

**CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS
IN CONNECTION WITH THE APPROVAL OF THE CLASSROOM BUILDING
PROJECT, UNIVERSITY OF CALIFORNIA, SANTA BARBARA CAMPUS**

I. ADOPTION OF THE MITIGATED NEGATIVE DECLARATION

The University of California, as the lead agency pursuant to the California Environmental Quality Act, Public Resources Code Section 21000 et seq. (“CEQA”) and the CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq), has prepared a Mitigated Negative Declaration (“MND”) for the Classroom Building Project (“Project”). This Project will be developed at the Santa Barbara campus.

Pursuant to CEQA Guidelines Section 15074, the Board of Regents of the University of California (“the University”), hereby finds that the Project Mitigated Negative Declaration (including the Project Initial Study, hereinafter collectively referred to as the “IS/MND”) has been completed in compliance with CEQA. The University has reviewed and considered the information contained in the IS/MND and the comments received during the public review process, prior to approving the Project. The University hereby finds that the IS/MND reflects the independent judgment and analysis of the University, adopts these Findings, and concurrently adopts the IS/MND and approves the Project.

The IS/MND tiers from the analysis in the Santa Barbara 2010 Long Range Development Plan Environmental Impact Report (“2010 LRDP EIR”). The 2010 LRDP EIR and LRDP were certified and approved by the UC Regents on September 14, 2010 (SCH#2007051128). The University finds that the Project is consistent with the LRDP and with the development assumptions of the 2010 LRDP EIR, and tiering is thus proper under Public Resource Code sections 21068.5, 21080.09, and 21094 and Code of Regulations, title 14, sections 15081.5(b)(2) and 15152. The final draft of the IS/MND clarifies that it is a tiered CEQA document.

The following Findings are hereby adopted by the University pursuant to CEQA Guidelines Section 15074, in conjunction with the approval of the Project, which is set forth in Section IV, below. To the extent the Findings presented here summarize the IS/MND, the summary is intended to be consistent with, and is not intended to conflict with or change any aspect of the complete text of the analysis and mitigation measures discussed in the IS/MND.

II. FINDINGS

Having received, reviewed, and considered the IS/MND, public comments, and other information in the administrative record, the University hereby adopts the following Findings for the Project in compliance with CEQA, the CEQA Guidelines, and the University’s procedures for implementing CEQA. The University finds, on the basis of the whole record, that there is no substantial evidence that the Project will have a significant effect on the environment, that all impacts have been mitigated by measures identified by and incorporated into the 2010 LRDP EIR, and that the MND reflects the University’s independent judgment and analysis.

The University finds that the Project is consistent with the LRDP . The Project, as approved concurrently with the adoption of this IS/MND, incorporates all applicable mitigation measures

identified in the 2010 LRDP EIR, and all mitigation measures required for the Project are described in the attached Mitigation Monitoring and Reporting Program “MMRP”.

A. Environmental Review Process

Pursuant to CEQA Guidelines Section 15063, and in accordance with CEQA and the University of California Procedures for Implementation of CEQA, the University prepared an IS/MND to consider the potential environmental effects of the Project. The IS/MND describes the Project, analyzes the environmental impacts of the Project (including all phases of Project planning, implementation, and operation), and discusses mitigation measures.

The 2010 LRDP EIR comprehensively evaluated all environmental impacts that would result from anticipated development of the Santa Barbara campus through 2025 and the 2010 LRDP describes land use principles and policies to guide the location, scale, and design of individual capital projects. As a tiered document, the IS/MND for the Project relies on the 2010 LRDP EIR for: (1) a discussion of background information on environmental resource areas; (2) issues related to growth on the campus as a whole; (3) issues evaluated in sufficient detail in the LRDP EIR for which no significant new information, no changes in the project, and no changes in circumstances would require further analysis; and (4) cumulative impacts. The Project is consistent with the LRDP and with the development assumptions of the LRDP EIR, and tiering is thus proper under Public Resources Code sections 21068.5, 21080.09, and 21094 and CEQA Guidelines sections 15081.5(b)(2) and 15152.

The IS/MND analyzes the potential Project impacts in the following topic areas: (1) aesthetics; (2) agriculture and forestry resources; (3) air quality; (4) biological resources; (5) cultural resources; (6) geology/soils; (7) greenhouse gas emissions, (8) hazards and hazardous materials; (9) hydrology/water quality; (10) land use/planning; (11) mineral resources; (12) noise; (13) population/housing; (14) public services; (15) recreation; (16) transportation/traffic; and (17) utilities/service systems.

The Draft IS/MND was submitted to the Office of Planning and Research’s State Clearinghouse and circulated for a 30-day public review period beginning on March 18, 2019 and ending on April 17, 2019 (SCH No 2019039096). During that time, the document was reviewed by various state and local agencies, as well as by interested individuals and organizations. No comment letters were received during the public review period.

The University concludes that no new significant environmental concerns regarding the project were raised during the public comment period and that no new significant information has been added to the IS/MND.

Environmental issue areas for which mitigation measures are proposed include: Aesthetics, Air Quality, Biological Resources, Cultural Resources, Hydrology and Water Quality, Land Use and Planning and Noise. The environmental impacts that may result from the Project and require mitigation, along with the proposed mitigation measures, are summarized below.

All of the CEQA documentation regarding the Project, including the 2010 LRDP EIR from which this Initial Study and MND tier, is available for review at the Office of Campus Planning and

Design, University of California, Santa Barbara, Santa Barbara, CA 93106. Contact Shari Hammond at 805-893-3796 or shari.hammond@ucsb.edu. The documents are available for download at <https://www.facilities.ucsb.edu/departments/campus-planning-design>.

A. Impacts Reduced to Less-Than-Significant With Mitigation

1. Aesthetics

Construction of the Project has the potential to impact to scenic trees that are to be retained onsite. Mitigation Measure BIO-2a requires tree protection measures including fencing around the tree, an arborist onsite if trenching or grading is required next to the tree, and not allowing material or construction equipment near the tree. If trees were to die within five years of construction they would be replaced in accordance with approved replacement ratios. Implementation of Mitigation Measure BIO-2a would reduce potential impacts to the scenic tree to a less than significant level. See IS/MND Page 5.1-1 through 5.1-6.

2. Air Quality Impacts

Construction activities to grade the project site have the potential to result in fugitive dust generation impacts and impacts from diesel construction engines used in site preparation and grading activities. Mitigation Measure AQ-1a requires the implementation of standard dust control measures during project construction. This mitigation measure would reduce potential dust impacts to a less-than-significant level. Recommended Mitigation Measure AQ-2a (recommended by the Santa Barbara County Air Pollution Control District) would further reduce the project's contribution of short-term emissions of NO_x, PM₁₀, PM_{2.5}, and diesel particulate matter, although Recommended Mitigation Measure AQ-2a is not required to reduce these emissions to a level of insignificance. See IS/MND Page 5.3-1 through 5.3-12.

3. Biological Resources.

Construction activities (tree removal) have the potential to result in the disturbance of nesting birds or raptors. Implementation of Mitigation Measure BIO-1, requiring tree removal to be conducted between September 15 and February 15 outside typical nesting season, and if not possible, requiring preconstruction bird and raptor nesting surveys, would reduce impacts to less than significant. See IS/MND Pages 5.4-1 through 5.4-9.

4. Cultural Resources

Ground disturbing activities at the project site may have the potential to result in significant impacts to cultural resources. Implementation of CUL-1, requiring a preconstruction cultural resources orientation and an archeological monitor during initial site preparation activities at the site would reduce impacts to less than significant. See IS/MND Pages 5.5-1 through 5.5-5.

5. Hydrology and Water Quality

The construction and use of ground surface pre-treatment systems (e.g., bioswales, filter strips, and rain gardens) that are necessary for the operation of stormwater management Option 2 (below ground retention and detention) may have the potential to result in significant soil-and safety –related impacts. Implementation of HYD-1 requiring pre-treatment filtering of runoff water before it enters the below ground system would reduce impacts from using Option 2 stormwater treatment system. See IS/MND Pages 5.10-1 through 5.10-20.

6. Noise

Short-term construction noise generated by the proposed project has the potential to impact sensitive receptors in the project area such as people in the Davidson Library, Bioengineering Building, Psychology Building and other academic buildings. Mitigation Measure NOI-1 requires the preparation of a noise mitigation plan with various practices to minimize noise from construction. Implementation of these mitigation measures would reduce impacts to less than significant levels. See IS/MND Pages 5.13-1 through 5.13-7.

B. Less-Than-Significant Impacts and No Impacts

The IS/MND found that impacts to Energy (see IS/MND Pages 5.6-1 through 5.6-3) Geology and Soils (see IS/MND Page 5.7-1 through 5.7-10), Greenhouse Gas Emissions (see IS/MND Page 5.8-1 through 5.8-10), Hazards and Hazardous Materials (see IS/MND Page 5.9-1 through 5.9-8), Land Use and Planning (see IS/MND Page 5.11-1 through 5.11-22), Population and Housing (see IS/MND Page 5.14-1 through 5.14-2), Public Services (see IS/MND Page 5.15-1 through 5.15-4), Recreation (see Page 5.16-1 through 5.16-2), Transportation and Traffic (see Page 5.17-1 through 5.17-11), and Utilities and Service Systems (see IS/MND Pages 5.19-1 through 5.19-9) would be less than significant and no mitigation is required.

The IS/MND found that there would be no impacts to Agricultural and Forestry Resources (see IS/MND Page 5.2-1 through 5.2-3), Mineral Resources (see IS/MND Page 5.12-1), Tribal Cultural Resources (see IS/MND Pages 5.18-1 through 5.18-3) and Wildfire (see IS/MND Pages 5.20-1 through 5.20-4). Given that there are no impacts, no mitigation measures are required.

III. ADDITIONAL INFORMATION

A. Incorporation by Reference

These Findings incorporate by reference in their entirety the text of the Final IS/MND prepared for the Project. 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. These Findings also incorporate by reference the analysis of the 2010 LRDP EIR from which the IS/MND tiers. As noted in the IS/MND, the 2010 LRDP EIR was and is available for inspection on the internet and at UCSB.

B. Mitigation and Monitoring and Reporting Program

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. A Project-specific Mitigation Monitoring and Reporting Program (“MMRP”) has been prepared to serve this purpose, accompanies the Final IS/MND, and is hereby adopted by the University in connection with the adoption of the IS/MND and approval of the Project, pursuant to CEQA Guidelines Section 15097. The Project-specific MMRP includes details of the timing and responsibilities for completing the identified mitigation measures. In addition, the Project incorporates all applicable mitigation measures contained in the 2010 LRDP EIR Mitigation Monitoring and Reporting Program.

C. Record of Proceedings

Various documents and other materials constitute the record of proceedings upon which the University bases its findings and decisions contained herein. Documents related to this Project and the custodian of the administrative record are located at the UCSB Office of Campus Planning and Design, Budget and Planning, Santa Barbara, California, 93106. The record of proceedings for the LRDP’s approval is located at UCSB Office of Campus Planning and Design, Budget and Planning, Santa Barbara, California, 93106. Contact Shari Hammond at 805-893-3796 or shari.hammond@ucsb.edu. The documents are available for download at <http://www.facilities.ucsb.edu/departments/campus-planning-design>. The custodian for these documents is Shari Hammond.

C. Prior Environmental Review

All of the environmental effects of the Project: (1) have been mitigated or avoided, or (2) have been examined at a sufficient level of detail in the prior environmental documentation to enable those effects to be mitigated or avoided by site-specific revisions, the imposition of conditions, or by other means in connection with the approval of the Project.

The Project is consistent with the 2010 LRDP, and the 2010 LRDP EIR and the IS/MND adequately addresses all project-specific and cumulative impacts of the Project.

D. Summary

Based on the foregoing Findings and the information contained in the record, including the initial study and all comments received, the University finds with respect to the Project:

1. There is no substantial evidence that the Project will have a significant effect on the environment.
2. The IS/MND reflects the University’s independent judgment and analysis.

III. APPROVALS

The University hereby takes the following actions:

- A. Approved the Initial Study and Adopts the Final Mitigated Negative Declaration for the Project as described in Section I, above.

B. Approves and incorporates into the Project all Project elements and all mitigation measures described in the Project-specific Mitigation Monitoring and Reporting Program, and all applicable 2010 LRDP EIR mitigation measures identified in these Findings or more specifically described in the Initial Study and 2010 LRDP EIR.

C. Adopts these Findings in their entirety, as set forth herein.

D. Having independently reviewed and analyzed the Initial Study, as well as the Mitigated Negative Declaration and all comments received on these documents, and having adopted its Findings, the University approves the design of the Classroom Building Project, Santa Barbara Campus.