CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS IN CONNECTION WITH THE APPROVAL OF THE MIDDLE EARTH EXPANSION PROJECT

UNIVERSITY OF CALIFORNIA, IRVINE

I. ADOPTION OF THE MITIGATED NEGATIVE DECLARATION

The findings set forth below support the adoption of the Mitigated Negative Declaration (SCH# 2016121006) prepared for the Middle Earth Expansion (Project). Pursuant to Title 14, California Code of Regulations, Section 15074, the Board of Regents of the University of California (The Regents) hereby finds that an Initial Study was prepared for the project in compliance with the California Environmental Quality Act, Public Resources Code Sections 21000 et seq. (CEQA) on the basis of which the adoption of the Mitigated Negative Declaration is proposed. The Initial Study is tiered from the 2007 University of California, Irvine Long Range Development Plan Final Environmental Impact Report (SCH# 2006071024) (FEIR). The Regents received the Initial Study/Mitigated Negative Declaration for review and considered the information contained in these documents and any public comments prior to approving the design of the Project. The Regents hereby finds that the Initial Study/Mitigated Negative Declaration reflect the independent judgment and analysis of the University and adopts the Mitigated Negative Declaration.

II. FINDINGS

The following Findings are hereby adopted by The Regents pursuant to Title 14, California Code of Regulations, Section 15074 and The University of California Procedures for Implementation of CEQA in conjunction with the approval of the project, which is set forth in Section III, below.

A. Background

Phase 1 of the proposed project would demolish the existing 11,200-gross-square-foot (GSF) Brandywine Dining Commons and Student Center located in the existing Middle Earth student housing complex. A seven-story, approximately 240,000 GSF structure with approximately 143,000 assignable square feet (ASF) would be constructed on the 2.2-acre site. The lower two floors of the structure would include a dining hall, community facilities, and support and ancillary space. The top five floors would include approximately 500 student beds within double and triple occupancy rooms and associated dormitory facilities, such as lounges, laundry, kitchenettes, and bathrooms. Approximately 10,000 ASF of outdoor space would be constructed for 230 seats of dining and a loading dock. The existing Brandywine Service Road would be lengthened to connect to Ring Road, and widened adjacent to the proposed loading dock to allow for a 65-foot truck turn-around.

Phase 2 would remodel the existing 10,500 GSF Pippin Commons from a dining facility to a recreation center, which would house part of the displaced uses from the Phase 1 demolition. The remaining displaced uses would be housed in the seven-story structure after completion of Phase 1.

B. Environmental Review Process

An Initial Study/Mitigated Negative Declaration was prepared for the Project in accordance with CEQA and the University of California Procedures for Implementation of CEQA. The Initial Study is tiered from the FEIR, which was certified by The Regents in connection with its approval of the 2007 Long Range Development Plan (LRDP). The FEIR analyzed the overall projected effects of the University of California, Irvine (UCI) growth through the year 2025 and identified measures to mitigate the significant adverse impacts. The Project is consistent with the 2007 LRDP land use designations and objectives.

The tiering of the environmental analysis for the Project allowed the Initial Study to rely on the FEIR for: a discussion of general background and setting information for environmental topic areas; issues that were evaluated in sufficient detail in the FEIR for which there is no significant new information or change in circumstances that would require further analysis; and long-term cumulative impacts. The purpose of the tiered Initial Study was to evaluate the potential environmental impacts of the Project with respect to the FEIR to determine what level of additional environmental review, if any, is appropriate. The tiered Initial Study analyzed the potential project impacts in relation to the environmental analysis in the FEIR with regard to the following topic areas: aesthetics; air quality; biological resources; cultural resources; geology and soils; greenhouse gas emissions; hazards and hazardous materials; hydrology and water quality; land use and planning; noise; population and housing; public services; recreation; transportation and traffic; and utilities and service systems.

Based on the analysis contained in the Initial Study, the Project is within the scope of and consistent with the 2007 LRDP and its impacts were fully analyzed in the FEIR. The project will not result in any new impacts or increase any previously identified impacts. LRDP and project-specific mitigation measures identified in the Initial Study will be implemented to reduce impacts to a level below significance. No new information or change in circumstances was identified in the Initial Study, which required further analysis. As a result, a Mitigated Negative Declaration was prepared that reflects these conclusions.

The Draft Initial Study/Mitigated Negative Declaration was submitted to the Office of Planning and Research's State Clearinghouse and circulated for a 30-day public review period beginning on December 2, 2016 through January 1, 2017 (SCH# 2016121006). During that time, the document was reviewed by various state and local agencies, as well as by interested individuals and organizations. Comment letters were received from the Department of Toxic Substances Control (DTSC) on December 15, 2016 and the City of Irvine on December 27, 2016. None of the comments received identified a new significant impact not previously analyzed in the Draft Initial Study/Mitigated Negative Declaration. No significant changes or amendments to the Initial Study/Mitigated Negative Declaration resulted from public comments and recirculation of the document was not warranted. All comments received and the University's subsequent responses are included in the Final Initial Study/Mitigated Negative Declaration.

C. Relation of the Project to the LRDP EIR

The Project implements a portion of the 2007 LRDP. The FEIR, a Program EIR prepared pursuant to Section 15168 of the CEQA Guidelines (Title 14, California Code of Regulations, Sections 15000 et seq.) and Section 21080.09 of the Public Resources Code, identified potentially significant environmental impacts resulting from implementation of the 2007 LRDP development, and included mitigation measures to reduce the impacts of such development to the extent feasible. The project is generally consistent with the development that was anticipated and evaluated in the FEIR. All mitigation measures in the FEIR that are relevant to the project, as identified in the project Initial Study, and project components described in the Initial Study are included in the Approvals and are made conditions of the project.

D. Project Impacts that are Less Than Significant without Mitigation

The Initial Study/Mitigated Negative Declaration found that the following impacts would be less than significant without mitigation incorporated into the project: greenhouse gas emissions (see Final IS/MND, pg. 4.6-1), land use and planning (see Final IS/MND, pg. 4.9-1), population and housing (see Final IS/MND, pg. 4.11-1), public services (see Final IS/MND, pg. 4.12-1), recreation (see Final IS/MND, pg. 4.13-1), transportation and traffic (see Final IS/MND, pg. 4.14-1), and utilities and service systems (see Final IS/MND, pg. 4.15-1).

E. Project Impacts Mitigated to Less Than Significant Levels

The following discusses potentially significant impacts of the proposed project identified in the Initial Study/Mitigation Negative Declaration. Implementation of the mitigation measures identified in the Initial Study/Mitigation Negative Declaration would reduce impacts to a less than significant level.

Aesthetics

1. **Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.**

Aes-2A: Prior to project design approval for future projects that implement the 2007 LRDP, UCI shall ensure that the projects include design features to minimize glare impacts. These design features shall include use of non-reflective exterior surfaces and low-reflectance glass (e.g., double or triple glazing glass, high technology glass, low-E glass, or equivalent materials with low reflectivity) on all project surfaces that could produce glare.

Aes-2B: Prior to approval of construction documents for future projects that implement the 2007 LRDP, UCI shall approve an exterior lighting plan for each project. In accordance with UCI's Campus Standards and Design Criteria for outdoor lighting, the plan shall include, but not be limited to, the following design features:

- Full-cutoff lighting fixtures to direct lighting to the specific location intended for illumination (e.g., roads, walkways, or recreation fields) and to minimize stray light spillover into adjacent residential areas, sensitive biological habitat, and other light-sensitive receptors;
- Appropriate intensity of lighting to provide campus safety and security while minimizing light pollution and energy consumption; and
- Shielding direct lighting within parking areas, parking structures, or roadways away from adjacent residential areas, sensitive biological habitat, and other light-sensitive receptors through site configuration, grading, lighting design, or barriers such as earthen berms, walls, or landscaping.

Implementation of FEIR MMs Aes-2A and Aes-2b would reduce potentially significant impacts related to the creation of new substantial light or glare to a less than significant level (see Final IS/MND, page 4.1-2).

The proposed project would not impact other aesthetic thresholds. No additional mitigation is required.

Air Quality

1. **Violate any air quality standard or contribute substantially to an existing or projected air quality violation; and**

2. **Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)**

AQ-1: Prior to initiating construction, UCI shall ensure that the project construction contract includes a construction emissions mitigation plan, including measures compliant with SCAQMD Rule 403 (Fugitive

Dust), to be implemented and supervised by the on-site construction supervisor, which shall include, but not be limited to, the following BMPs:

i. During grading and site preparation activities, exposed soil areas shall be stabilized via frequent watering, non-toxic chemical stabilization, or equivalent measures at a rate to be determined by the on-site construction supervisor.

ii. During windy days when fugitive dust can be observed leaving the construction site, additional applications of water shall be required at a rate to be determined by the onsite construction supervisor.

iii. Disturbed areas designated for landscaping shall be prepared as soon as possible after completion of construction activities.

iv. Areas of the construction site that will remain inactive for three months or longer following clearing, grubbing and/or grading shall receive appropriate BMP treatments (e.g., revegetation, mulching, covering with tarps, etc.) to prevent fugitive dust generation.

v. All exposed soil or material stockpiles that will not be used within 3 days shall be enclosed, covered, or watered twice daily, or shall be stabilized with approved nontoxic chemical soil binders at a rate to be determined by the on-site construction supervisor.

vi. Unpaved access roads shall be stabilized via frequent watering, non-toxic chemical stabilization, temporary paving, or equivalent measures at a rate to be determined by the on-site construction supervisor.

vii. Trucks transporting materials to and from the site shall allow for at least two feet of freeboard (i.e., minimum vertical distance between the top of the load and the top of the trailer). Alternatively, trucks transporting materials shall be covered.

viii. Speed limit signs at 15 mph or less shall be installed on all unpaved roads within construction sites.

ix. Where visible soil material is tracked onto adjacent public paved roads, the paved roads shall be swept and debris shall be returned to the construction site or transported off site for disposal.

x. Wheel washers, dirt knock-off grates/mats, or equivalent measures shall be installed within the construction site where vehicles exit unpaved roads onto paved roads.

xi. Diesel powered construction equipment shall be maintained in accordance with manufacturer's requirements, and shall be retrofitted with diesel particulate filters where available and practicable.

xii. Heavy duty diesel trucks and gasoline powered equipment shall be turned off if idling is anticipated to last for more than 5 minutes.

xiii. Where feasible, the construction contractor shall use alternatively fueled construction equipment, such as electric or natural gas-powered equipment or biofuel.

xiv. Heavy construction equipment shall use low NOx diesel fuel to the extent that it is readily available at the time of construction.

xv. To the extent feasible, construction activities shall rely on the campus’s existing electricity infrastructure rather than electrical generators powered by internal combustion engines.

xvi. The construction contractor shall develop a construction traffic management plan that includes the following:

xvii. Scheduling heavy-duty truck deliveries to avoid peak traffic periods Consolidating truck deliveries.

xviii. Where possible, the construction contractor shall provide a lunch shuttle or on-site lunch service for construction workers.

xix. The construction contractor shall, to the extent possible, use pre-coated architectural materials that do not require painting. Water-based or low VOC coatings shall be used that are compliant with SCAQMD Rule 1113. Spray equipment with high transfer efficiency, such as the high volume-low pressure spray method, or manual coatings application shall be used to reduce VOC emissions to the extent possible.

xx. Project constructions plans and specifications will include a requirement to define and implement a work program that would limit the emissions of reactive organic gases (ROG's) during the application of architectural coatings to the extent necessary to keep total daily ROG's for each project to below 75 pounds per day, or the current SCAQMD threshold, throughout that period of construction activity to the extent feasible. The specific program may include any combination of restrictions on the types of paints and coatings, application methods, and the amount of surface area coated as determined by the contractor.

xxi. The construction contractor shall maintain signage along the construction perimeter with the name and telephone number of the individual in charge of implementing the construction emissions mitigation plan, and with the telephone number of the SCAQMD's complaint line. The contractor's representative shall maintain a log of any public complaints and corrective actions taken to resolve complaints.

Implementation of project-specific MM AQ-1 would reduce potentially significant impacts related to violations of air quality standards and net increases of criteria pollutants to a less than significant level (see Final IS/MND, pages 4.2-4 and 4.2-9).

The proposed project would not impact other air quality thresholds. No additional mitigation is required.

Biological Resources

1. **Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CA Department of Fish and Wildlife or U.S. Fish and Wildlife Service.**

BR-1: If construction occurs during the nesting season (February 1 through August 31), preconstruction surveys for active nests shall be performed within 30 days prior to the commencement of any clearing or grading activities at locations within 500 feet of the approved limits of disturbance where suitable nesting habitat exists. Construction activities within 300 feet of active nests shall be monitored by a qualified biologist until the biologist determines that the nest is no longer active. Construction may encroach within the 300-foot buffer only at the discretion of the biologist.

Implementation of project-specific MM Bio-1 would reduce potentially significant impacts to candidate, sensitive, and special status species to a less than significant level (see Final IS/MND, pages 4.3-2).

The proposed project would not impact other biological resources thresholds. No additional mitigation is required.

Cultural Resources

1. **Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.**

Cul-1C: Prior to land clearing, grading, or similar land development activities for future projects that implement the 2007 LRDP in areas of identified archaeological sensitivity, UCI shall retain a qualified archaeologist (and, if necessary, a culturally affiliated Native American) to monitor these activities. In the event of an unexpected archaeological discovery during grading, the on-site construction supervisor shall redirect work away from the location of the archaeological find. A qualified archaeologist shall oversee the evaluation and recovery of archaeological resources, in accordance with the procedures listed below, after which the on-site construction supervisor shall be notified and shall direct work to continue in the location of the archaeological find. A record of monitoring activity shall be submitted to UCI each month and at the end of monitoring. If an archaeological discovery is determined to be significant, the archaeologist shall prepare and implement a data recovery plan. The plan shall include, but not be limited to, the following measures:

a. Perform appropriate technical analyses;

b. File an resulting reports with South Coast Information Center; and

c. Provide the recovered materials to an appropriate repository for curation, in consultation with a culturally-affiliated Native American.

Implementation of FEIR MM Cul-1C would reduce potentially significant impacts related to archaeological to a less than significant level (see Final IS/MND, page 4.4-2)

2. **Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.**

Cul-4A: Prior to grading or excavation for future project that implement the 2007 LRDP and would excavate sedimentary rock material other than topsoil, UCI shall retain a qualified paleontology to monitor these activities. In the event fossils are discovered during grading, the on-site construction supervisor shall be notified and shall redirect work away from the location of the discovery. The recommendations of the paleontologist shall be implemented with respect to the evaluation and recovery of fossils, in accordance with mitigation measures Cul-4B and Cul-4C, after which the on-site construction supervisor shall be notified and shall direct work to continue in the location of the fossil discovery. A record of monitoring activity shall be submitted to UCI each month and ay the end of monitoring.

Cul-4B: If the fossils are determined to be significant, then mitigation measure Cul-4C shall be implemented.

Cul-4C: For significant fossils as determined by mitigation measure Cul-4B, the paleontologist shall prepare and implement a data recovery plan. The plan shall include, but not be limited to, the following measures:

a. The paleontologist shall ensure that all significant fossils collected are cleaned, identified, catalogued, and permanently curated with an appropriate institution with a research interest in the

materials (which may include UCI);

b. The paleontologist shall ensure that specialty studies are completed, as appropriate, for any significant fossil collected; and

c. The paleontologist shall ensure that curation of fossils are completed in consultation with UCI. A letter of acceptance from the curation institution shall be submitted to UCI.

Implementation of FEIR MMs Cul-4A, Cul-4B, and Cul-4C would reduce potentially significant impacts related to paleontological resources to a less than significant level (see Final IS/MND, page 4.4-2).

The proposed project would not impact other cultural resources thresholds. No additional mitigation is required.

Geology and Soils

1. **Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving fault rupture.**

GS-1: A project-specific geotechnical investigation that includes trenching shall be prepared during the design phase to identify the location of the UCI Campus Fault in relation to the project site. No structure shall fall within the Restricted Use Zone (RUZ), 50 feet on either side of the UCI Campus Fault, in the final design.

Implementation of project-specific MM GS-1 would reduce potentially significant impacts due to fault rupture to a less than significant level (see Final IS/MND, page 4.5-2).

The proposed project would not impact other geology and soils thresholds. No additional mitigation is required.

Hazards and Hazardous Materials

1. **Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.**

Haz-6A: Prior to initiating on-site construction for future projects that implement the 2007 LRDP and would involve a land or roadway closure, the construction contractor and/or UCI Design and Construction Services shall notify the UCI Fire Marshal. If determined necessary by the UCI Fire Marshal, local emergency services shall be notified of the lane or roadway closure by the Fire Marshal.

Implementation of FEIR MM Haz-6A would reduce potentially significant impacts due to the impairment or interference of an emergency plan a less than significant level (see Final IS/MND, page 4.7-4).

The proposed project would not impact other hazards and hazardous materials thresholds. No additional mitigation is required.

Hydrology and Water Quality

1. **Violate any water quality standards or waste discharge requirements; and**

2. **Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site.**

Hyd-2A: Prior to initiating on-site construction for future projects that implement the 2007 LRDP, UCI shall approve an erosion control plan for project construction. The plan shall include, but not be limited to, the following applicable measures to protect downstream areas from sediment and other pollutants during site grading and construction:

- Proper storage, use, and disposal of construction materials.
- Removal of sediment from surface runoff before it leaves the site through the use of silt fences, gravel bags, fiber rolls or other similar measures around the site perimeter.
- Protection of storm drain inlets on-site or downstream of the construction site through the use of gravel bags, fiber rolls, filtration inserts, or other similar measures.
- Stabilization of cleared or graded slopes through the use of plastic sheeting, geotextile fabric, jute matting, tackifiers, hydro-mulching, revegetation (e.g., hydroseeding and/or plantings), or other similar measures.
- Protection or stabilization of stockpiled soils through the use of tarping, plastic sheeting, tackifiers, or other similar measures.
- Prevention of sediment tracked or otherwise transported onto adjacent roadways through use of gravel strips or wash facilities at exit areas (or equivalent measures).
- Removal of sediment tracked or otherwise transported onto adjacent roadways through periodic street sweeping.
- Maintenance of the above-listed sediment control, storm drain inlet protection, slope/stockpile stabilization measures.

Hyd-2B: Prior to project design approval for future projects that implement the 2007 LRDP and would result in land disturbance of 1 acre or more, the UCI shall ensure that the projects include the design features listed below, or their equivalent, in addition to those listed in mitigation measure Hyd-1A. Equivalent design features may be applied consistent with applicable MS4 permits (UCI's Storm Water Management Plan) at that time. All applicable design features shall be incorporated into project development plans and construction documents; shall be operational at the time of project occupancy; and shall be maintained by UCI.

- All new storm drain inlets and catch basins within the project site shall be marked with prohibitive language and/or graphical icons to discourage illegal dumping per UCI standards.
- Outdoor areas for storage of materials that may contribute pollutants to the storm water conveyance system shall be covered and protected by secondary containment.
- Permanent trash container areas shall be enclosed to prevent off-site transport of trash, or drainage from open trash container areas shall be directed to the sanitary sewer system.
- At least one treatment control is required for new parking areas or structures, or for any other new uses identified by UCI as having the potential to generate substantial pollutants. Treatment controls include, but are not limited to, detention basins, infiltration basins, wet ponds or

wetlands, bio-swales, filtration devices/inserts at storm drain inlets, hydrodynamic separator systems, increased use of street sweepers, pervious pavement, native California plants and vegetation to minimize water usage, and climate controlled irrigation systems to minimize overflow. Treatment controls shall incorporate volumetric or flow-based design standards to mitigate (infiltrate, filter, or treat) storm water runoff, as appropriate.

Implementation of FEIR MMs Hyd-2A and Hyd-2B would reduce potentially significant impacts due to the violation of water quality standards and altering a drainage pattern that would result in erosion or siltation to a less than significant level (see Final IS/MND, page 4.8-2 and page 4.8-4).

3. **Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site.**

Hyd-1A: As early as possible in the planning process of future projects that implement the 2007 LRDP and would result in land disturbance of 1 acre or greater, and for all development projects occurring on the North Campus in the watershed of the San Joaquin Freshwater Marsh, a qualified engineer shall complete a drainage study. Design features and other recommendations from the drainage study shall be incorporated into project development plans and construction documents. Design features shall be consistent with UCI's Storm Water Management Program, shall be operational at the time of project occupancy, and shall be maintained by UCI. At a minimum, all drainage studies required by this mitigation measure shall include, but not be limited to, the following design features:

Site design that controls runoff discharge volumes and durations shall be utilized, where applicable and feasible, to maintain or reduce the peak runoff for the 10-year, 6-hour storm event in the post-development condition compared to the pre-development condition, or as defined by current water quality regulatory requirements.

Measures that control runoff discharge volumes and durations shall be utilized, where applicable and feasible, on manufactured slopes and newly-graded drainage channels, such as energy dissipaters, revegetation (e.g., hydroseeding and/or plantings), and slope/channel stabilizers.

Implementation of FEIR MM Hyd-1A would reduce potentially significant impacts due to altering a drainage pattern that would result in flooding to a less than significant level (see Final IS/MND, page 4.8-4).

The proposed project would not impact other hydrology and water quality thresholds. No additional mitigation is required.

Noise

1. **Exposure of persons to or generation of noise levels in excess of standards established in any applicable plan or noise ordinance, or applicable standards of other agencies;**

2. **A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.**

Noi-2A: Prior to initiating on-site construction for future projects that implement the 2007 LRDP, UCI shall approve contractor specifications that include measures to reduce construction/demolition noise to the maximum extent feasible. These measures shall include, but are not limited to, the following:

i. Noise-generating construction activities occurring Monday through Friday shall be limited to the hours of 7:00 am to 7:00 pm, except during summer, winter, or spring break at which construction may occur at the times approved by UCI.

ii. Noise-generating construction activities occurring on weekends in the vicinity of (can be heard from) off-campus land uses shall be limited to the hours of 9:00 am to 6:00 pm on Saturdays, with no construction occurring on Sundays or holidays.

iii. Noise-generating construction activities occurring on weekends in the vicinity of (can be heard from) on-campus residential housing shall be limited to the hours of 9:00 amto 6:00 pm on Saturdays, with no construction on Sundays or holidays. However, as determined by UCI, if on-campus residential housing is unoccupied (during summer, winter, or spring break, for example), or would otherwise be unaffected by construction noise, construction may occur at any time.

iv. Construction equipment shall be properly outfitted and maintained with manufacturer recommended noise-reduction devices to minimize construction-generated noise.

v. Stationary construction noise sources such as generators, pumps or compressors shall be located at least 100 feet from noise-sensitive land uses (i.e., campus housing, classrooms, libraries, and clinical facilities), as feasible.

vi. Laydown and construction vehicle staging areas shall be located at least 100 feet from noise-sensitive land uses (i.e., campus housing, classrooms, libraries, and clinical facilities), as feasible.

vii. All neighboring land uses that would be subject to construction noise shall be informed at least two weeks prior to the start of each construction project, except in an emergency situation.

viii. Loud construction activity such as jackhammering, concrete sawing, asphalt removal, pile driving, and large-scale grading operations occurring within 600 feet of a residence or an academic building shall not be scheduled during any finals week of classes. A finals schedule shall be provided to the construction contractor.

Implementation of FEIR MM Noi-2A would reduce potentially significant impacts to noise standards and temporary and permanent ambient noise levels to a less than significant level (see Final IS/MND, page 4.10-2 and 4.10-3).

Impacts to other noise thresholds are less than significant. No additional mitigation is required.

F. Additional Findings

1. These Findings incorporate by reference in their entirety the text of the Final Initial Study/Mitigated Negative Declaration prepared for the project, 2007 LRDP, FEIR, and Findings adopted by The Regents in connection with its approval of the 2007 LRDP. Without limitation, this incorporation is intended to elaborate on the scope and nature of project and cumulative development impacts, related mitigation measures, and the basis for determining the significance of such impacts.

2. CEQA requires the Lead Agency approving a project to adopt a monitoring program for changes to the project that it adopts or makes a condition of project approval in order to mitigate or avoid significant effects on the environment and ensure compliance during project implementation.

The Mitigation Monitoring and Reporting Program that accompanies the Final Initial Study/Mitigated Negative Declaration has been prepared to serve this purpose, and is hereby adopted by The Regents.

3. Various documents and other materials constitute the record of proceedings upon which The Regents bases the findings and decisions contained herein. Most documents related to the Initial Study/Mitigated Negative Declaration are located in the Environmental Planning and Sustainability Office, located at 4199 Campus Drive, Suite 380, Irvine, California. The custodian for the record of the proceedings is the Assistant Vice Chancellor, Environmental Planning and Sustainability, Irvine Campus.

G. Summary

Based on the foregoing Findings and the information contained in the record, The Regents finds with respect to the Project:

1. Changes or alterations have been required in, or incorporated into, the approval for the project, which mitigate to a less than significant level or avoid the potentially significant environmental effects of the Project as identified in the Final Initial Study/Mitigated Negative Declaration. No significant effects would occur beyond those effects previously and adequately analyzed in the FEIR.

2. There is no substantial evidence in the record that the Project as revised may have a significant effect on the environment that was not previously identified and adequately addressed in the FEIR.

3. The Initial Study/Mitigated Negative Declaration reflects The Regents' independent judgment and analysis.

III. APPROVALS

Based on the information contained herein and the prior documentation referenced above, The Regents hereby takes the following action:

A. Adopts the Final Initial Study/Mitigated Negative Declaration as described in Section I, above.

B. Adopts the Findings in their entirety as set forth in Section II, above.

C. Approves the design of the Middle Earth Expansion project.