conflict with Habitat Conservation Plan.* Implementation of the CLRDP would not conflict with a habitat conservation plan or a

natural community conservation plan. This is a less-than-significant impact.

FINDING: There is no Habitat Conservation Plan or Natural Community Conservation Plan in place that applies to the project site or vicinity (Draft EIR page 4.9-12). Therefore, The Regents finds that the potential for implementation of the Coastal LRDP to conflict with a habitat conservation plan or natural community conservation plan is a less-than-significant impact; therefore, no mitigation is required.

d. *Cumulative Land Use Impact.* Implementation of the CLRDP, together with other development in the Santa Cruz westside study area, would not conflict with an applicable land use plan, policy, or regulation of an agency with jurisdiction over the project that was adopted for the purpose of avoiding or mitigating an environmental effect. The cumulative development would not divide an established community or conflict with HCP or NCCPs. This is a less-than-significant impact.

FINDING: For the reasons stated in the Final EIR (page 4.9-13 to 4.9-14 of the Draft EIR), The Regents finds that the potential for implementation of the Coastal LRDP, in conjunction with other development in the Santa Cruz westside study area, to conflict with applicable land use plans, policies, or regulations, HCPs and NCCPs, or to divide an established community is a less-than-significant impact; therefore, no mitigation is required.

Noise

a. *Impact from Excessive Noise Associated with Trains and Vehicular Traffic.* Although the implementation of the CLRDP would place residential receptors near railroad tracks, it would not expose persons to train noise levels in excess of significance thresholds. Implementation of the CLRDP would result in increased vehicular traffic on the regional road network, which would not substantially increase ambient noise levels. This is a less-than-significant impact.

FINDING: For the reasons stated in the Final EIR (pages 4.11-11 through 4.11-12 of the Draft EIR), The Regents finds that implementation of CLRDP would not result in a significant impact on ambient noise levels from project-related vehicular traffic or expose persons to excessive rail noise; therefore no mitigation is required.

b. *Impact from Ground-Borne Vibration and Ground-Borne Noise.* Construction of campus facilities pursuant to the CLRDP would not expose nearby receptors to excessive ground-borne vibration and ground-borne noise. Implementation of the CLRDP would not expose persons to

excessive ground-borne vibrations from rail activity. This is a less-than-significant impact.

FINDING: For the reasons stated in the Final EIR (pages 4.1-18 to 4.11-19 of the Draft EIR), The Regents finds that implementation of Coastal LRDP would not result in a significant impact related to ground-borne vibration and ground-borne noise; therefore no mitigation is required.

c. *Impact related to a Permanent Increase in Ambient Noise Levels.* Implementation of the CLRDP would not result in traffic and operational noise that would result in a substantial permanent increase in ambient noise levels. This is a less-than-significant impact.

FINDING: For the reasons stated in the Final EIR (page 4.11-19 of the Draft EIR), The Regents finds that implementation of Coastal LRDP would not result in a significant impact related to a substantial permanent increase in ambient noise levels; therefore no mitigation is required.

d. *Impact from Exposure to Noise from a Public Airport.* Implementation of the CLRDP would not expose residents to elevated noise levels from aircraft operations at a public airport. There would be no impact.

FINDING: For the reasons stated in the Final EIR (page 4.11-27 of the Draft EIR), The Regents finds that there is no potential for implementation of the CLRDP to expose residents to elevated noise levels from aircraft operations associated with a public airport; therefore, no mitigation is required.

e. *Impact from Exposure to Noise from a Private Airstrip.* Implementation of the CLRDP would not expose residents to elevated noise levels from aircraft operations at a private airstrip. There would be no impact.

FINDING: For the reasons stated in the Final EIR (page 4.11-27 of the Draft EIR), The Regents finds that there is no potential for implementation of the CLRDP to expose residents to elevated noise levels from aircraft operations associated with a private airstrip; therefore, no mitigation is required.

f. *Cumulative Impact from Increased Noise Levels.* The CLRDP in combination with other development in the Santa Cruz westside study area, would not substantially increase ambient noise levels above the noise/land use compatibility thresholds. This is a less-than-significant impact.

FINDING: For the reasons stated in the Final EIR (pages 4.11-28 to 4.11-29 of the Draft EIR), The Regents finds that the cumulative noise from implementation of the CLRDP in conjunction with noise from other Santa Cruz westside study area

development, would not result in a significant impact; therefore, no mitigation is required.

Population and Housing

a. *Impact related to Population Growth.* Implementation of the CLRDP would not induce substantial population growth in the area or result in a concentration of population. This is a less-than-significant impact.

FINDING: For the reasons stated in the Final EIR (pages 4.12-21 to 4.12-22 of the Draft EIR), The Regents finds that the population growth from implementation of the CLRDP would not be substantial and the impact would be less than significant; therefore, no mitigation is required.

b. *Impact related to Displacement of Housing or Substantial Numbers of People.* Implementation of the CLRDP would displace housing or people. This is a less-than-significant impact.

FINDING: For the reasons stated in the Final EIR (page 4.12-22 of the Draft EIR), The Regents finds that the impact of the CLRDP related to displacement of housing or people is less than significant; therefore, no mitigation is required.

c. *Cumulative Impact related to Population Growth.* Implementation of the CLRDP in conjunction with other regional growth would not induce substantial population growth in Santa Cruz County. This is a less-than-significant impact.

FINDING: For the reasons stated in the Final EIR (pages 4.12-22 through 4.12-24 of the Draft EIR), The Regents finds that the population growth from implementation of the CLRDP in conjunction with other regional growth would not be substantial and the impact would be less than significant; therefore, no mitigation is required.

Public Services

a. *Impact Associated with Provision of Fire Protection Services.* Implementation of the CLRDP would not result in significant environmental impacts associated with the provision of new or altered facilities for the Santa Cruz Fire Department. This is a less-than-significant impact.

FINDING: For the reasons stated in the Final EIR (page 4.13-5 of the Draft EIR), The Regents finds that the impact of the Coastal LRDP associated with the provision of fire services by the Santa Cruz Fire Department is less than significant; therefore, no mitigation is required.

b. *Impact of Provision of Police Services.* Implementation of the CLRDP would not result in significant environmental impacts associated with the provision of new or altered police facilities for the UCSC campus police. This is a less-than-significant impact.

FINDING: For the reasons stated in the Final EIR (page 4.13-6 of the Draft EIR), The Regents finds that the impact of the Coastal LRDP associated with the provision of police services is less than significant; therefore, no mitigation is required.

c. *Impact Associated with Increased Demand for School Facilities.* Although implementation of the CLRDP would increase the number of school-age children living in the Santa Cruz westside study area, these students would be accommodated in existing schools and the construction of new facilities would not be necessary the provision of which could not result in significant environmental impacts. This is a less-than-significant impact.

FINDING: For the reasons stated in the Final EIR (pages 4.13-6 to 4.13-7 of the Draft EIR), The Regents finds that the increased demand for school services resulting from the Coastal LRDP is a less-than-significant impact; therefore, no mitigation is required.

d. *Cumulative Impact Associated with Provision of Police and Fire Services.* Implementation of the CLRDP, in conjunction with regional growth, would not generate a cumulative demand for new or expanded police and fire service facilities in the City of Santa Cruz, the construction of which could result in significant adverse environmental impacts. This is a less-than-significant impact.

FINDING: For the reasons stated in the Final EIR (page 4.13-8 of the Draft EIR), The Regents finds that the increased demand for police and fire services resulting from the Coastal LRDP, in conjunction with growth in the City of Santa Cruz, is a less-than-significant impact; therefore, no mitigation is required.

e. *Cumulative Impact of Construction of School Facilities.* Implementation of the CLRDP, in conjunction with regional growth, would not generate a cumulative demand for new school facilities, the construction of which could result in significant environmental impacts. This is a less-than-significant impact.

FINDING: For the reasons stated in the Final EIR (page 4.13-8 of the Draft EIR), The Regents finds that the cumulative impact of the increased demand for school services associated with the Coastal LRDP in conjunction with other development in the region is less than significant; therefore, no mitigation is required.

Recreation

a. *Impact from Development of On-Campus Recreation Facilities.* Implementation of the CLRDP would include the construction of recreational facilities on the Marine Science Campus, the construction of which would not result in a significant environmental impact. This is a less-than-significant impact.

FINDING: For the reasons stated in the Final EIR (page 4.14-7 of the Draft EIR), The Regents finds that the impact of the construction of on-campus recreational facilities under the Coastal LRDP is less than significant; therefore, no mitigation is required.

b. *Impact from Increased Use of Off-Campus Recreation Facilities.* Implementation of the CLRDP would not substantially increase the use of off-campus recreational facilities, such that substantial physical deterioration of the facilities would occur. This is a less-than-significant impact.

FINDING: For the reasons stated in the Final EIR (page 4.14-7 of the Draft EIR), The Regents finds that the impact of the increased use of off-campus recreational facilities by the persons associated with the Coastal LRDP is less than significant; therefore, no mitigation is required.

c. *Cumulative Impact from Development of Off-Campus Recreation Facilities.* Implementation of the CLRDP, together with other regional development, could increase the demand for recreational facilities so that there would be need to develop new community parks. The development of these facilities would not be expected to result in significant environmental impacts. This is a less-than-significant impact.

FINDING: For the reasons stated in the Final EIR (page 4.14-8 of the Draft EIR), The Regents finds that the cumulative impact of the increased demand for recreation facilities associated with the Coastal LRDP in conjunction with other development in the region is less than significant; therefore, no mitigation is required.

Traffic, Circulation and Parking

a. *Increase in Hazards Due to a Design Feature.* Implementation of the proposed site access and onsite circulation will not result in an increase in hazards due to a design feature or incompatible uses. This is a less-than-significant impact.

FINDING: For the reasons stated in the Final EIR (pages 4.15-34 to 4.15-35 and 4.15-45 of the Draft EIR), The Regents finds that implementation of the Coastal

LRDP will not result in an increase in hazards due to a design feature or incompatible uses. Therefore, no mitigation is required.

b. *Impact on Roadway Capacity.* Implementation of the CLRDP would not result in a substantial change in the operation of roadway segments. This is a less-than-significant impact.

FINDING: As discussed on pages 4.14-56 to 4.15-58 and 4.15-67 to 4.15-68 of the Draft EIR, the results of roadway segment evaluations indicate that the project is not expected to result in a substantial change in the operation of roadway segments. Therefore, The Regents finds that implementation of Coastal LRDP would not result in a significant impact associated with the operation of roadway segments. Therefore, no mitigation is required.

c. *Neighborhood Traffic and Safety Impacts.* The addition of project traffic would not result in significant operational or safety impacts on neighborhood streets. This is a less-than-significant impact.

FINDING: As discussed on pages 4.15-58 to 4.15-59 and 4.15-68 of the Draft EIR, the results of a Traffic Infusion on Residential Environments analysis indicate that the addition of project traffic from the project would not be noticeable to residents on the study street segments. Therefore, The Regents finds that implementation of Coastal LRDP would not result in a significant operational or safety impact on neighborhood streets. Therefore, no mitigation is required.

d. *Impact on Emergency Access.* Implementation of the CLRDP would not result in inadequate emergency access. This is a less-than-significant impact.

FINDING: For the reasons stated in the Final EIR (page 4.15-46 of the Draft EIR and the responses to comments LA-2-15 through LA-2-22), The Regents finds that implementation of Coastal LRDP would not result in inadequate emergency access. Therefore, no mitigation is required.

e. *Impact on Air Traffic Patterns.* Implementation of the CLRDP would not result in any significant impacts to air travel or safety. This is a less-than-significant impact.

FINDING: For the reasons stated in the Final EIR (page 4.15-47 of the Draft EIR), The Regents finds that implementation of Coastal LRDP would not have a significant impact relative to air travel or safety. Therefore, no mitigation is required.

Utilities, Service Systems and Energy

a. *Impact on Water Supply.* Implementation of the CLRDP would not have a significant adverse impact on water supply.

FINDING: As discussed on pages 4.16-13 to 4.16-14 of the Draft EIR, water demand for the project would be 0.45 percent of current system demand for the Santa Cruz Water Department service area. The building program would not require new or expanded water entitlements or construction of new or expanded water supply facilities. Therefore, The Regents finds that implementation of Coastal LRDP would not have a significant impact relative to water supply. Therefore, no mitigation is required.

b. *Impact on Wastewater System.* Implementation of the CLRDP would not result in an increase in wastewater that would require the construction of new facilities which could result in significant environmental impacts. This is a less-than-significant impact.

FINDING: Development under the project would neither exceed the capacity of the existing wastewater treatment plant nor require construction of new facilities (page 4.16-14 of the Draft EIR). The City of Santa Cruz has commented that the existing pump station serving the project site is insufficient during peak wet weather flows under existing conditions (comment LA-2-11). However, replacement of the pump would occur at the site of the existing pumps, and therefore environmental effects would be expected to be minimal. . Therefore, The Regents finds that implementation of the Coastal LRDP will not result in a significant impact associated with wastewater systems. Therefore, no mitigation is required.

c. *Impact on Solid Waste Facilities.* Implementation of the CLRDP would not result in a significant impact on solid waste facilities. This is a less-than-significant impact.

FINDING: For the reasons stated in the Final EIR (page 4.16-15 of the Draft EIR), The Regents finds that implementation of Coastal LRDP would not result in a significant impact on solid waste facilities. Therefore, no mitigation is required.

d. *Impact on Energy Facilities.* Implementation of the CLRDP would not result in a significant impact on energy facilities. This is a less-than-significant impact.

FINDING: For the reasons stated in the Final EIR (page 4.16-15 of the Draft EIR), The Regents finds that implementation of Coastal LRDP would not result in a significant impact on energy facilities. Therefore, no mitigation is required.

e. *Cumulative Impact on Wastewater Treatment Facility.* Implementation of the CLRDP, in conjunction with other growth in the City of Santa Cruz,

would not result in an increase in wastewater that would require the construction of new treatment facilities which could result in significant environmental impacts. This is a less-than-significant impact.

FINDING: For the reasons stated in the Final EIR (pages 4.16-18 to 4.16-19 of the Draft EIR), The Regents finds that implementation of the Coastal LRDP along with other regional growth would not result in a significant impact associated with wastewater treatment facilities. Therefore, no mitigation is required.

f. *Cumulative Impact on Solid Waste Facilities.* Implementation of the CLRDP, in conjunction with other regional growth, would not result in a significant impact on solid waste facilities. This is a less-than-significant impact.

FINDING: For the reasons stated in the Final EIR (page 4.16-19 of the Draft EIR), The Regents finds that implementation of Coastal LRDP along with other regional growth would not result in a significant impact on solid waste facilities. Therefore, no mitigation is required.

g. *Cumulative Impact on Energy Facilities.* Implementation of the CLRDP, in conjunction with other regional development, would not result in a significant impact on energy facilities. This is a less-than-significant impact.

FINDING: For the reasons stated in the Final EIR (page 4.16-20 of the Draft EIR), The Regents finds that implementation of Coastal LRDP along with other regional development would not result in a significant impact on energy facilities. Therefore, no mitigation is required.

C. MITIGATION MONITORING PROGRAM

Public Resources Code Section 21081.6 and CEQA Guidelines Section 15091(d) require the lead agency approving a project to adopt a Mitigation Monitoring program for the changes to the project which it has adopted or made a condition of project approval in order to ensure compliance during project implementation. The Mitigation Monitoring Program adopted by the Board of Regents requires the University to monitor mitigation measures designed to reduce or eliminate significant impacts, as well as those mitigation measures designed to reduce environmental impacts which are less than significant. The Mitigation Monitoring Program includes all of the Mitigation Measures identified in the Final EIR and also includes all elements of the Coastal LRDP that are required to mitigate the significant impacts of the development program. The Mitigation Monitoring Program includes measures to ensure compliance during implementation of the Coastal LRDP. The Board of Regents hereby adopts the Mitigation Monitoring Program attached hereto and incorporated herein.

The Board of Regents finds that the impacts of the Coastal LRDP have been mitigated to the extent feasible by the Mitigation Measures identified in the Final EIR and in the

Mitigation Monitoring Program. The Board of Regents adopts the Mitigation Monitoring Program for the Coastal LRDP that accompanies the Final EIR. The Mitigation Monitoring Program designates responsibility and anticipated timing for the implementation of mitigation for conditions within the jurisdiction of the University. Implementation of the Mitigation Measures specified in the Final EIR and the Mitigation Monitoring Program will be accomplished through administrative controls over Project planning and implementation. Monitoring and enforcement of these measures will be accomplished through verification in periodic Mitigation Monitoring Reports and periodic inspection by appropriate University personnel. The University reserves the right to make amendments and/or substitutions of Mitigation Measures if, in the exercise of discretion of the University, it is determined that the amended or substituted Mitigation Measure will mitigate the identified potential environmental impact to at least the same degree as the original Mitigation Measure, or would attain an adopted performance standard for mitigation, and where the amendment or substitution would not result in a new significant impact on the environment which cannot be mitigated

D. ALTERNATIVES

The EIR evaluated a range of alternatives to the Coastal LRDP in Section 5 of the Final EIR. In compliance with CEQA and the CEQA Guidelines, the alternatives analysis also included an analysis of a No Project Alternative and discussed the environmentally superior alternative. The EIR examined the feasibility of each alternative, the environmentally superior alternative, the environmental impacts of each alternative, and the ability of each alternative to meet the project objectives as identified in Section 3.B of the Draft EIR. Table 5-2 in the Draft EIR compares the environmental impacts of the proposed project and each of the alternatives. The Regents certifies that it has independently reviewed and considered the information on alternatives provided in the Final EIR and the record of proceedings. The Regents finds that when compared to the alternatives analyzed in the Final EIR (including the No Project Alternative), the project as proposed and mitigated provides a reasonable balance between maximizing satisfaction of the project objectives and minimizing significant environmental impacts. The Regents further finds that all the alternatives are infeasible, as that term is defined by CEQA, and shall be rejected in favor of the project as proposed, for the reasons set forth below.

1. Project Objectives

The Regents finds that the objectives for the project are as described in Section 3.B of the Draft EIR. The purpose of the proposed Coastal LRDP is to facilitate the orderly, flexible, and environmentally sensitive expansion and development of the UCSC Marine Science Campus in support of the academic, research, and public service mission of the University. The UCSC Institute of Marine Sciences and the UC Natural Reserve System, which share responsibility for managing the UCSC Marine Science Campus lands, seek to promote the health of the oceans and their coasts by conducting and supporting marine science instruction and research and by facilitating the application of that knowledge for public education, environmental awareness and decision making. The University's objectives for the Coastal LRDP are as follows:

Planning for 20 Years of Growth

- Develop a world-class marine research, education, ocean health, and public service campus with the scope, diversity, and excellence in program and facilities necessary to respond to the growing need for marine science, to establish the University's leadership in the field, and to attract sustained funding.

- Develop a marine science campus with access to large volumes of fresh seawater and proximity to the ocean environment for research, education, ocean health, and public service activities.

- Develop a marine science campus sufficiently close to the main UCSC campus to enable integration with programs on the main campus and utilization of support services that do not require location close to the ocean.

- Develop an affordable campus that makes cost-effective use of the limited public funds available for research, education, and ocean health activities by expanding existing facilities on the Marine Science Campus and attracting governmental, non-profit, and private research and education affiliates that bring additional financial resources to the campus.

- Maximize the efficient use of land resources on the Marine Science Campus for coastal-dependent uses, coastal-related uses, and support facilities, consistent with identified resource constraints so as to reduce the future need for development of coastal lands in the service of marine research and education.

- Remedy space and program deficiencies that existed in 2003 at the Marine Science Campus through the expansion and enhancement of University and affiliated facilities.

- Create a campus with opportunities for new marine research, education, and ocean health activities that: (1) are proximate to the ocean environment and thereby allow the keeping of marine plants and animals in an environment that approximates their natural setting, (2) can be undertaken adjacent to existing facilities on the Marine Science Campus to promote interaction and collaboration, (3) complement and broaden existing research, education, and ocean health activities, (4) have access to large volumes of fresh seawater, and (5) are provided sufficient expansion area to meet anticipated demand for 20 years.

- Create a campus that promotes round-the-clock immersion in the research environment and extends interaction and collaboration among scientists, students, and administrators beyond formal work settings by providing support housing for researchers, educators, students, caretakers, and visitors that is adjacent to coastal-dependent activities and of sufficient capacity to support approximately 20 percent of projected campus population.

- Create a campus with the functionality to provide support to scientists, students, and administrators who need meals, meeting places, and lecture halls.

- Create a campus with the functionality necessary to support a wide range of marine research and education and ocean health activities by providing equipment storage, maintenance, and outdoor laydown areas that are within easy and quick access of campus laboratories, offices, and classrooms, and of sufficient size to maintain and equip ocean vessels with scientific instrumentation.

- Provide public access and recreation opportunities on the Marine Science Campus where campus users and coastal visitors may exercise, recreate, and enjoy coastal resources.

- Provide a seawater system capable of delivering and discharging large amounts of fresh seawater for use in research, education and ocean health activities.

- Maintain and enhance natural resources at Younger Lagoon Reserve for teaching and research.

- Facilitate the development of complementary state, federal and private programs at the campus.

- Develop the Marine Science Campus in a manner that maximizes the clustering of similar or complementary uses in order to: (1) enhance opportunities for interaction and collaboration among researchers, educators, and students, (2) provide convenient access to essential research and teaching facilities, (3) provide convenient access to support facilities (e.g., food service, conference facilities, meeting rooms, etc.), and (4) support a sense of a campus community.

- Site new development to provide for convenient access to existing utility infrastructure (e.g., seawater, water, sewer, etc.) thereby reducing cost and site disturbance to the extent feasible.

<u>Protecting Natural Resources on the Site</u>

- Avoid or minimize adverse effects on the natural physical setting where it is feasible to do so, consistent with the resource protection provisions of the California Coastal Act and other environmental regulations, and consistent with achieving the growth objectives described above.

- Rely on infill and clustering of facilities to provide for efficient use of the land while minimizing development of undeveloped lands to the extent feasible.

- Protect environmentally sensitive habitat areas.

- Site development in areas with similar uses to support pedestrian travel and to minimize vehicle use for circulation within the site.

Protecting Offsite Resources

- Avoid or minimize adverse effects on adjacent land uses, the local community and the region where it is feasible to do so, consistent with the California Coastal Act and the growth objectives described above. Enrich the quality of life in the local and regional community by providing a facility that interprets marine research at the University and promotes understanding of the central California coastal marine environment.

- Maximize public access to onsite coastal resources to the extent feasible and consistent with protection of fragile resources, while ensuring the security of the campus.

- Provide a mix of uses on the project site and incorporate design features that support transportation alternatives in order to minimize traffic impacts on local roadways.

- Provide on-site housing to accommodate some of the project-related housing demand in order to minimize housing impacts on the community.

- Maintain views of the ocean and the mountains from important public vantage points in order to minimize visual impacts on the community.

- Develop a site plan that is compatible with existing and planned development in the area.

- Limit infrastructure and other measures to foster establishment of a stable urban boundary at the City limit.

2. Alternatives to the Coastal LRDP

The University evaluated five alternatives to the Coastal LRDP: Reduced Program; Modified Land Use Diagram, Increased Program; Project-by-Project Development; and No Project.

i. Reduced Program Alternative

Under the Reduced Program Alternative, the upper, middle, and lower terrace development areas would remain the same as under the Coastal LRDP, but the amount of marine research space that would be developed on the middle and lower terrace development areas would be reduced by approximately 42 percent. Commensurate with the reduction in research space, the alternative would have a reduced new on-campus employee and student population of approximately 373 persons, as compared with 535 new employees and students under the proposed Coastal LRDP. The reduction in marine research building space would be accomplished either through a reduced density of development within the middle terrace and

lower terrace development areas and/or a reduction in the footprint of development areas on the middle and lower terraces. These two options have different implications for environmental impacts, as discussed below. Development on the upper terrace would remain unchanged in size and function under both options.

This alternative would result in impacts that would be roughly equal with or less significant than the project as proposed. Impacts that would be significant under the proposed project would generally be somewhat reduced by the alternative due to the smaller scale of development under this alternative. The significant project-level traffic impacts would be reduced to a less-than-significant level. The project's contribution to the future water supply deficit of the region would be reduced under this alternative but the impact would remain significant and unavoidable. Most of the other impacts would still be significant.

This alternative was rejected because it would not allow the campus to fully realize its objectives of becoming a world-class marine research campus, responding to the increased current and future demand for marine research and education, and remedying current space and program deficiencies.

ii. Modified Land Use Diagram Alternative

The Modified Land Use Diagram Alternative would eliminate the upper terrace development area, alter and increase the footprint of programmed development within the middle terrace development area, and decrease the development of the lower terrace relative to the proposed Coastal LRDP site plan. The net area of development would provide increased development buffers for wetlands and for potential wildlife habitat and habitat corridors on the campus.

Under this alternative, local construction-related noise and air quality impacts could be greater than with the proposed Coastal LRDP, because development on the middle terrace would extend closer to the adjacent residential development. Impacts to site hydrology and water quality could be greater than under the proposed CLRDP, as limited space would be available on the middle terrace for storm water management facilities. Under this alternative, the provision of larger buffer areas would reduce on-site effects to biological resources. Other impacts would be similar to the proposed Coastal LRDP.

This alternative would meet almost all of the project objectives of the proposed Coastal LRDP, and would further meet the project objectives of minimizing on-site effects to biological resources. This alternative was rejected because, with the exception of biological resources impacts, it would not reduce impacts relative to the proposed Coastal LRDP and in some areas could result in greater impacts.

iii. Increased Program Alternative

The Increased Program Alternative would provide additional space for marine research and education and support housing, and slightly increase the size of the

warehouse and laydown yard. The building program would be about 18 percent greater than the building program of the Coastal LRDP. There would be additional population associated with the larger building program.

Under this alternative, impacts would be equal to or greater than under the proposed Coastal LRDP. However, this alternative would enable the campus to accomplish many of its objectives, particularly with respect to public education and enriched quality of life, even more effectively than would the Coastal LRDP. However, the greater level of development under the Increased Program Alternative would result in a diminished ability to meet project objectives with respect to protection of on-site and off-site resources.

iv. Project-by-Project Development Alternative

Under the Project-by-Project Development Alternative, development on the campus would not be directed by a Coastal LRDP or Master Plan. Instead, individual projects would be proposed by UC Santa Cruz or non-UC entities and would be considered, approved, and developed on a case-by-case basis. While development would be consistent with UC policies and would be subject to Coastal Commission requirements and approval, development would be directed by the objectives of each project rather than programmatic or campus-wide objectives, and would hinge on individual environmental analyses and regulatory approvals.

Under this alternative, the rate of growth on the Marine Sciences Campus would likely be slower than under the Coastal LRDP, because project approvals would have to be considered one at a time. As a result, certain impacts, including construction-related air emissions and noise, and near-term traffic impacts would be reduced relative to the Coastal LRDP as proposed. However, impacts on biological resources and hydrology and water quality could be greater in the long term because development would take place without the programmatic habitat protection measures or the Stormwater Concept Plan. The contribution of development to the future regional water supply deficit would still be considered a significant and unavoidable impact under the Project-by-Project Development Alternative, and it is possible that this alternative would result in significant and unavoidable traffic impacts similar to or greater than those of the proposed project.

This alternative was rejected because, without programmatic planning, the University's objective of creating a physical framework to support world-class marine teaching and research and the public service mission of the campus would be compromised. Development would probably occur at a slower place, would be more costly, and ultimately might not include some of the elements proposed under the Coastal LRDP. Although it is reasonable to assume that under the Project-by-Project Development Alternative, development would be cognizant of Coastal Commission objectives such as protection of sensitive habitats and species, resource values could potentially be eroded, which would be inconsistent with the resource protection objectives of the proposed Coastal LRDP.

viii. No Project Alternative

In accordance with CEQA and the CEQA Guidelines, the Final EIR evaluates the "No Project Alternative," which compares the impacts of approving the proposed project with the impacts of not approving it. The No Project Alternative describes the environmental conditions existing at the time of publication of the Notice of Preparation, along with a discussion of what would be reasonably expected to occur at the site in the foreseeable future, based on current plans and consistent with available infrastructure and community services.

Under the No Project Alternative, the Coastal LRDP would not be adopted and no further growth would be planned for the campus. Existing facilities and programs on the campus would continue to operate, with only such population growth as the current facilities can accommodate.

Under this alternative, all impacts would be reduced relative to the Coastal LRDP as proposed.

This alternative was rejected because many of the objectives of the Coastal LRDP are dependent on the development of new marine research and education space, which would not be provided by this alternative. Under the No-Project Alternative, some of the primary project objectives would not be met, including creating a physical framework to support world-class marine teaching, research, and the public service mission of the campus; attracting outside funding to form research collaborations; enabling agencies to engage in joint planning and development of expanded programs; and responding to future new or expanded initiative and evolving program needs.

ix. Environmentally Superior Alternative

The Regents finds that, in the short term, the No Project Alternative is the environmentally superior alternative because it would avoid almost all environmental impacts of the development under the Coastal LRDP.

The Regents further finds that other than the No Project Alternative, the Reduced Program Alternative is environmentally superior to the project. This alternative would reduce or avoid almost all environmental impacts of the development under the Coastal LRDP. The increase in site population would be relatively small under this alternative and traffic impacts would be less than those under the proposed project, although the significant and unavoidable cumulative traffic impact would still occur. The smaller development program would also reduce impacts associated with construction activity and ground disturbance relative to the proposed project, and would reduce the water demand impacts of the proposed project, although not to less-than-significant levels. On balance, the Reduced Program Alternative is environmentally superior to the proposed project but it would be less effective than the Coastal LRDP in meeting many of the project objectives with respect to expansion of facilities and programs and development of a world-class marine study campus.

E. STATEMENT OF OVERRIDING CONSIDERATIONS

i. Impacts That Remain Significant

As discussed above, The Regents has found that the following impacts of the project remain significant following adoption and implementation of the mitigation measures described in the Final EIR. Mitigation of some of these impacts requires measures that are in the control and jurisdiction of another public agency, and can and should be implemented by those agencies, as described in the Final EIR. If any of those mitigation measures are not implemented by the agencies that can and should implement them, the remaining impact may be significant and unavoidable.

Impacts of the Coastal LRDP:

Number	Impact
4.15-1	Impact associated with increased short-term traffic at Mission and Bay.
4.15-3	Impact associated with increased short and long-term traffic at Mission and Bay.
4.15-4	Impact associated with increased short and long-term traffic at Mission and Chestnut.
4.15-5	Impact associated with increase in total traffic at Mission and Bay.
4.15-6	Cumulative impact associated with decreased levels of service at six study intersections.
4.16-1	Cumulative impact associated with demand for a new water supply source.

ii. Overriding Considerations

This statement of overriding considerations is based on The Regents' review of the Final EIR and other information in the administrative record, including but not limited to the Coastal LRDP. In accordance with CEQA Guidelines Section 15093, The Regents, in determining whether or not to approve the project, has balanced the economic, social, technological and other benefits of the project against its unavoidable environmental risks, and has found that the benefits of the project outweigh the significant adverse environmental effects that are not mitigated to less-than-significant levels. Principal benefits of the project considered by The Regents in evaluating whether to approve the Coastal LRDP despite its significant unavoidable environmental effects are as follows:

1. Coastal-dependent industries contribute billions of dollars to California's economy each year, yet the coastal oceans remain vastly understudied. Integrated efforts on the part of researchers, public educators and policy-makers to understand the effects of human activity on the state's coastal zone are essential if the state is to address environmental problems before they become insoluble. The Coastal LRDP will advance this understanding by enabling the University and its collaborators to conduct and support marine science instruction and research in a setting that fosters effectiveness and excellence in these fields.

2. The Coastal LRDP will also advance California's economic, social and cultural development, which depends upon broad access to an educational system that prepares all of the state's inhabitants for responsible citizenship and meaningful careers.

3. The Coastal LRDP will allow for the development of approximately 378,000 square feet of marine research and education facilities to remedy existing and future space shortages, accommodate planned program direction in instruction, research and public service functions, and provide capacity for future program requirements.

4. The Coastal LRDP will provide housing for approximately 20 percent of the projected campus population. By including this housing, not only will the Coastal LRDP provide opportunities for members of the campus community to live locally and participate fully in the life of the campus, it will also meet a portion of the increased demand for affordable housing within the local community and reduce the burden on the local community.

5. UC Santa Cruz provides many direct services at the Marine Science Campus for both on-campus and off-campus users, including but not limited to: public access and recreation opportunities and public information and education services. It also provides many indirect community contributions in the form of education, artistic, and cultural enrichment to residents of the Santa Cruz area through such functions as extension courses, conferences and workshops. As the Coastal LRDP is implemented, the level of these services and contributions will grow. The Coastal LRDP will provide opportunities on the Marine Science Campus for campus users and coastal visitors to exercise, recreate, and enjoy coastal resources. The Coastal LRDP will enrich the quality of life in the local and regional community by providing a facility that interprets marine research at the University and promotes understanding of the central California coastal marine environment.

6. The campus is the largest employer in the Santa Cruz area. This is particularly significant because of the quality and diversity of new jobs that are related to the implementation of the Coastal LRDP. The Coastal LRDP will also attract governmental, non-profit, and private research and education affiliates that bring additional financial resources to the campus, and the Santa Cruz region.

7. The Coastal LRDP will constitute a significant economic benefit to the Santa Cruz area. UC Santa Cruz has a significant economic impact on the area's economy. The total economic impact of UC Santa Cruz in the Santa Cruz area is much greater than the sum of the direct expenditures made by UC Santa Cruz and its affiliated organizations and populations. Each dollar spent locally by UC Santa Cruz cycles through the area economy, generating additional income and employment.

8. The increased economic activity resulting from campus growth is also expected to result in secondary growth in non-University businesses in the Santa Cruz area. Implementation of the Coastal LRDP will also provide construction employment as individual building projects are developed.

9. When compared to the alternatives analyzed in the Final EIR (including the No Project Alternative), the Coastal LRDP provides the best available balance between maximizing attainment of the project objectives and minimizing significant environmental impacts.

F. 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 Physical Planning and Construction, Barn G, University of California, 1156 High Street, Santa Cruz, California 95064. The custodian for these records of proceedings is UC Santa Cruz Physical Planning and Construction.

G. SUMMARY

1. 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 significant environmental effects identified in the Final EIR:

a. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects on the environment.

b. Those changes or alterations are wholly or partially 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, make infeasible the mitigation measures or alternatives identified in the Final EIR that would otherwise avoid or substantially lessen the identified significant environmental effects of the project.

2. Based on the foregoing Findings and the information contained in the record, it is hereby determined that:

a. All significant effects on the environment due to 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 Statement of Overriding Considerations in Section II.E, above.

III. APPROVALS

The Regents hereby takes the following actions:

A. The Regents has certified the Final EIR in Section I., above.

B. The Regents hereby adopts as conditions of approval of the Coastal LRDP all mitigation measures within the responsibility and jurisdiction of the University set forth in Section II.B of the Findings, above.

C. The Regents hereby adopts the Mitigation Monitoring Program for the project and

discussed in Section II.C of the Findings, above.

D. The Regents hereby adopts these findings in their entirety as its findings for these actions and approvals.

E. Having certified the Final EIR, independently reviewed and analyzed the Final EIR, incorporated mitigation measures into the project, and adopted findings and a statement of overriding considerations, The Regents hereby approves the Coastal Long Range Development Plan for the University of California, Santa Cruz, Marine Science Campus.