

Certification of the Final EIR, Findings and Approvals for the San Clemente Graduate Student Housing and for Amendment of the Long Range Development Plan, Santa Barbara Campus

I. CERTIFICATION OF THE FINAL EIR.

Pursuant to Title 14 California Code of Regulations §15090, the Board of Regents of the University of California ("The Regents") hereby certifies that the San Clemente Graduate Student Housing and El Colegio Road Improvements Final Environmental Impact Report ("Final EIR") for the University of California, Santa Barbara campus ("UCSB" or "the campus") and for amendment of the 1990 Long Range Development Plan for UCSB (the "Project") has been completed in compliance with the California Environmental Quality Act, Public Resources Code §21000 et seq. ("CEQA") and the State CEQA Guidelines, Title 14, California Code of Regulations, §15000 et seq. The Regents further certifies that the Final EIR was presented to The Regents and that The Regents has reviewed and considered the information contained in the Final EIR prior to approving the Project, as set forth below in Section III. As part of this certification, The Regents hereby find that the Final EIR reflects the independent judgment and analysis of the University of California (the "University"). The Final EIR includes the February 2004 Draft EIR, and the March 2004 Final EIR.

II. FINDINGS.

Having received, reviewed and considered the information in the record before it, including the Draft and Final EIR (February 2004 and March 2004, respectively), which are herein incorporated by reference, the following Findings are hereby adopted by the The Regents, pursuant to Public Resources Code §§21081, 21081.5, and 21081.6 and California Code of Regulations, Title 14, §§15091 through 15093, in conjunction with the approval of the Project, which is set forth in Section III below.

The Regents certifies that these findings are based on the full appraisal of all viewpoints, including all comments received up to the date of adoption of the findings, concerning 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.

Due to the change in conditions from 1990 to 2004, the campus has not tiered the San Clemente Graduate Student Housing and El Colegio Road Improvements EIR from the 1990 Long Range Redevelopment Plan EIR approval. However, many of the issues identified here were considered in the Long Range Development Plan EIR and relevant, accurate information has been incorporated by reference into the Final EIR.

A. Background.

As fully described in Section 3 of the Draft EIR, the project consists of the construction of 976 beds of student housing on 11.5 acres west of the Main Campus and associated amendments to the 1990 LRDP. The project fronts El Colegio Road, the main access road into campus from the west. The site occupies the south portion of Storke Field, an existing University play field. The field area displaced by the housing project will be replaced with a new field on the north side of Storke Field and north of Parking Lot 38. The project includes 386,436 gross square feet (gsf)

(279,337 assignable square feet (asf)). There are support spaces, laundries, study rooms, and a multi-purpose community building. Parking for residents is provided in a four-story parking structure containing 622 spaces. An additional 220 parking spaces are provided in on-grade parking courts. The project would also establish associated landscaping.

The EIR also analyzes improvements to El Colegio Road proposed by the County of Santa Barbara to accommodate existing traffic, the proposed housing project and future development in the Isla Vista and the Goleta area. Proposed road improvements include construction of a two-lane roadway and five roundabouts. This road improvement project was analyzed in the EIR but will be approved by the County of Santa Barbara.

B. Environmental Review Process.

In accordance with CEQA and the University of California Procedures for the Implementation of CEQA, an Initial Study was prepared for the Project to help focus the EIR on environmental effects that could be potentially significant, identify effects that would not be significant, and explain why certain potentially significant effects were determined not to be significant. The Initial Study is included as Appendix A to the Final EIR.

The Initial Study for the Project concluded that impacts in the following areas would be less than significant after incorporation of mitigation measures: cultural resources, and geology and soils. The Initial Study determined that implementation of the proposed Project may, either by itself or cumulatively with existing and proposed development in the area, have potentially significant environmental effects in the following areas: aesthetics, air quality, biological resources, hydrology and water quality, noise, recreation, utilities (solid waste), and traffic and parking. The Draft EIR for the Project therefore analyzed impacts in those areas.

In compliance with Public Resources Code §21080.4, a Notice of Preparation (NOP) and the Initial Study were distributed to state and local agencies and other interested parties on November 6, 2003 for a 30-day review period. A public scoping meeting was held on November 20, 2003.

The Notice of Completion and Draft EIR for the project were published on February 6, 2004 (SCH# 2001051138). The official public notice of availability announcing: (1) the availability of the Draft EIR for the review and comment by the public and agencies; (2) the date and location of a public hearing on the EIR; and (3) how to obtain copies of the EIR, appeared in the Santa Barbara NewsPress, the local paper of public record, on February 9, 2004. Notices were sent to over 500 UCSB neighbors providing notice of the comment period. The 45-day public and agency review period extended from February 9, 2004 through March 24, 2004. Eight letters were received during the public review period and were considered by UCSB. Letters were received from the following agencies:

- County of Santa Barbara
- City of Goleta
- Metropolitan Transit District
- Isla Vista Recreation and Park District
- California Department of Fish and Game

- Santa Barbara Bicycle Coalition
- Citizens for Goleta Valley
- Santa Barbara County Association of Governments

Written comments addressed traffic impacts to roadways in the City of Goleta, the loss of 0.3 acres of recreational fields, potential safety impacts associated with proposed driveways that would cross the Class I bike path located on the north side of El Colegio Road, potential safety impacts associated with the Class I bike path crossing Stadium Road, and the loss of 47 trees at the site.

In addition, members of the public were invited to submit comments on the Draft EIR in testimony at a public hearing held for that purpose on March 11, 2004. Ten persons provided comments on the Draft EIR at the public hearing in regard to the following issue areas:

- a. Potential safety impacts associated with proposed driveways that would cross the Class I bike path located on the north side of El Colegio Road and on the south side of the proposed housing project site.
- b. Potential water quality impacts associated with the use of landscape maintenance products at the housing project site.
- c. The proposed reconfiguration of Storke Field would result in one less soccer field than can currently be provided on the field.
- d. The proposed housing project should implement a car-sharing program and rental rate reductions should be provided to residents that do not have an automobile.
- e. The northern extension of Storke Field could result in conflicts with the nearby student garden and greenhouse.
- f. The proposed housing project could result in access constraints to Storke Field.
- g. Too many parking spaces would be provided by the proposed housing project.
- h. An adequate number of bicycle parking spaces should be provided on the housing project site.

The Final EIR contains all of the comments received during the public comment period, including a transcript of the public hearing, 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 raising significant environmental issues.

Pursuant to CEQA Guidelines Section 15088.5, a lead agency is required to recirculate an EIR when significant new information is added to the EIR after notice is given, but before certification. The term "information" includes: (i) changes to the project; (ii) changes in the environmental setting; or (iii) additional data or other information. CEQA Guidelines Section 15088.5 further provides that "[n]ew 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 (including a feasible project alternative) that the project's proponents have declined to implement."

Since the notice of the Draft EIR, there have been no changes in the Project, no changes in the environmental setting, and no additional data or other information that would deprive the public of a meaningful opportunity to comment upon the Project. Therefore, having reviewed the information contained in the Draft and Final EIR and in the administrative record, as well as the requirements under CEQA Guidelines Section 15088.5 regarding recirculation of draft EIRs, The Regents hereby finds that there is no new significant information and no need to recirculate the EIR.

The Final EIR, which includes the Draft EIR and responses to comments received during the public review period for the Draft EIR, was published April 1, 2004. The information provided in the Final EIR did not include any new information regarding impacts or mitigation measures. The analysis and conclusions contained in the Final EIR reflect the independent judgment of the University and are based upon substantial evidence obtained in the administrative record.

The Final EIR for the Project analyzes environmental impacts in the following areas: aesthetics, air quality, biological resources, hydrology and water quality, noise, recreation, utilities (solid waste) and traffic and parking. In addition, the EIR considered, in separate sections, Growth Inducing Impacts and Alternatives to the Project. The Final EIR analyzes both the impacts of the Project and cumulative impacts and mitigation measures. All of the significant environmental impacts of the Project were identified in the text of the Draft EIR. Implementation of the Project may result in significant impacts in a number of areas. Certain impacts in the following areas would be significant without mitigation but will be reduced to less than significant levels by incorporating the proposed mitigation measures in the Final EIR: aesthetics, air quality, biological resources, cultural resources, geology and soils, hydrology and water quality, noise, recreation, utilities (solid waste), and transportation/traffic. Some impacts in the following areas would be significant and unavoidable: aesthetics, air quality, utilities (solid waste), and transportation/traffic.

The Final EIR identifies mitigation measures for the potentially significant impacts of the Project and for certain less-than-significant impacts. Though CEQA does not mandate the adoption of mitigation measures where impacts are identified as less than significant, all mitigation measures included in the Final EIR are recommended to The Regents as elements of the Project, and thus become binding upon The Regents' certification of the Final EIR.

C. Significant Unavoidable Adverse Impacts and Related Mitigation Measures.

Public Resources Code §21081(a)(1) and CEQA Guidelines §15091(a)(1) require a public agency to make specific findings that significant environmental effects identified in an EIR have been avoided and/or mitigated to a less than significant level prior to approving a project. Where a public agency cannot make the findings required by Public Resources Code §21081(a)(1) and CEQA Guidelines §15091(a)(1) due to the existence of significant and unavoidable environmental impacts, the agency is required to balance the economic, legal, social, technological or other benefits of the project against its unavoidable environmental risks when determining whether to approve the project. When a public agency approves a project that will result in the occurrence of significant effects that are identified in the Final EIR but are not avoided or substantially lessened, the agency shall adopt a written "Statement of Overriding Considerations" to support its action.

The Final EIR identifies five significant unavoidable adverse impacts associated with the approval of the Project, related to aesthetics, air quality, utilities (solid waste), and transportation/traffic, after implementation of related mitigation measures. For a detailed description of these mitigation measures, please see appropriate references in the Draft EIR, the Final EIR, and the Mitigation Monitoring Program.

1. Aesthetics: Scenic Vistas and Visual Character (Project Impact).

The San Clemente Graduate Student Housing project would substantially degrade existing scenic vistas of the Santa Ynez Mountains and the open space character of the project site.

No mitigation measures were identified that would feasibly reduce this significant and unavoidable aesthetics impact. Pursuant to Public Resources Code section 21081(a)(3), The Regents finds that it is infeasible to implement any mitigation measures or any alternatives that would fully mitigate or avoid the residual impact, therefore this impact is considered significant and unavoidable.

2. Aesthetics: Loss of Open Space (Cumulative Impact).

The San Clemente Graduate Student Housing project would contribute to the significant and unavoidable cumulative loss of open space impact identified by the 1990 LRDP Final EIR. The Final EIR notes that a Statement of Overriding Considerations was previously adopted by the University for this significant and unavoidable cumulative impact as part of the approval process for the 1990 LRDP. Pursuant to Public Resources Code section 21081(a)(3), The Regents finds that it is infeasible to implement any mitigation measures or any alternatives that would fully mitigate or avoid this residual impact, therefore this impact is considered significant and unavoidable.

3. Air Quality: Ozone Precursors (Project Impact).

The San Clemente Graduate Student Housing project would result in new vehicle trips and related emissions that exceed long-term thresholds for ozone precursors that have been adopted by the Santa Barbara County Air Pollution Control District. No mitigation measures were identified that would feasibly reduce this significant and unavoidable impact. Pursuant to Public Resources Code section 21081(a)(3), The Regents finds that it is infeasible to implement any mitigation measures or any alternatives that would fully mitigate or avoid the residual impact, therefore this impact is considered significant and unavoidable.

4. Utilities: Solid Waste Disposal (Project and Cumulative Impact).

The amount of solid waste requiring landfill disposal that would be generated by the residents of the project would exceed the significance threshold adopted by Santa Barbara County. Therefore, the housing project would result in a significant project-specific and cumulative solid waste disposal impact. Additionally, construction of the project would result in a short-term increase in the amount of construction –related solid waste that is sent to the Tajiguas Landfill for disposal.

Project Mitigation Measure UCSB UTL-1 requiring construction and demolition waste to be recycled to the extent feasible; with feasibility to be determined by making reasonable efforts to find local recycling businesses that will accept construction and demolition waste generated by

the project would minimize the amount of solid waste generated by the construction of the proposed student housing project, but no mitigation measures were identified that would feasibly reduce long-term solid waste disposal impacts of the proposed project to a less than significant level. Pursuant to Public Resources Code section 21081(a)(3), The Regents finds that it is infeasible to implement any mitigation measures or any alternatives that would fully mitigate or avoid the long-term solid waste disposal impact, therefore this impact is considered significant and unavoidable.

5. Transportation/Traffic: Roadway and Intersection Operations (Project and Cumulative Impact).

Intersections along El Colegio Road and Los Carneros Road presently operate below levels of service that are considered to be acceptable by County of Santa Barbara and the City of Goleta threshold criteria. Segments of the El Colegio Road and Los Carneros roadways also operate at poor levels of service. The implementation of proposed improvements to El Colegio Road by the County of Santa Barbara, along with recommended mitigation measures for improvements to Los Carneros Road and Storke Road by the County of Santa Barbara and the City of Goleta, would improve the operation of those roadways to acceptable levels of service after the addition of project-related and cumulative traffic. However, if the road improvements or mitigation measures cannot be completed prior to the occupancy of the project, the project would result in significant project-specific and cumulative impacts to the operation of El Colegio Road, Los Carneros Road and Storke Road. These impacts would continue until such time that the road improvements are provided. If the road improvements and/or mitigation measures cannot be implemented due to permitting requirements, funding constraints, or other reasons, the project would result in significant and unavoidable traffic impacts.

Pursuant to Public Resources Code section 21081(a)(3), The Regents finds that it is infeasible to implement the road improvements that are outside of the campus' jurisdiction, any mitigation measures or any alternatives that would fully mitigate or avoid the traffic impact therefore this impact is considered significant and unavoidable.

D. Significant Impacts Identified in the EIR That Are Reduced to a Level of "Less Than Significant" by Mitigation Measures Incorporated Into the Project.

The Initial Study and Final EIR identify the following significant impacts associated with the Project that are reduced to less than significant levels by Mitigation Measures identified in the EIR. Pursuant to Public Resources Code 21081(a)(1) and CEQA Guidelines (a)(1), The Regents finds that the significant environmental impacts which these Mitigation Measures address will be mitigated to a less than significant level or avoided by incorporation of the Mitigation Measures into the Project.

The mitigation measures identified below are presented in summary form. For a detailed description of these mitigation measures, please see appropriate references in the Draft EIR, as amended by the Final EIR.

1. Aesthetics – Lighting.

Lighting to be provided in outdoor areas of the San Clemente Graduate Student Housing project site has the potential to substantially increase lighting levels in the project area which may result

in significant impacts to surrounding land uses and transportation corridors. Project Mitigation Measure AES-3 requiring lighting fixtures throughout the housing project be shielded or designed to shine downward to minimize spillover onto areas beyond the project site and be limited to the minimum necessary to ensure safety and meet applicable code requirements is hereby adopted and incorporated into the Project, and will ensure that aesthetic impacts related to lighting are reduced to a less than significant level.

2. Aesthetics – Removal of Mature Cypress Trees.

The development of the 2.2-acre northern extension of Storke Field would result in the removal of a row of mature cypress trees. The removal of the trees would substantially degrade the existing visual character of the project site and result in a significant visual impact. Project Mitigation Measure AES-4 requiring the 2:1 replacement for each cypress tree removed using native tree species to be planted along the northern or western perimeter of the northern Storke Field expansion area is hereby adopted and incorporated into the Project, and will ensure that aesthetic impacts related to the removal of the mature cypress trees are reduced to a less than significant level.

3. Air Quality – Dust Emissions.

Dust emissions from the construction required for the San Clemente Graduate Student Housing project and the El Colegio Road Improvements project have the potential to result in significant air quality impacts and substantially contribute to an existing air quality violation. Project Mitigation Measures UCSB AQ-2a-f requiring a variety of dust control measures are hereby adopted and incorporated into the Project, and would be consistent with the requirements of the 1979 Air Quality Attainment Plan and would minimize the effects of short-term construction-related dust emissions and related air quality impacts from the project to a less than significant level.

4. Air Quality – CO Concentrations.

Traffic generated by the San Clemente Graduate Student Housing project would incrementally contribute to CO concentrations along El Colegio Road. The improvements to El Colegio Road, which is planned to be implemented by the County of Santa Barbara in conjunction with the Project, would improve intersection operation along El Colegio Road to the level of service “A” and “B” range, which would reduce the potential for significant CO concentration impacts to a less than significant level. No additional mitigation measures are required.

The analysis of potential project-specific and cumulative traffic impacts indicates that a significant and unavoidable traffic impact would occur along El Colegio Road if the roadway improvements are not operational prior to the occupancy of the Project. This significant traffic impact would continue until such time that the roadway improvements are completed by the County. If the proposed improvements to El Colegio Road are not operational prior to occupancy of the Project, traffic from the Project would be added to intersections that presently operate at level of service “D” or below and the Project would have the potential to contribute to CO concentration impacts along El Colegio Road. If CO concentrations were to exceed adopted threshold concentration, the Project would incrementally contribute to this significant impact.

5. Biological Resources – Stormwater Management System.

Construction of the stormwater management system on the western portion of the project site would result in significant direct impacts to wetland buffer areas. Project Mitigation Measure UCSB BIO-1a through 1e requiring consultation, temporary construction fencing, restoration, enhancement, and a maintenance schedule designed to preserve wetland vegetation and habitat quality are hereby adopted and incorporated into the Project, and will reduce potential short-term and long-term impacts to wetland buffer areas related to storm drain installation to a less than significant level.

6. Biological Resources – Wetlands and Wetland Buffers.

The project has the potential to result in significant short- and long-term indirect impacts to off-site wetlands and required buffer areas. Project Mitigation Measures BIO 2a through 2g:

- Require drainage plans to maintain pre-project hydrologic conditions of existing wetland areas west of the project site;
- Require appropriate permanent fencing around wetland buffer areas;
- Require the northern perimeter of the proposed northern extension of Storke Field be landscaped with native plants to provide a buffer between the field and the adjacent Storke Campus Wetlands;
- Require water discharged from the proposed storm water management system to the drainage channel located east of Los Carneros Road and north of Parking Lot No. 38 to be conducted in a non-erosive manner;
- Require runoff from the northern extension area for Storke Field to be directed to the south, away from the Storke Wetlands and toward the existing bioswale located on the north side of Parking Lot No. 38;
- Require the reconfiguration of the northeast corner of the proposed turf field to be located outside of the 100-foot buffer for the Storke Wetlands, and
- Prohibit plant species identified by the California Department of Fish and Game as having the potential to result in invasive plant impacts;

These mitigation measures are hereby adopted and incorporated into the Project, and will reduce potential short-term and long-term impacts to off-site wetlands and 100-foot buffer areas to a less than significant level.

7. Biological Resources – Removal of Southern Tarplant.

The development of the San Clemente Graduate Student Housing project stormwater management system and the reconfiguration of Storke Field will result in the removal of southern tarplant. Project Mitigation Measures UCSB Bio-4a through 4c requiring restoration of at least 12,000 square feet of habitat area suitable for preservation/restoration of southern tarplant, preparation and successful implementation of a restoration plan, including site preparation, planting, and ongoing maintenance and monitoring efforts for at least three years are hereby adopted and incorporated into the Project, and will ensure that impacts to southern tarplant are reduced to a less than significant level.

8. Biological Resources – Nesting Birds.

Construction activities for the northern expansion of Storke Field undertaken in conjunction with the San Clemente Graduate Student Housing project and construction of the El Colegio Road

Improvements project have the potential to result in significant impacts to nesting birds. Project Mitigation Measure UCSB Bio-5a through 5c requiring tree removal outside the typical nesting season, pre-construction nesting surveys if tree removals or construction is to occur during the bird nesting season, and restrictions on tree removals and noise-producing construction activities if nesting birds are present, are hereby adopted and incorporated into the Project, and will ensure that impacts to nesting birds are reduced to a less than significant level.

9. Cultural Resources.

There is no evidence that archaeological or paleontological resources are located on the project site. There is still the possibility that such resources could be encountered during the project construction phase. Project Mitigation Measures UCSB CUL-1a through UCSB CUL-1e requiring a professional archaeologist for cultural resources orientation, monitoring, surveying, and reporting, monitoring by a Chumash representative for any mitigation work associated with Native American cultural material, and specific actions including temporary suspension or redirection of earth disturbing work in the event that potentially significant cultural resources or human remains are unearthed during project construction are hereby adopted and incorporated into the project, and will ensure that potential impacts to cultural resource would be reduced to a less than significant level.

10. Geology – North Branch of the More Ranch Fault.

Movement along the North Branch of the More Ranch fault has the potential to result in damage to a proposed sewer line that would serve the project. Project Mitigation Measure UCSB GEO-1a through UCSB GEO-1b requiring the proposed sewer line to be included in the Campus utilities monitoring system and provided with shut-off valves located on the north and south sides of the mapped location of the North Branch of the More Ranch Fault is hereby adopted and incorporated into the Project, and will ensure that impacts related to movement along the North Branch of the More Ranch fault are reduced to a less than significant level.

11. Geology – Erosion and Sedimentation.

Project construction activities have the potential to result in significant short-term erosion and sedimentation impacts to the Storke Wetlands and the Goleta Slough. Project Mitigation Measure UCSB GEO-2a through 2i requiring “best management practices” to minimize erosion and sedimentation are hereby adopted and incorporated into the Project, and will ensure that potential erosion and sedimentation impacts associated with the project are reduced to a less than significant level.

12. Hydrology - Erosion and Sedimentation.

The discharge of stormwater to the off-site channel located east of Los Carneros Road and north of Parking Lot No. 38 has the potential to result in significant erosion and sedimentation impacts to downstream biological resources. Project Mitigation Measure BIO-2f requires that discharges from the proposed stormwater management system be conducted in a non-erosive manner. Compliance with the requirements of this mitigation measure would reduce potential erosion and sedimentation impacts of the proposed project to a less than significant level. No additional mitigation measures are required.

13. Noise - Construction Noise (Project and Cumulative Impact).

Peak noise levels resulting from construction of the San Clemente Graduate Student Housing project have the potential to result in significant short-term noise impacts to residences in Isla Vista, the Storke Family Student Housing facility, and at the Santa Ynez Student Housing facility.

Project Mitigation Measures UCSB Noise 1a, 1b and 1c requiring limitations on noise generating construction hours, locating stationary construction equipment that results in noise levels in excess of 65 dBA as far away from noise sensitive receptors as possible, shielding equipment from noise sensitive receptors by using temporary walls, sound curtains or other similar devices if required, and informational signage at the construction site are hereby adopted and incorporated into the Project, and are adequate to reduce the effects of short-term construction noise impacts to nearby residences to a less than significant level.

14. Noise - Tire Squeal.

Vehicle operations within the proposed parking structure have the potential to result in tire squeal noise, which could result in significant noise impacts to surrounding residential uses. Project Mitigation Measure UCSB Noise-3 requiring the floor surfaces of the parking structure to be provided with a textured surface to minimize the potential for tire squeal noise is hereby adopted and incorporated into the Project, and will reduce the potential for periodic noises from the parking structure to adversely effect nearby residences to a less than significant level.

15. Recreation - Grading, Dust Generation.

Grading activities that would be required to reconfigure Storke Field would have the potential to result in a significant short-term dust impact to the greenhouse and student garden facilities located near the northwest corner of the proposed field. The implementation of the construction-related dust control measures required by mitigation measure AQ-2a-f would be adequate to reduce potential construction dust impacts to the greenhouse and student garden to a less than significant level. No additional mitigation measures are required.

16. Recreation - Access to Proposed Northern Field.

Access to the proposed northern extension of Storke Field from Parking Lot 38 and the main Storke Field could be constrained by an existing grass-lined drainage swale. Project Mitigation Measure UCSB REC-2 requiring access across the existing grass-lined drainage swale to be enhanced by providing footbridges or other types of crossings across the swale is hereby adopted and incorporated into the Project, and will reduce potential access impacts of the proposed northern field extension to a less than significant level.

17. Transportation/Traffic - Los Carneros Road.

The proposed housing project would result in a project-specific impact to the 2-lane segment of Los Carneros Road south of Hollister to Mesa Road, which exceeds the County design standard for a 2-lane arterial (the project would add 613 ADT to the segment). Project Mitigation Measure UCSB TRF-1c requiring UCSB to participate in the “fair-share” funding of GTIP improvements through the payment of appropriate traffic fees as agreed upon with the City of Goleta for identified improvements to Los Carneros Road is hereby adopted and incorporated

into the Project, and will reduce project-specific impacts to Los Carneros Road to a less than significant level.

18. Transportation/Traffic- Storke Road.

The existing volumes on the 2-lane segment of Storke Road south of Whittier Drive exceed the County of Santa Barbara's acceptable capacity designation for the roadway. The project would add 214 ADT to this segment, increasing traffic volumes by about 1.3 percent, which is a significant impact. Project Mitigation Measure UCSB TRF-2b requiring UCSB to participate in the "fair-share" funding of Storke Road improvements through the payment of appropriate traffic fees as agreed upon with the City of Goleta and the County of Santa Barbara is hereby adopted and incorporated into the Project, and will increase the capacity of the roadway segment and reduce project-specific impacts to Storke Road to a less than significant level.

19. Transportation/Traffic - Mesa Road/Los Carneros Intersection.

This intersection would operate at LOS D under existing + project conditions. The San Clemente Graduate Student Housing project would add 55 p.m. peak hour trips, exceeding the LOS D threshold of 15 project-added trips. Project Mitigation Measure UCSB TRF-3b requiring UCSB to continue to participate in the "fair-share" funding of GTIP improvements through the payment of traffic fees to Santa Barbara County as required by the 1990 LRDP Mitigation Implementation Agreement is hereby adopted and incorporated into the Project, and will reduce project-specific impacts to the Mesa Road/Los Carneros Road intersection to a less than significant level.

20. Transportation/Traffic - Pedestrian Facilities.

The pedestrian crossings at the proposed roundabouts are separated from the roundabout by the recommended 25 feet on the east, west and south legs of the roundabouts at the El Colegio Road / Camino Pescadero, El Colegio Road/Embarcadero Del Mar, and El Colegio Road/Embarcadero Del Norte intersections. A similar 25-foot separation is not provided on the north leg of the roundabouts, adjacent to the San Clemente Project. This has the potential to result in a significant pedestrian safety impact. Project Mitigation Measure UCSB TRF-5 requiring revisions to the project design to establish a minimum 25-foot separation distance between proposed pedestrian crossings and each of the proposed roundabouts is hereby adopted and incorporated into the Project, and will reduce potential pedestrian safety impacts to a less than significant level.

21. Transportation/Traffic - Bicycle Facilities.

Cumulative forecasts show 540 bicyclists crossing Stadium Road in the east-west direction during the peak hour and 265 bicyclists crossing El Colegio Road in the north-south direction during the peak hour. The mix of about 1,690 vehicles and 805 bicyclists during the peak hour period would result in a potentially significant impact. Project Mitigation Measure UCSB TRF-6a, requiring the proposed east-west Class I bike crossing to be moved northerly on Stadium Road so that bicyclist do not mix with vehicles using the roundabout creating a mid-block crossing that is similar to the crossing currently in place, is hereby adopted and incorporated into the Project, and will reduce potential bicycle safety impacts at the El Colegio Road/Stadium Road intersection to a less than significant level. Project Mitigation Measure UCSB TRF-6b requiring UCSB to consider creating a south leg to the El Colegio Road/Stadium

Road roundabout designed and dedicated for bicycles only to introduce the bicyclists into the roundabout where motorist could recognize their presence. Implementation of Mitigation measure 6b may provide a further reduction in bicycle safety impacts to reduce potential safety impacts to a less than significant level.

22. Transportation/Traffic - Storke Road/Hollister Road Intersection.

The Storke Road/Hollister Avenue intersection is forecast to operate at LOS D with existing + project traffic. The housing project would add 16 PHT to this intersection, which would exceed the City of Goleta's 15-trip threshold for intersections operating in the LOS D range. Project Mitigation Measure UCSB TRF-7a-2 through 7d-2 requiring UCSB to participate in the "fair-share" funding of transportation improvements through the payment of appropriate traffic fees as agreed upon with the City of Goleta, or to extend Phelps Road easterly from Storke Road and connect to Mesa Road west of Los Carneros Road, are hereby adopted and incorporated into the Project, and will reduce project-specific impacts to the Storke Road/Hollister Road intersection to a less than significant level.

E. Cumulative Impacts

Under CEQA, cumulative impacts are significant when the incremental effects of the Project are considerable when viewed in connection with the effects of past projects, the effects of other current projects and the effects of probable future projects. The Final EIR analyzes cumulative impacts with respect to the following environmental issue areas: aesthetics, air quality, biological resources, cultural resources, geology and soils, hydrology and water quality, noise, recreation, utilities (solid waste) and transportation and traffic. The "cumulative context" includes the existing, previously approved, and reasonably foreseeable future projects on the Campus, in the County of Santa Barbara, and in the City of Goleta that would contribute to the particular cumulative impact.

The Final EIR identifies significant cumulative impacts related to: aesthetics, utilities (solid waste), and traffic. Significant and unavoidable cumulative impacts related to aesthetics and utilities (solid waste) are identified in Section C above. Cumulative traffic impacts that can be reduced to a less than significant level are described below.

1. Transportation/Traffic: Parking Structure Access.

Vehicles entering the parking structure during peak times have the potential to adversely affect traffic operations on Stadium Road and/or affect the adjacent Class I bicycle crossing just south of the access point. Project Mitigation Measure UCSB TRF-8 requiring UCSB to monitor the operation of the student housing parking structure driveways and the operation of Stadium Road for a period of at least one week per year for the first three years of operation of the parking structure is hereby adopted and incorporated into the Project, and will reduce potential parking structure access impacts to Stadium Road to a less than significant level.

2. Transportation/Traffic: Mesa Road/Stadium Road Intersection.

This intersection is forecast to degrade from LOS C operations to LOS D operations with the addition of project traffic under cumulative conditions, which is considered a significant impact. The constraint at the intersection is the single lane approaches (no turn lanes) at the stop-sign controlled approaches. Project Mitigation Measure UCSB TRF-9 requiring UCSB to monitor the

operation of the Mesa Road/Stadium Road intersection on an annual basis for a period of at least 3 years after the start of operation of the student housing parking structure, determine the level of service of the Mesa Road/Stadium Road intersection, and if the monitoring determines that the intersection is operating at LOS D or below, implement one of three improvement strategies (install new left turn lanes with all-way stop control, install new left turn lanes with traffic signal, install roundabout). The above mitigation measure is hereby adopted and incorporated into the Project, and will reduce cumulative traffic impacts at the Mesa Road/Stadium Road intersection to a less than significant level.

3. Transportation/Traffic: Los Carneros Road.

The cumulative volumes for the segment of Los Carneros Road between Hollister Avenue and Mesa Road would exceed Santa Barbara County's design capacity. Project Mitigation Measure UCSB TRF-1c requiring UCSB to participate in the "fair-share" funding of GTIP improvements through the payment of appropriate traffic fees as agreed upon with the City of Goleta for identified improvements to Los Carneros Road is hereby adopted and incorporated into the Project, and will reduce cumulative impacts to Los Carneros Road to a less than significant level.

4. Transportation/Traffic: Storke Road.

The two-lane segment of Storke Road south of Whittier Drive is forecast to carry 16,200 ADT under cumulative + project conditions. These volumes exceed Santa Barbara County's acceptable capacity C threshold for the roadway. The project would add 214 ADT to this segment (a 1.3% increase), which is a significant cumulative impact. Project Mitigation Measure UCSB TRF-2b requiring UCSB to participate in the "fair-share" funding of Storke Road improvements through the payment of appropriate traffic fees as agreed upon with the City of Goleta and the County of Santa Barbara Road is hereby adopted and incorporated into the Project, and will increase the capacity of the roadway segment and reduce cumulative impacts to Storke Road to a less than significant level.

5. Transportation/Traffic: Mesa Road/Los Carneros Intersection (Cumulative Impact).

This intersection is forecast to operate at LOS F under cumulative + project conditions. The project would add 0.016 to the V/C ratio, which is considered a significant cumulative traffic impact based on County thresholds. There is a substantial increase in north-south traffic forecast at the intersection, as well as additional east-west traffic resulting from the Phelps Road Extension. Project Mitigation Measure UCSB TRF-3b requiring UCSB to continue to participate in the "fair-share" funding of GTIP improvements through the payment of traffic fees to Santa Barbara County as required by the 1990 LRDP Mitigation Implementation Agreement is hereby adopted and incorporated into the Project, and will reduce cumulative impacts to the Mesa Road/Los Carneros Road intersection to a less than significant level.

The 1990 LRDP EIR fully analyzed the environmental impacts from cumulative development of proposed LRDP projects and other related past, present, and reasonably foreseeable future projects in the surrounding community, and that discussion is incorporated into these Findings to the extent pertinent. The Project would incrementally contribute to, but would not exceed, the cumulative impacts previously identified in the LRDP EIR. Cumulative campus development impacts have been fully addressed by the Findings and Overriding Considerations adopted by The Regents in connection with its approval of the 1990 LRDP. This Project amends the 1990

LRDP, and conducted independent analysis of the cumulative environmental impacts of this Project.

F. Mitigation Monitoring Program

Public Resources Code §21081.6 and CEQA Guidelines §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 Regents requires the campus to monitor Mitigation Measures designed to reduce or eliminate significant impacts, as well as those Mitigation Measures designed to reduce environmental impacts that are less than significant. The Mitigation Monitoring Program includes all of the Mitigation Measures and project design features identified in the Final EIR, and has been designed to ensure compliance during implementation of the Project.

G. Alternatives

CEQA requires that a reasonable range of alternatives to the Project which could feasibly attain the basic objectives of the Project but would avoid or substantially lessen the Project's significant effects be described and evaluated, including the "No Project" Alternative. Analysis of four alternatives to the proposed housing project is included in Section 8, Alternatives, of the Final EIR. The alternatives considered are as follows: (1) No Project; (2) Alternate Project Site; (3) Reduced Project Size; and (4) Reduced Parking Supply. Additionally, the EIR studied alternatives related to the El Colegio Road Improvements. As required by CEQA Guidelines § 15126.6, the Final EIR identified the environmentally superior alternative. The methodology for selection of Alternatives involved evaluation of their respective environmental impacts relative to the Project, with particular emphasis on the ability of each Alternative to avoid one or more significant effects of the Project. The feasibility of each Alternative has been analyzed in the Final EIR with respect to the objectives described below.

1. Project Objectives.

The objectives of the proposed San Clemente Graduate Student Housing project are to:

- Accommodate planned enrollment growth at UCSB.
- Serve as a recruitment tool for graduate students.
- Create a community for residents.
- Provide on-campus housing to limit the number of vehicle trips to campus.
- Integrate the housing project into the Isla Vista community.
- Design the proposed structures and the project site using the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) Green Building Rating System.

2. Alternative 1: No Project.

The "No Project Alternative" alternative would result in the project site remaining in its existing condition and new graduate student housing would not be developed. This alternative would avoid project-related significant and unavoidable impacts to: aesthetics, air quality, and utilities (solid waste), and Project and cumulative impacts to traffic (if the proposed road improvements or mitigation measures cannot be completed prior to occupancy of the housing project). The EIR identified a number of other significant impacts that would result from the project. Although the

impacts could be reduced to a less than significant level with the implementation of proposed mitigation measures, the “No Project” alternative would avoid the project-related impacts.

The “No Project” alternative would avoid the cumulative environmental impacts that would result from the project. The impact related to the cumulative loss of open space, however, would continue to be a significant on a campus-wide basis, as other past, present and future development projects would result in a significant and unavoidable cumulative loss of open space. Overriding considerations for this impact were previously adopted by the University in conjunction with the adoption of the 1990 LRDP.

Implementation of the “No Project” alternative would not achieve any of the objectives of the Project, including the benefit of providing additional student housing adjacent to the Main Campus. There is a long-term need for additional student housing and the project region has a shortfall of affordable housing.

3. Alternative 2: Alternative Project Site.

This alternative would result in the development of student housing at the site on the Storke Campus identified by the 1990 LRDP, which is located along the northern and western sides of Storke Field. The development of the Project at the alternative project site would fulfill the primary project objective of providing additional on-campus housing. The alternative project location along the northern portion of Storke Field, however, would not be consistent with the project objective to integrate the housing project into the Isla Vista community. The alternative project site would not reduce the significant and unavoidable aesthetic, air quality, solid waste and possible traffic impacts of the proposed project to a less than significant level. This alternative would also result in increased impacts to biological resources, which would be inconsistent with the project objective of obtaining recognition from the Leadership in Energy and Environmental Design program, which encourages the conservation of resources and sustainable site planning.

4. Alternative 3: Reduced Project Size.

The Reduced Project Size alternative evaluated two options that would reduce the number of units and bed spaces provided by the proposed housing project. One option would widen the view corridors that are to be provided through the proposed development resulting in the elimination of 144 bed spaces, and the other option would reduce the use of three-story buildings on the project site, resulting in the elimination of 300 bed spaces.

Each option would provide incremental reductions in the significant impacts of the proposed project, however, aesthetic, air quality, solid waste and possible traffic impacts would remain significant and unavoidable. The option that would widen the view corridors through the project site would achieve the most substantial reduction in aesthetic impacts (loss of views of Storke Field and the Santa Ynez Mountains) of the proposed project while minimizing the loss of residential units and bed spaces.

5. Alternative 4: Reduced Parking Supply.

The Reduced Parking Supply alternatives would result in a 15 to 25 percent reduction in the number of on-site parking spaces provided by the Project. The number of parking spaces would

be reduced by either providing a smaller parking structure on the project site, or by reducing the size of the surface parking lot that would be located on the western end of the housing project site.

The reduced parking structure size alternative would incrementally decrease project-related aesthetic impacts by lowering the height of the proposed parking structure, which would provide a slight reduction in impacts to mountain views. Changes to the visual conditions in the project area, however, would remain significant and unavoidable under this alternative. Reducing the size of the western parking lot would minimize the potential for views of the lot from El Colegio Road and Los Carneros Road, however, this less than significant aesthetic impact would also be minimized by landscaping that is proposed to be placed around the perimeter of the parking lot.

While there is no evidence to support such a conclusion, if providing fewer parking spaces resulted in a reduction in project-generated vehicle trips, the reduced parking alternatives would incrementally reduce project-related traffic and air emissions. These alternatives, however, would not reduce traffic and air emission impacts to a less than significant level. A 25 percent reduction in parking availability resulting from the smaller parking structure alternative would also have the potential to result in a significant parking supply impact if residents of the housing project that could not obtain an on-site parking space attempted to park their vehicles in Isla Vista.

6. Environmentally Superior Alternative.

Each of the alternatives to the Project are listed on Table 8.6-1 of the Final EIR. This table summarizes the potential for the alternatives to result in reduced, similar, or greater environmental impacts when compared to the impacts of the proposed project.

The “No Project” alternative would generally avoid or reduce all environmental impacts associated with the proposed Project. However, this alternative would not implement any of the proposed Projects’ objectives and would not provide any of the beneficial aspects of the project, such as providing additional student housing adjacent to the UCSB Main Campus.

The “No Project” alternative is environmentally superior to the proposed Project, but would not accomplish any of the Projects’ objectives. Section 15126.6(e)(2) of the *CEQA Guidelines* states, “If the environmentally superior alternative is the “no project” alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.”

The Reduced Project Size alternative evaluated two options that would reduce the number of units and bed spaces provided by the proposed housing project. The option that would widen the view corridors provided through the project would result in the elimination of approximately 144 bed spaces. This alternative would provide incremental reductions in the significant impacts of the proposed project, however, aesthetic, air quality, solid waste and possible traffic impacts would remain significant and unavoidable. This alternative would achieve the most substantial reduction in aesthetic impacts (loss of views of Storke Field and the Santa Ynez Mountains) of the proposed project while minimizing the loss of residential units and bed spaces. Therefore, this alternative was identified as the environmentally superior alternative that would achieve the basic objectives of the proposed project.

Pursuant to Public Resources Code § 21081(a)(3) and CEQA Guidelines § 15091(a)(3), The Regents finds that environmentally superior alternative considered in the EIR for the Project are infeasible, would not achieve the University's objectives, and would not offer substantial benefits as compared to the Project as proposed.

H. Additional Findings

1. Irreversible Commitment of Resources.

The Project involves an irreversible commitment of resources for energy and materials used during construction, and likely constitutes a long-term commitment of the Project site to the designated use.

I. Statement of Overriding Considerations

The Final EIR for the Project identifies significant unavoidable Project impacts to aesthetics, air quality, and utilities (solid waste), and Project and cumulative impacts to traffic (if the proposed road improvements or mitigation measures cannot be completed prior to occupancy of the housing project) as unavoidable. The Regents has balanced the benefits of the Project against its unavoidable environmental risks in determining that the specific economic, legal, social, technological, or other benefits outweigh the unavoidable significant adverse environmental effects. Section 15093(b) of the State CEQA Guidelines provides that when the decision of the public agency results in the occurrence of significant impacts that are identified in the Final EIR but are not substantially mitigated, the agency must state in writing the reasons to support its actions based on the Final EIR and/or other information in the record. The reasons for the approval of the Project despite the occurrence of a significant unavoidable adverse impacts in the area of aesthetics, air quality, solid waste and traffic are described below.

1. The San Clemente Graduate Student Housing project will serve as a recruitment tool for graduate students consistent with the University's commitment to the quality of the student body.
2. There is a long-term need for additional student housing and the Santa Barbara region has a shortfall of affordable housing.
3. The San Clemente Graduate Student Housing project will provide additional student housing adjacent to the Main Campus. Providing on-campus housing will help reduce traffic in the region and the number of vehicle trips to campus.
4. The San Clemente Graduate Student Housing project has been designed using the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) Green Building Rating System in recognition of sustainable site planning and conservation of resources.
5. The San Clemente Graduate Student Housing project is consistent with goals Isla Vista Master Plan to create a physically and visually integrate the campus and the community. This is consistent with a major goal of the 1990 LRDP to enhance the quality of life on the Campus and in the surrounding communities.

J. Incorporation by Reference

The text of the Final EIR, the 1990 LRDP, the 1990 LRDP EIR, and the Findings and Overriding Considerations previously adopted by The Regents in connection with its approval of the LRDP, are hereby incorporated into these Findings in their entirety. Without limitation, the incorporation is intended to elaborate on the scope and nature of mitigation measures, the comparative analysis of alternatives, and the reasons for approving the Project in spite of the associated significant unavoidable adverse impacts.

K. 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 the Final EIR are located in the UCSB Office of Campus Planning and Design, 1325 Cheadle Hall, at the Santa Barbara campus. Some documents included in the record of proceedings may also be located at other offices at the Santa Barbara campus, at the University's Office of the President, 1111 Franklin Street, Oakland, California 94607, and/or at the offices of consultants retained by the Campus for this project. The custodian for the record of the proceedings is the Director, Physical and Environmental Planning, Santa Barbara campus.

L. Summary

1. Pursuant to Public Resources Code §21081 and CEQA Guidelines §15091, and 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 each of the significant effects of the Project identified in the Project EIR:
 - a. Changes or alterations have been required in, or incorporated into, the Project that mitigate or avoid the significant environmental effects on the environment.
 - b. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other public agency, and the University lacks concurrent jurisdiction with that other public agency.
 - c. Specific economic, legal, social, technological, or other considerations make infeasible any unadopted mitigation measures or Project alternatives identified in the Findings.
2. Based on the foregoing Findings and the information contained in the record, The Regents hereby determine that:
 - a. All significant effects on the environment due to the 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 in the Statement of Overriding Considerations in Section II.H, above.

III. APPROVALS.

The Regents hereby take the following actions:

- A. The Regents has certified the Final EIR for the Project, as described in Section K., above.
- B. The Regents hereby adopts, incorporates into the Project, and makes a condition of Project Approval, all project mitigation measures within the responsibility and jurisdiction of the University and identified in the Final EIR and the Mitigation Monitoring Program, and as discussed in the Findings, Section II, above.
- C. The Regents hereby adopts the Mitigation Monitoring program accompanying the Final EIR and discussed in the Findings, Section II, above.
- D. The Regents hereby adopts the Findings in their entirety, as set forth in Section II, above, including the Statement of Overriding Considerations.
- E. Having certified the Final EIR, independently reviewed and analyzed the Final EIR, incorporated mitigation measures into the Project as conditions of Approval, and adopted the Findings (including the Statement of Overriding Considerations set forth therein), The Regents hereby approves the Amendment of the 1990 LRDP and the design of the San Clemente Graduate Student Housing project for the UCSB campus.