

Office of the President

TO MEMBERS OF THE FINANCE AND CAPITAL STRATEGIES COMMITTEE:

ACTION ITEM

For Meeting of November 15, 2017

APPROVAL OF DESIGN FOLLOWING ACTION PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, NUEVO EAST STUDENT HOUSING, SAN DIEGO CAMPUS

EXECUTIVE SUMMARY

The Nuevo East Student Housing project will redevelop a 13.2-acre parcel of existing low-density apartments (26 beds per acre) located in the north Mesa Housing neighborhood. The project will utilize 9.5 acres of the site to provide approximately 1,380 beds (1,044 net new at 145 beds per acre) for single graduate and professional students. The project will include two 12-story high rises, one 10-story high rise, and two five-story mid-rise buildings with a mix of apartment styles for a total of 658 units (69 units per acre). The remaining 3.7 acres will be set aside for future redevelopment.

In addition to the student housing described above, the project will include a community center called the “Exchange” located adjacent to an exterior welcoming plaza. The Exchange will house residential and support services for residents of north Mesa Housing (including Nuevo East, Mesa Nueva, Nuevo West, and the One Miramar Street Apartments).

The project will eliminate 224 existing surface parking spaces and require demolition of one laundry building and 21 apartment buildings which contain 336 beds). Because campus housing is significantly more affordable than off-campus housing, demand for campus housing is considered to be at an all-time high. The total occupancy cost for on-campus graduate student housing is forecasted to be approximately 30 percent lower than the surrounding private market.

The Nuevo West Graduate Student Housing project will also redevelop a portion of north Mesa Housing and is being proposed for approval of design pursuant to the California Environmental Quality Act (CEQA) in a separate Regents’ item for the November 2017 meeting. Due to their adjacency, both projects were analyzed in one Environmental Impact Report (EIR).

In July 2017, the Regents approved the project budget of \$266,130,000 to be funded with external financing (\$247,115,000), housing reserves (\$17,015,000), and campus funds from investment income (\$2,000,000). The Regents are being asked to: (1) certify the Environmental Impact Report; (2) adopt the Mitigation Monitoring and Reporting Program and CEQA Findings; and (3) approve the design.

RECOMMENDATION

The President of the University recommends that, following review and consideration of the environmental consequences of the proposed Nuevo East Student Housing Project, as required by the California Environmental Quality Act (CEQA), including any written information addressing this item received by the Office of the Secretary and Chief of Staff no less than 24 hours in advance of the beginning of the Regents meeting, testimony or written materials presented to the Regents during the scheduled public comment period, and the item presentation, the Finance and Capital Strategies Committee:

1. Certify the Environmental Impact Report for the project.
2. Adopt the Mitigation Monitoring and Reporting Program and CEQA Findings based on the analysis of environmental impacts presented in the Environmental Impact Report for the Mesa Housing, Nuevo West and East Student Housing Projects.
3. Approve the design of the Nuevo East Student Housing Project, San Diego campus.

BACKGROUND

As stated in the *Update on Student Housing and Plans for North Torrey Pines Living and Learning Neighborhood, San Diego Campus*, presented to the Regents in July 2016, affordable on-campus housing aids in the recruitment and retention of students. It also expands opportunities to fully integrate new students into the academic and social life of the campus. Annually, increasing numbers of graduate and professional students, as well as continuing undergraduate students, have applied for on-campus housing only to learn that they cannot be accommodated.

The attraction of University-owned housing is the community setting that is provided by living on campus. Campus housing is conveniently located adjacent to the academic, research, clinical, and recreation facilities, allowing students the ability to walk, bicycle, or utilize the campus shuttle, reducing dependence upon single occupancy vehicles. Affordable off-campus housing options in the San Diego region are few; and options in areas immediately adjacent to the campus are even fewer. The most affordable options are located a significant distance from campus.

PROJECT DESCRIPTION

The Mesa Housing neighborhood is located on the East Campus of UC San Diego and provides student housing primarily to graduate and professional students, along with a small population of students with dependents, as well as student couples. The Early Childhood Education Center (ECEC) is also located in the Mesa Housing neighborhood. Consistent with the Mesa Housing Neighborhood Planning Study (NPS), completed in 2016, the Nuevo East project will redevelop existing low density and aging student housing facilities to accommodate more students on campus, and modernize facilities. The Mesa Housing NPS envisions a framework of unique neighborhood villages that will be linked together through a common landscape, accessible pathways, and a collection of amenity and student support space. The NPS also envisions a

central park for the community, referred to as the “Arboleda”.

Project Site

The 13.2-acre Nuevo East project site is located between Regents Road and the recently completed Mesa Nueva Housing project (September 2017). Approximately 9.5 acres will be redeveloped with the Nuevo East project. The remaining 3.7 acres is referred to as the South Lot. The western half of the South Lot will be dedicated toward future creation of the Arboleda. The eastern half of the South Lot will be set aside for future redevelopment as part of a mixed-use project, likely delivered as a Public-Private Partnership (P3), along the Regents Road campus boundary. The Project Location Map and One Mesa Project Site Map (Attachments 1 and 2) illustrate the relationship between the proposed projects and related projects in the Mesa Housing neighborhood, as well as the location of the regional transportation projects, including the UC San Diego Light Rail Blue Line.

The Nuevo East project will eliminate 224 existing surface parking spaces and require demolition of 22 buildings at north Mesa Housing, originally built in 1968 (one laundry building and 21 apartment buildings with eight two-bedroom units per building for a total of 336 beds).

Project Design

Similar to Nuevo West, the Nuevo East project will act as a distinct gateway element on the East Campus. While the design for Nuevo West presents itself as a distinct gateway element on the east campus for students traveling east across the future Mesa Housing Pedestrian and Bicycle Bridge, the design for Nuevo East will present a separate gateway element to the UC San Diego campus that is bold and fitting with the emerging development character along the Regents Road corridor and in the surrounding University Town Center area.

The Nuevo East gateway element is comprised of “The Exchange” building and an accentuated tower that frame the entry portal to create a strong and visible campus edge at the corner of Regents Road and Miramar Street. The gateway connects a series of pathways that help define varied open spaces to create a dynamic landscape that unites the larger master plan. All of the villages in Mesa Housing, including One Miramar Street Apartments, Mesa Nueva, and Nuevo West, have emerged as unique nodes in the neighborhood. Nuevo East is an important bookend in this larger collection that reaches out to define the campus edge at Regents Road, setting the stage for an urban edge of development along this corridor to the south.

The link between campus and city is the Exchange, serving as a connection to community resources. Its midrise massing and design set the stage for future adjacent retail and mixed-use development to the south along Regents Road. An open steel frame structure, generous amounts of transparent glazing, and accent materials such as metal panel, brick, and roof pavers elevate the quality and importance of this programmatic design element.

The Exchange plaza, called “the Crossing”, is a flexible public space, which accommodates pedestrian and bicycle flow, to and through the portal, to the Light Rail Transit (LRT) and the surrounding La Jolla community; and will be a place for events such as farmers markets, concerts,

graduate student lectures and other gathering functions. This design welcomes students, faculty, staff, visitors and the surrounding community neighbors to experience and explore the landscape.

The Nuevo East project provides increased density in its proposed development of approximately 710,000 gross square feet (gsf) that incorporates approximately 490,000 assignable square feet (asf) of building program spread between two 12-story high rises, one ten-story high rise, two five-story mid-rise buildings and the Exchange. The new student housing will include a mix of one-, two-, three-, and four-bedroom apartments for a total of approximately 1,380 new beds (1,044 net new) in a mix of apartment styles for a total of 658 units.

The design of Nuevo East utilizes stepped massing, color, and the layering of architectural patterning to minimize the scale of the project; the materials and construction systems are similar to those used on Nuevo West. The woven and layered patterning of the building facades serves to break the scale of building masses down while creating micro-turbulence to aid in natural cooling. This patterning references the use of shade, shadow, and texture seen on many UC San Diego campus structures. Color and shadow are woven together in these dynamic facades to create vibrancy and rhythm. In addition, color is used for the activation of public and gathering spaces. Consistent with the other neighborhoods at north Mesa Housing, the project is activated through warmer hues at critical public edges and amenity program spaces, and amplified at night with light and strategic transparency to allow the interior color to come forward.

The project has been designed to achieve a LEED Gold rating. Nuevo East and Nuevo West contain similar sustainability features such as the orientation of building massing to optimize natural cooling and daylight harvesting, as well as low-emitting indoor materials and finishes to enhance user comfort and health. Nuevo East promotes reliance on alternative transportation options to further enhance user health and reduce the carbon impact of these facilities and their users. The project includes a high performance building envelope system and concrete superstructure that provides additional thermal mass to help the project exceed Title 24 energy goals by over 20 percent while maintaining thermal comfort for occupants. The sustainable site design utilizes native drought tolerant plantings and bio-retention systems to help advance sustainable ecological and hydrologic project goals.

Nuevo East Area Summary

Residential Unit Types	ASF per Unit	# of Units	Total per Unit Type	
			# of Beds	ASF
1 Bedroom / 1 Bathroom	456	200	200	91,200
2 Bedroom / 1 Bathroom	675	272	544	186,600
2 Bedroom / 2 Bathroom (live-in staff)	765	3	6	2,295
3 Bedroom / 2 Bathroom	913	98	294	89,474
3 bedroom / 2 Bathroom (Townhome)	1,296	10	30	12,960
4 Bedroom / 2 Bathroom	1,145	75	300	85,875
Subtotal Residential Units		658	1,374	465,404
				ASF
Common / Residential Support Space				
Study Areas & Student Lounges				4,675
Laundry Rooms				2,982
Swap Shop				161
Subtotal Common / Residential Support Spaces				7,818
Subtotal Residential Space				473,222
Exchange Program				
Welcome and Information Center, Main Lobby				1,977
Service Desk, Customer Printing & Mailing Services				391
Community Offices				412
Residential Service Offices & Support				3,565
Mail Distribution, Package Delivery & Storage Area				1,818
Study Areas & Student Lounges				3,320
Top Floor Event Space				1,969
Music Rooms				802
Fitness Rooms				2,001
Subtotal Exchange Program				16,255
TOTAL				489,477

Resident Parking

The proposed Nuevo East project will displace 224 existing surface parking spaces and the proposed Nuevo West project will displace 214 existing surface parking spaces, for a total of 438 displaced parking spaces. Upon completion of these two projects, the population living at Mesa Housing will increase by approximately 1,700 students, in addition to guests temporarily residing in the Family House, and residential support staff working in the community. In order to support the increased population in the neighborhood, the Nuevo West project will include construction of a new shared parking structure. The structure will provide approximately 1,200 spaces: 900 will be allocated to Mesa residents; 300 will be allocated to UC staff working on the east campus. The Nuevo East project will provide approximately 75 surface parking spaces, distributed across two small lots, for convenience, accessibility, and short-term business access to the Exchange.

Due to existing geography, all parking for the residents of Mesa Housing must be contained within the neighborhood boundary. There is no off-site parking available and the neighboring communities do not want students parking in their neighborhoods. Residents and their guests are allowed to park in any of the parking spaces located within the Mesa Housing neighborhood.

Due to the continued emphasis on Transportation Demand Management (TDM) programs, the resulting ratio of 0.53 parking spaces per bed (as shown in the table below) is expected to meet the needs of all Mesa Housing residents, their guests, temporary residents residing in the UC San Diego Health Patient Family House, and support staff with no impacts to the adjacent University Town Center community.

Parking at Mesa Housing

	Beds	Parking Spaces	Ratio
Mesa Nueva (project completed Sept. 2017)	1,355	900	0.66
Nuevo West ⁽¹⁾	802	900	1.12
Nuevo East	1,380	75 ⁽²⁾	0.05
Total⁽³⁾	3,537	1,875	0.53
⁽¹⁾ The Nuevo West project has a Parking Structure with 1,200 spaces: 900 will be allocated to residents of Mesa Housing; the remaining 300 spaces will be allocated to staff of the Health System working on the East Campus.			
⁽²⁾ The Nuevo East project includes approximately 75 surface spaces that are intended to provide short-term parking for residential business services and visitors.			
⁽³⁾ Parking in the Mesa Housing neighborhood is provided for residents, their guests, temporary residents residing in the UC San Diego Health Patient Family House, and staff. Residents can park anywhere within the Mesa Housing neighborhood boundary.			

Graduate students living on campus are older adults who typically own vehicles. The parking for the project is not intended to promote driving on campus for the residents of these facilities, but rather to provide a place to park their vehicles until they need to leave campus, typically for off-campus jobs or internships. Parking on West Campus is at capacity and residents currently living in the Mesa Housing neighborhood typically walk, ride bicycles, or take campus shuttles to West Campus. Once the Interstate 5 Gilman Bridge and the Mesa Housing Pedestrian and Bicycle Bridge are completed, residents will have direct pedestrian and bicycle access to West Campus.

Long Range Development Plan and Physical Design Framework

The proposed project is consistent with the 2004 LRDP designation, which is “Housing”. UC San Diego’s neighborhood planning studies provide site-specific design guidelines to bridge the gap between the broader principles contained in the campus-wide planning documents (e.g., the 2004 LRDP) to advance individual building projects. These neighborhood studies detail specific programmatic objectives and identify development parcels, architectural and landscape design guidelines, relationship to and scale of open spaces, materials, and phasing strategies, etc. As described above, a neighborhood planning study (NPS) was completed for the Mesa Housing Neighborhood in 2016, within which the Mesa Nuevo East and West projects are located. The Mesa NPS provides a physical planning framework to guide the development of future housing on the UC

San Diego campus. The plan outlines the potential to transform an existing lower density neighborhood surrounded by residual open space into a higher-density mixed-use community organized as a collection of villages.

Seismic Safety Policy

This project will comply with the University of California Seismic Safety Policy including independent structural engineering peer review.

CEQA COMPLIANCE

A summary of the environmental impacts of the proposed project is provided in Attachment 4. Pursuant to the California Environmental Quality Act (CEQA) and University of California Procedures for Implementation of CEQA, an Environmental Impact Report (EIR) was prepared for the Mesa Housing Nuevo West and East projects (Attachment 5). The EIR is tiered from the Program EIR prepared for the 2004 Long-Range Development Plan (LRDP), as updated by the East Campus Bed Tower Project EIR (Attachments 6 and 7). The project's EIR incorporates the 2004 LRDP EIR (as updated in 2010) by reference and summarizes its information where applicable. Findings have been prepared to support the University's determination that the proposed project would not result in new significant direct, indirect, or cumulative environmental impacts (Attachment 8).

CEQA Findings

Attachment 8 provides a summary of the project impacts, mitigation measures, and conclusions regarding certification of the EIR for the project in conformation with CEQA. Based on the analysis in the EIR, there is no substantial evidence that the proposed project as mitigated will have a significant and unavoidable effect on the environment.

Project Delivery and Schedule

Due to the accelerated completion schedule and fixed budget for the proposed project, the campus determined that the design-build delivery method will yield the highest probability of success. Three design-build teams were pre-qualified and then invited to submit a schematic design level technical proposal. The proposals were reviewed and scored by a selection committee consisting of UC San Diego personnel as well as several appointed members of the campus' Design Review Board to determine the successful team.

The campus anticipates that abatement in the existing structures will begin in January 2018. Demolition will begin in spring 2018, with new construction beginning in May 2018, and project completion expected by summer 2020.

Key to Acronyms

ASF	Assignable Square Feet
CEQA	California Environmental Quality Act
ECEC	Early Childhood Education Center
GSF	Gross Square Feet
HDH	(UC San Diego) Housing, Dining and Hospitality
LRDP	Long Range Development Plan
NPS	Neighborhood Planning Study
P3	Public-Private Partnership
RFP	Request for Proposal
SANDAG	San Diego Association of Governments
TDM	Transportation Demand Management (programs)
UTC	University Town Center

ATTACHMENTS:

Attachment 1: Project Location Map

Attachment 2: One Mesa Project Site Map

Attachment 3: Design Graphics

Attachment 4: Environmental Impact Summary

Attachment 5: Mesa Housing Nuevo West and East Environmental Impact Report (EIR)

Volume I - Final EIR:

<https://drive.google.com/file/d/0BybyQaybyvwSbIR2TjhxTGFNRFE/view?usp=sharing>

Volume II - Appendices:

<https://drive.google.com/file/d/0BybyQaybyvwSWnR3OVhrYklPckk/view>

Attachment 6: UCSD 2004 Long Range Development Plan & EIR

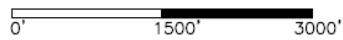
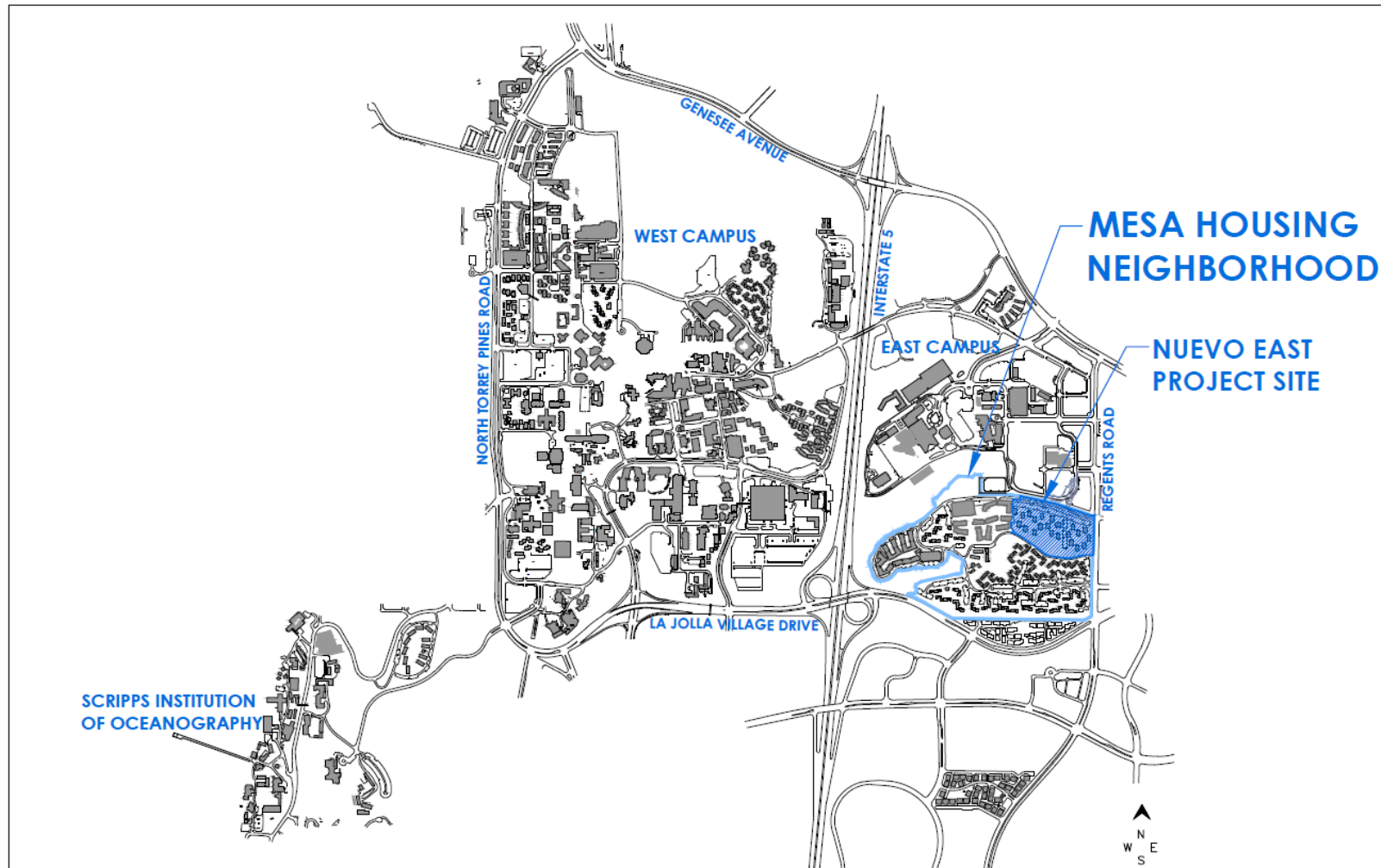
LRDP: http://plandesignbuild.ucsd.edu/_files/capital/2004LRDP.pdf

LRDP EIR: <https://drive.google.com/file/d/0B6Hbw1EPHZqYV2IIUItOTJ1UUE/view>

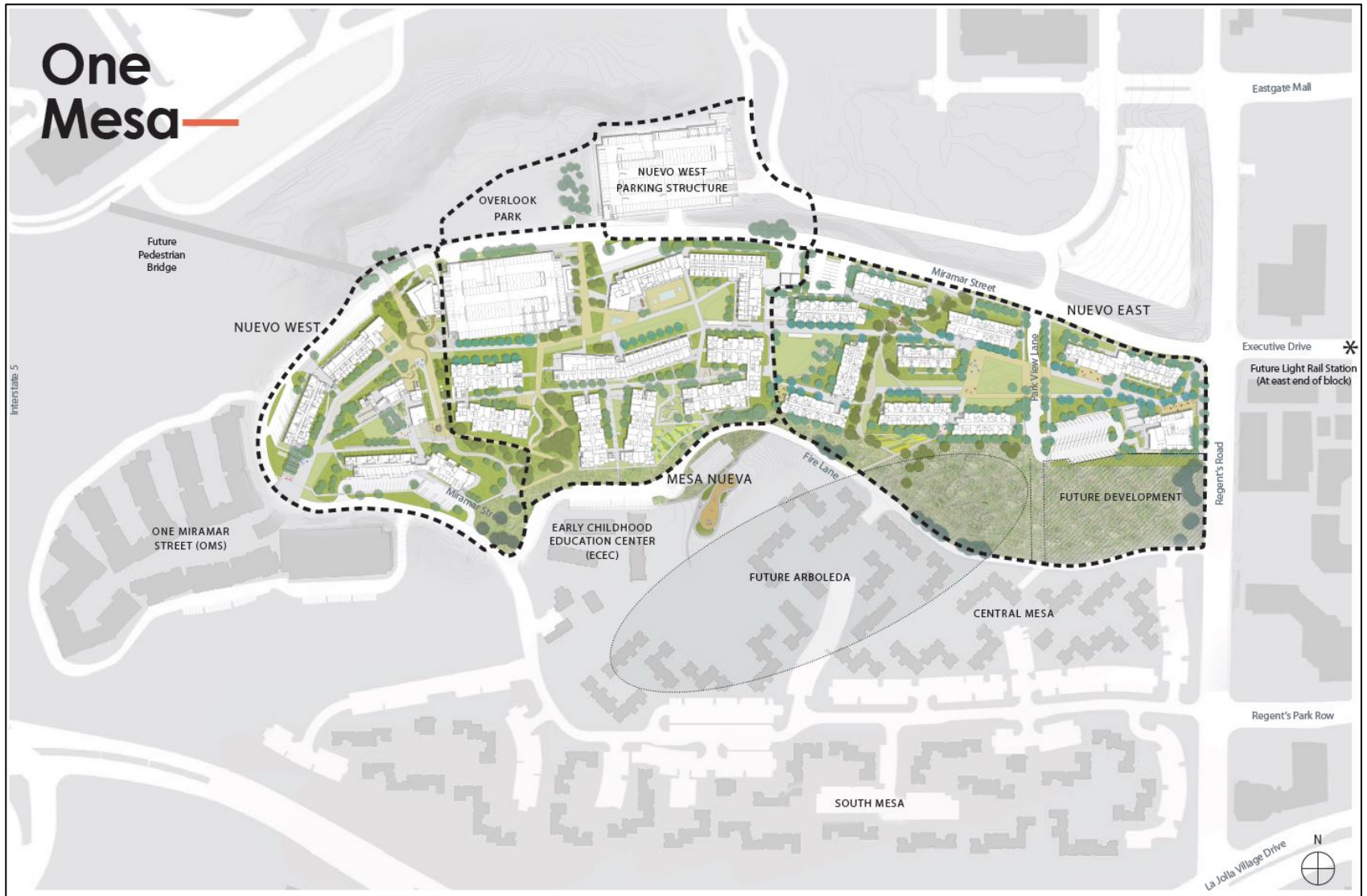
Attachment 7: 2010 East Campus Bed Tower Project EIR

<https://drive.google.com/file/d/0B6Hbw1EPHZqYV2IIUItOTJ1UUE/view>

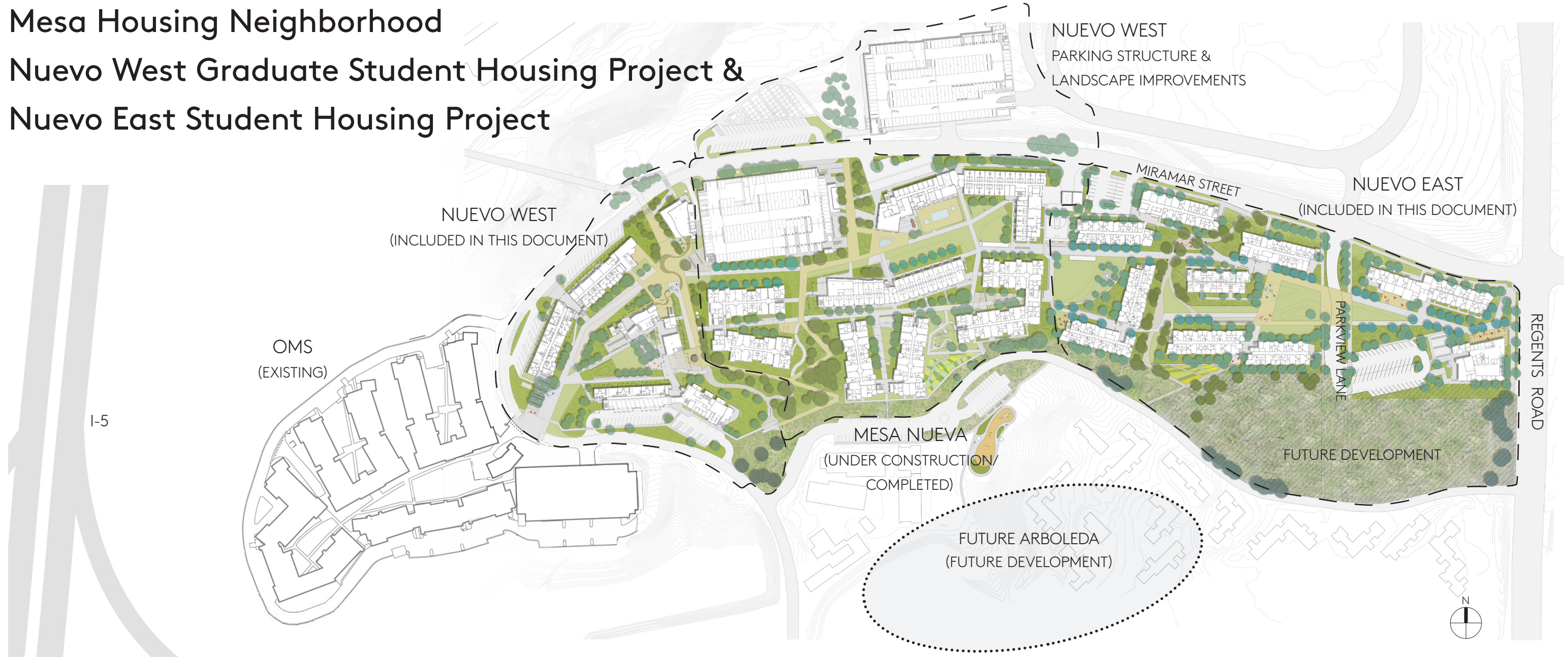
Attachment 8: CEQA Findings



NUEVO EAST STUDENT HOUSING
UNIVERSITY OF CALIFORNIA, SAN DIEGO
PROJECT LOCATION MAP



UC San Diego Mesa Housing Neighborhood Nuevo West Graduate Student Housing Project & Nuevo East Student Housing Project



SITE & GROUND FLOOR PLAN - NUEVO WEST GRADUATE STUDENT HOUSING



PERSPECTIVE RENDERINGS- NUEVO WEST GRADUATE STUDENT HOUSING



RESIDENTIAL HOUSING & TOWN SQUARE



LA JOLLA FAMILY HOUSE

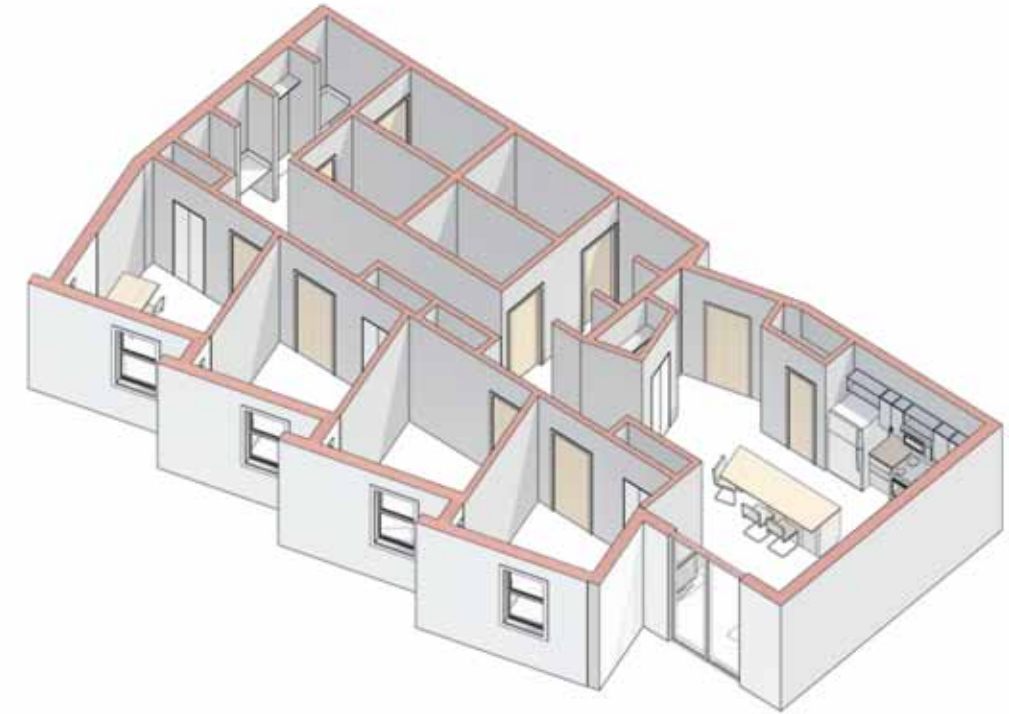


LA JOLLA FAMILY HOUSE

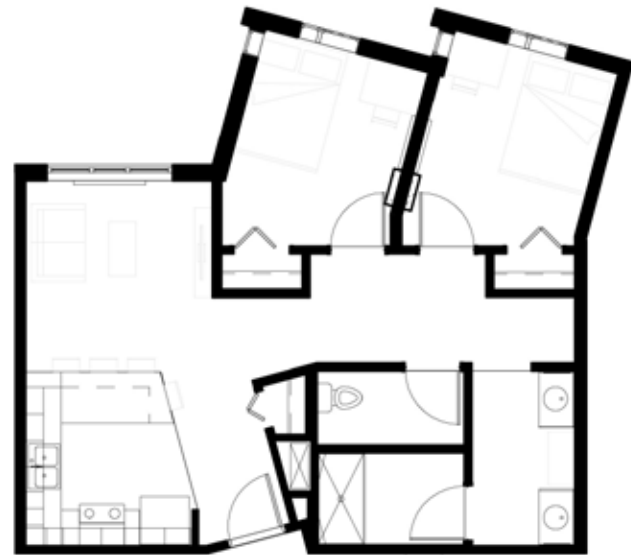
UNIT PLANS - NUEVO WEST GRADUATE STUDENT HOUSING



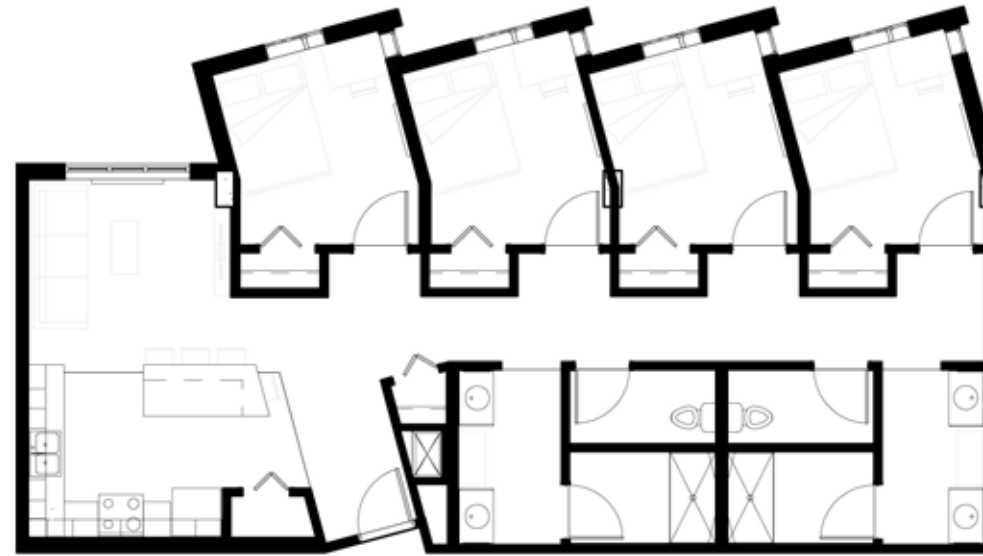
LIVING ROOM IN 4 BEDROOM UNIT



4 BED / 2 BATH APARTMENT

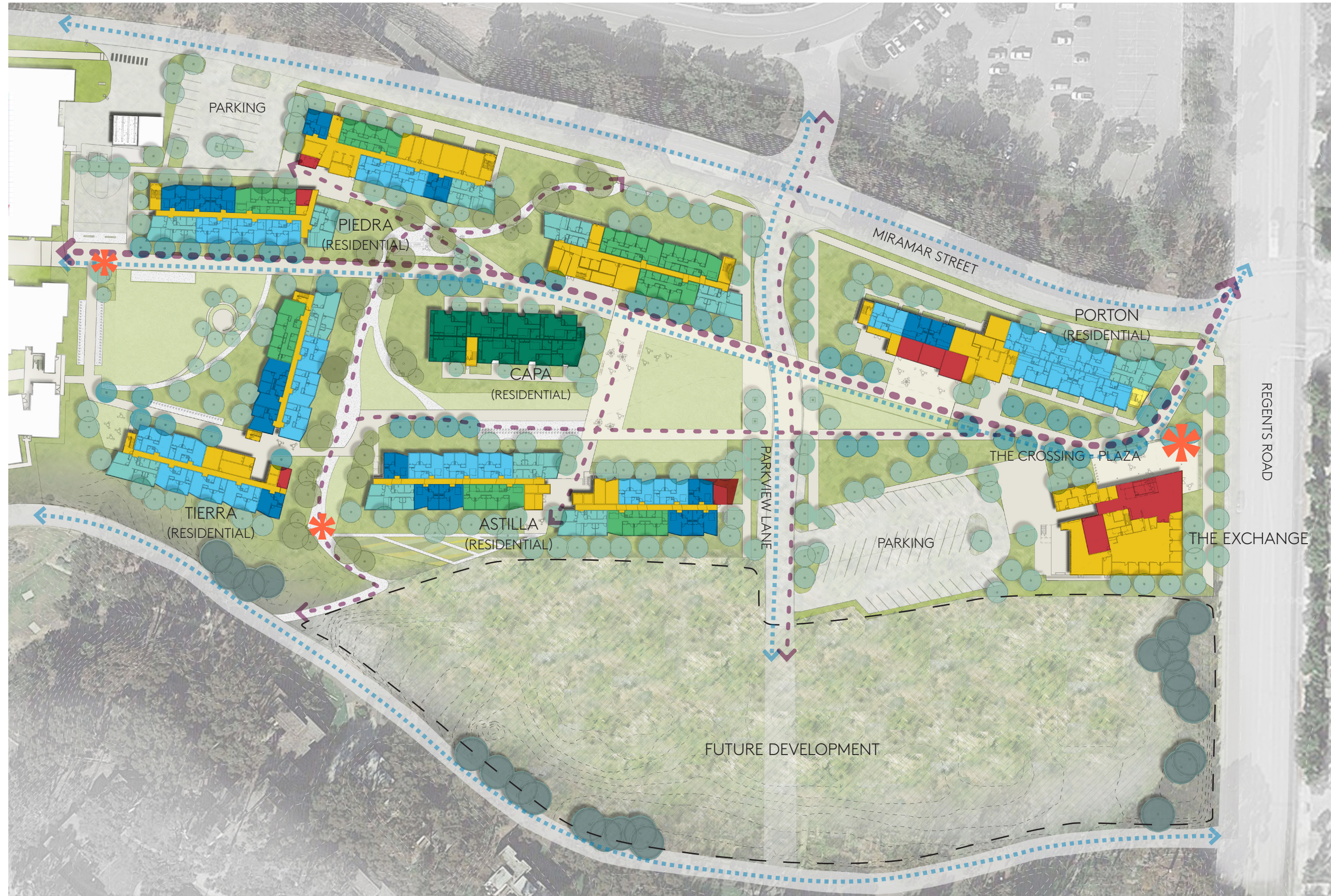


2 BED / 1 BATH: 702 SF



4 BED / 2 BATH: 1,254 SF

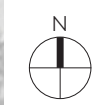
SITE & GROUND FLOOR PLAN - NUEVO EAST STUDENT HOUSING



LEGEND

- AMENITY SPACE
- 1 BEDROOM APARTMENT
- 2 BEDROOM APARTMENT
- 3 BEDROOM APARTMENT
- 4 BEDROOM APARTMENT
- 6 BEDROOM APARTMENT
- TOWNHOME
- STAFF APARTMENT
- SUPPORT / UTILITIES / CORRIDOR

- ✱ GATEWAYS
- - - PEDESTRIAN ROUTE
- · - · - BIKE ROUTE



PERSPECTIVE RENDERINGS - NUEVO EAST STUDENT HOUSING



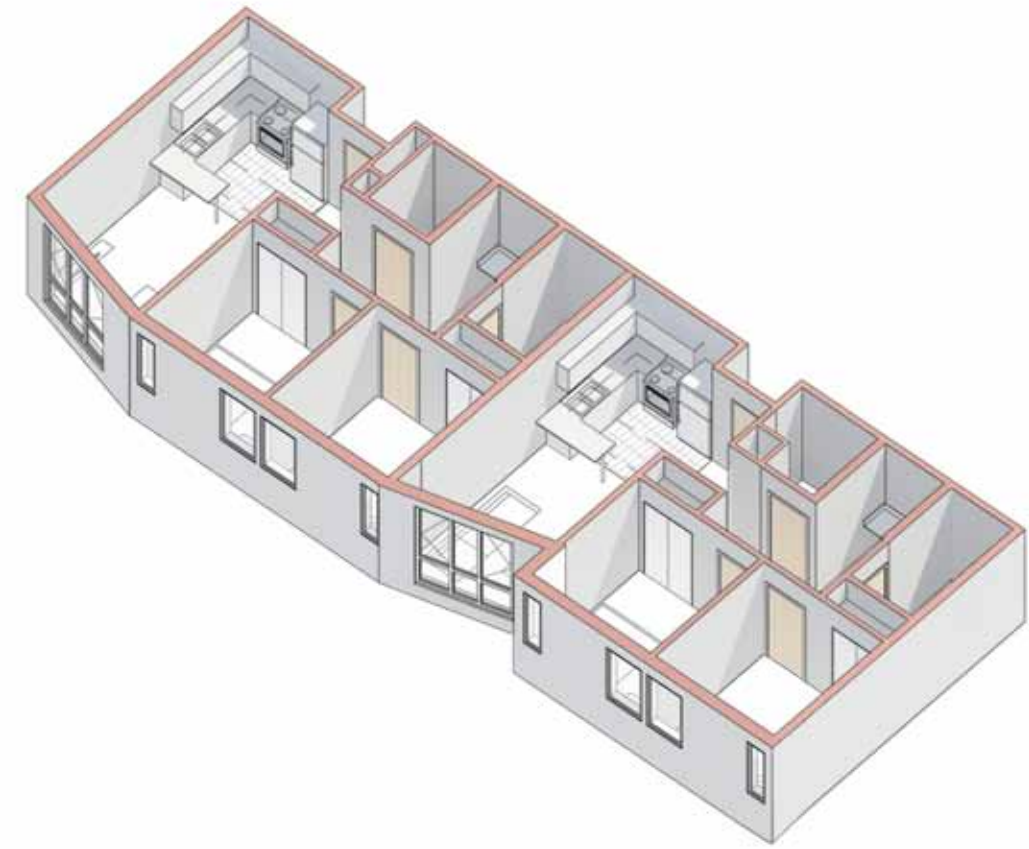
THE EXCHANGE

PORTON (RESIDENTIAL BUILDING)

UNIT PLANS - NUEVO EAST STUDENT HOUSING



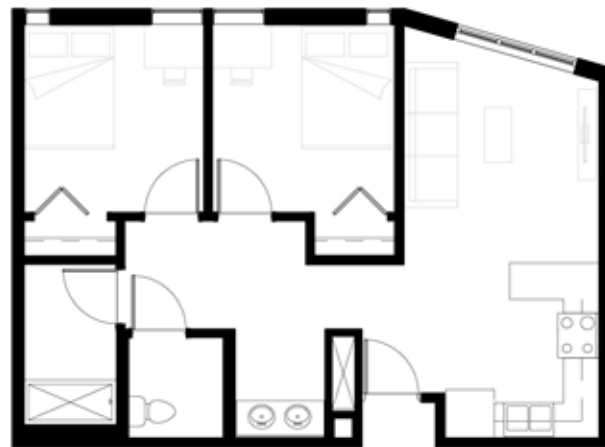
LIVING ROOM IN 3 BEDROOM UNIT



FACADE ARTICULATION ON APARTMENTS



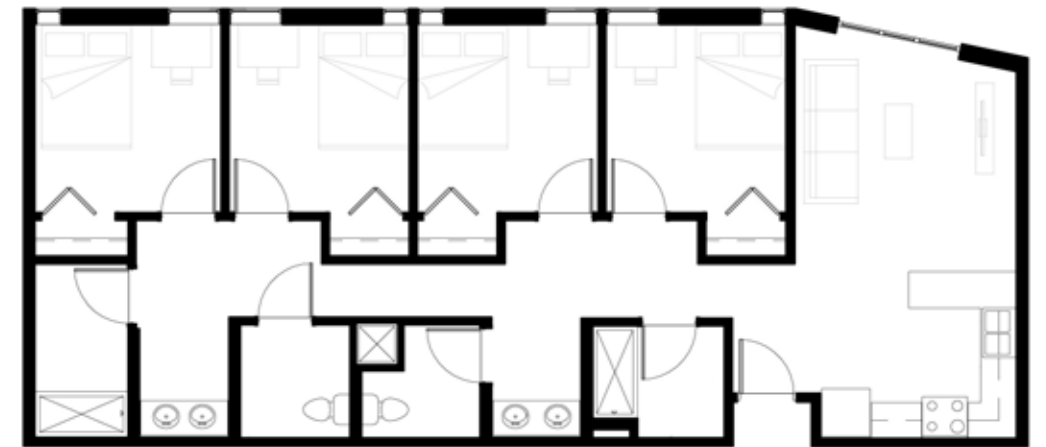
1 BED / 1 BATH: 463 SF



2 BED / 1 BATH: 662 SF



3 BED / 2 BATH: 918 SF



4 BED / 2 BATH: 1,142 SF

SUSTAINABLE DESIGN STRATEGIES - ONE MESA (NUEVO WEST & NUEVO EAST)

- LEED® GOLD TARGET DESIGN
- ENERGY PERFORMANCE EXCEEDS TITLE 24 BY GREATER THAN 20%
- ON SITE RENEWABLE ENERGY
- HIGH PERFORMANCE BUILDING ENVELOPE DESIGN
- ENHANCED NATURAL COOLING AND THERMAL COMFORT
- OPTIMIZED DAYLIGHT HARVESTING
- SOLAR CHIMNEY STACK EFFECT VENTILATION SYSTEM
- HEALTH FOCUSED BUILDING + SITE DESIGN
- INTEGRATED ALTERNATIVE TRANSPORTATION DESIGN
- NATIVE + DROUGHT TOLERANT LANDSCAPE PLANTINGS



Appendix—

PERSPECTIVE RENDERINGS - NUEVO WEST GRADUATE STUDENT HOUSING



PARKING GARAGE



MARKET & GATEWAY



TOWN SQUARE



EXTERIOR PLASTER



EXTERIOR PLASTER (UNIT ACCENT)



EXTERIOR PLASTER (ACCENT)



PANEL ACCENT



STEEL GUARDRAIL



ALUMINUM STOREFRONT GLAZING



EXPRESSED CONCRETE STRUCTURE

PERSPECTIVE RENDERINGS - NUEVO EAST STUDENT HOUSING



THE CROSSING - LOOKING WEST TOWARD RESIDENTIAL BUILDINGS



EXTERIOR PLASTER



EXTERIOR PLASTER (UNIT ACCENT)



EXTERIOR PLASTER (ACCENT)



METAL PANEL ACCENT



STEEL GUARDRAIL



ALUMINUM STOREFRONT GLAZING



EXPRESSED CONCRETE STRUCTURE

ENVIRONMENTAL IMPACT SUMMARY

In accordance with University procedures and the requirements of the California Environmental Quality Act (CEQA), an Environmental Impact Report (EIR) was prepared for the Mesa Housing Nuevo West and East projects. The EIR is tiered from the Program EIR prepared for the 2004 Long-Range Development Plan (LRDP) (UC San Diego September 2004), as updated by the East Campus Bed Tower Project EIR (UC San Diego June 2010). The project's EIR incorporates the 2004 LRDP EIR (as updated in 2010) by reference and summarizes its information where applicable.

The Draft EIR was circulated to responsible agencies and the State Clearinghouse for a 45-day public review period beginning August 25, 2017 and ending October 9, 2017. The Draft EIR's availability for public review was announced to interested parties via email and to the general public in a newspaper advertisement and on the UC San Diego Campus Planning website. Digital copies were available for public review online and hard copies were available at five public libraries. A public hearing on the findings of the EIR was also held on campus on September 18, 2017, to solicit input from the public. Five members of the public attended the hearing.

During the public review period, eight comment letters related to the proposed Nuevo East project were received from six public agencies, one non-profit organization, and one private individual. All issues raised during public review are adequately addressed in the Final EIR and/or in the 2004 LRDP EIR as updated in 2010. The comment letters and campus responses are included in the Final EIR.

The following key issues were analyzed in the EIR: air quality, biological resources, hydrology and water quality, public services, transportation and traffic, and global climate change. The EIR concluded that the proposed project may have a significant effect on the environment; however, with incorporation of project revisions and mitigation measures that have been agreed to by the University, the potential for significant impacts will be avoided or reduced to less than significant levels. Mitigation for potentially significant impacts includes both programmatic mitigation identified in the 2004 LRDP EIR and project-specific mitigation. The project's Mitigation Monitoring and Reporting Program, which details the mitigation measures and conditions required of the project, is included in the Final EIR.

FINDINGS FOR MESA HOUSING NUEVO EAST PROJECT EIR

CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS IN CONNECTION WITH THE APPROVAL OF MESA HOUSING NUEVO EAST PROJECT

I. CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT

The University of California (“University”), as the lead agency pursuant to the California Environmental Quality Act (“CEQA”), has prepared a Final Environmental Impact Report (“Final EIR”) for the Mesa Housing Nuevo East Project (“Project”)¹. This Project will be developed at the University of California, San Diego (“UC San Diego”) within the Mesa Housing neighborhood. The Board of Regents of the University of California (“The Regents”) hereby issues these Findings and concurrently approves the Project.

The overall purpose of the Project is to support of the 2016 UC President’s Student Housing Initiative and increase UC San Diego’s student housing inventory. The proposed Mesa Housing Nuevo East Project would redevelop an approximately 13.2-acre site located on the east end of the Mesa Housing Neighborhood, replacing existing low-density student housing with 1,374 new beds.

The Final EIR has been assigned State Clearinghouse Number No. 2017011048. The Final EIR consists of two volumes. The Final EIR contains an Introduction with Errata, responses to comments, the Mitigation Monitoring and Reporting Program, the revised Draft EIR with errata shown in ~~strike out~~/underline format, and EIR appendices. The Final EIR assesses the potential environmental effects of implementation of the Project, identifies the means to eliminate or reduce potentially significant adverse impacts, and evaluates a reasonable range of alternatives to the Project. The Final EIR also responds to comments on the Draft EIR, explains changes made to the text of the Draft EIR, and includes a Mitigation Monitoring and Reporting Program that outlines the substance and timing of mitigation measures required for the Project.

Pursuant to Public Resources Code section 21081 and CEQA Guidelines section 15090, The Regents certifies that it completed the following activities prior to approving the Mesa Housing Nuevo East Project: The Regents has received the Final EIR; The Regents has reviewed and considered the information contained in the Final EIR and received through public comments; and The Regents has considered all additional written and oral statements received prior to or at its public hearing on the Final EIR and on the Mesa Housing Nuevo East Project. The Regents additionally certifies that the Final EIR was completed in compliance with CEQA and that the Final EIR reflects the University’s independent judgment and analysis. The conclusions presented in these Findings are based on the Final EIR and other evidence in the administrative record.

The Regents certifies that this Final EIR properly tiers from the certified Program EIR prepared for the UC San Diego 2004 LRDP EIR (“UCSD 2004 LRDP EIR”) SCH No. 2003081023; and the certified EIR prepared for the East Campus Bed Tower EIR (“2010 ECBT EIR”), SCH No. 2009081053, pursuant to Public Resources Code section 21068.5 and 21093 and

¹ The Project’s Final EIR also addresses the Mesa Housing Nuevo West Project located on a separate but proximate site to the Nuevo East Project.

FINDINGS FOR MESA HOUSING NUEVO EAST PROJECT EIR

CEQA Guidelines §15152 and 15385, and complies with all relevant requirements for tiered CEQA documents. The UCSD 2004 LRDP EIR analyzed the 2004 LRDP for the UCSD campus, as later amended by the 2010 ECBT EIR. Technical analyses presented in the 2010 ECBT EIR updated the long-term traffic and cumulative construction emissions (air quality) analyses presented in the UCSD 2004 LRDP EIR. The 2010 analyses were conducted to address changed regional traffic and cumulative construction scenario conditions that had resulted since the UCSD 2004 LRDP EIR was certified in September 2004. As a result, the 2010 ECBT EIR, which was certified in July 2010, replaced the UCSD 2004 LRDP EIR as the basis of the long-term traffic and cumulative construction emissions analyses for all future campus projects proposed under the 2004 LRDP. The certified 2010 ECBT EIR also identified revised mitigation for long-term traffic and cumulative construction air quality impacts associated with implementation of the 2004 LRDP. Accordingly, a revised 2004 LRDP MMRP reflecting the revised mitigation also was prepared and certified by The Regents in July 2010.

The Mesa Housing Nuevo East Project is consistent with and fits within the scope of development considered in the UCSD 2004 LRDP EIR (as updated in 2010) and the 2010 ECBT EIR. The Final EIR certified here considers all additional, relevant information that has become available since the University's certification of the UCSD 2004 LRDP EIR (as updated in 2010) and the 2010 ECBT EIR; examines the project-specific impacts of the Project, including all impacts that either were not examined as significant impacts in the UCSD 2004 LRDP EIR (as updated in 2010) and the 2010 ECBT EIR or are susceptible to substantial reduction or avoidance; and imposes all feasible and applicable mitigation measures to reduce potentially significant environmental impacts. The UCSD 2004 LRDP EIR (as updated in 2010) is available for review at <https://drive.google.com/file/d/0B6Hbw1EPHZqYV2IIUlltOTJ1UUE/view> and the 2010 ECBT EIR is available for review at <https://drive.google.com/file/d/0B6Hbw1EPHZqYVEtcmRsR08wN1E/view>. Both documents, from which this Final EIR tiers, are also available for viewing at UC San Diego Campus Planning, Torrey Pines Center South, Suite 355, La Jolla, California 92093, (858) 534-3860.

II. FINDINGS

Having received, reviewed, and considered the Final EIR and other information in the administrative record, The Regents hereby adopts the following Findings for the Mesa Housing Nuevo East Project in compliance with CEQA, the CEQA Guidelines, and the University's procedures for implementing CEQA. The Regents adopts these Findings in conjunction with its approval of the Mesa Housing Nuevo East Project, as set forth in Section VI, below.

A. ENVIRONMENTAL REVIEW PROCESS

1. Preparation of the EIR

On January 18, 2017, the University released a Notice of Preparation (NOP) announcing the preparation of a Draft EIR which described the proposed Project and the scope of the Draft EIR. During the NOP scoping period, and at the direction of The Regents, the University increased the bed count of the Nuevo East component of the EIR and consequently released a revised NOP on February 23, 2017.

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The University issued the Draft EIR for the Project on August 25, 2017 and circulated it for public review and comment for a 45-day period ending on October 9, 2017. Six comment letters were received from various state and local agencies; one comment letter was received from an organization; and one member of the public provided comments in both written format and orally at the September 18, 2017 public hearing on the Draft EIR.

The Final EIR contains the comment letters received during the public comment period as well as the transcripts of the public hearing on the Draft EIR. The Final EIR also contains responses to those comments, which the University prepared in accordance with CEQA, the CEQA Guidelines, and the University's procedures for implementing CEQA. The Regents has reviewed the comments received and the responses thereto and finds that the Final EIR provides adequate, good faith, and reasoned responses to those comments.

2. Absence of Significant New Information

CEQA Guidelines section 15088.5 requires that a lead agency recirculate an EIR for additional review and comment when significant new information is added to the EIR after the public comment period but before certification. Such information can include changes in the project or environmental setting, but that information is not significant unless the EIR is changed in a manner that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect that the project's proponent declines to implement.

The Regents finds that no significant new information was added to the Draft EIR after the public review period. The Regents specifically finds that: no new significant environmental impact would result from the Mesa Housing Nuevo East Project or from the implementation of a mitigation measure; no substantial increase in the severity of an environmental impact would result, or if such an increase would result, the University has adopted mitigation measures to reduce the impact to a level of insignificance; the University has not declined to adopt any feasible project alternative or mitigation measures considerably different from others previously analyzed that would clearly lessen the environmental impacts of the Mesa Housing Nuevo East Project; and the Draft EIR is not so fundamentally and basically inadequate in nature that it precluded meaningful public review.

Having reviewed the information in the Draft EIR, Final EIR, and administrative record, the Regents finds that no new significant information was added to the EIR following public review, and recirculation of the EIR is therefore unnecessary and not required by CEQA.

B. IMPACTS AND MITIGATION MEASURES

As required by CEQA and the CEQA Guidelines, the following section summarizes the environmental impacts of the Mesa Housing Nuevo East Project identified in the Final EIR and includes The Regents' Findings regarding those impacts and any mitigation measures set forth in the Final EIR, adopted by The Regents, and incorporated as requirements of the Project. These Findings summarize the determinations of the Final EIR with respect to the Project's impacts before and after mitigation and do not attempt to describe the full analysis of each environmental impact considered in the Final EIR. Instead, the Findings provide a summary description of each impact, describe the applicable mitigation measures identified in the Final EIR and adopted by The Regents,

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and state The Regents' Findings regarding the significance of each impact with the adopted mitigation measures. The Final EIR contains a full explanation of each impact, mitigation measure, and the analysis that led the University to its conclusions on those impacts. These Findings hereby incorporate by reference the discussion and analysis in the Final EIR, which supports the Final EIR's determinations regarding the Project's environmental impacts and mitigation measures. In making these Findings, The Regents ratifies, adopts, and incorporates by reference the Final EIR's analysis, determinations, and conclusions relating to environmental impacts and mitigation measures, except to the extent that any such determinations and conclusions are specifically and expressly modified by these Findings.

In adopting the mitigation measures described below, The Regents intends to adopt each of the mitigation measures recommended in the Final EIR. Accordingly, in the event that a mitigation measure recommended in the Final EIR has been inadvertently omitted from these Findings, that mitigation measure is hereby adopted and incorporated by reference in the Findings. Additionally, in the event that the description of mitigation measures set forth below fails accurately to capture the substance of a given mitigation measure due to a clerical error (as distinct from specific and express modification by The Regents through these Findings), the language of the mitigation measure as set forth in the Final EIR shall govern.

With respect to mitigation measures that were suggested in comments by the public or other public agencies but not included in the Final EIR, the responses to comments explain that the suggested mitigation measures either are already part of the Mesa Housing Nuevo East Project and associated CEQA documentation or are ineffectual and thus not recommended for adoption for the reasons outlined in the responses to comments. The Regents hereby adopts and incorporates by reference the reasons stated in the responses to comments as the basis for finding these suggested mitigation measures not necessary or appropriate for inclusion as Project requirements.

1. No Impacts as a Result of the Project

The Final EIR determined that the Project would cause no impacts in the following environmental resource areas, and no mitigation is proposed for these impacts: impacts to aesthetics (see Draft EIR page 4-3; scenic resources); impacts to air quality (see Draft EIR pages 3.1-19 and 3.1-20; conflicts with regional air quality plans); impacts to agriculture resources (see Draft EIR pages 4-17; all impacts); impacts to biological resources (see Draft EIR pages 3.2-17; federally protected wetlands, wildlife corridors, conflicts with local policies and habitat conservation plans); impacts to cultural resources and tribal cultural resources (see Draft EIR pages 4-17 through 4-22; historic resources, paleontological resources, tribal cultural resources, disturbance of human remains); impacts to hydrology (see Draft EIR pages 3.3-25 and 3.3-26; impacts associated with groundwater supply/recharge, flooding, seiches, tsunamis, and mudflows); impacts to land use (see Draft EIR pages 4-26 and 4-27; dividing established communities, land use incompatibilities, conflicts with applicable habitat conservation plans); impacts to mineral resources (see Draft EIR page 4-28; all impacts); and impacts to transportation and traffic (see Draft EIR pages 3.5-26; impacts affecting air traffic patterns).

FINDING: The Regents finds that the Project would have no impacts in the environmental resource areas listed above. Therefore, no mitigation is proposed or required.

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2. Less-Than-Significant Impacts Identified in the EIR for Which No Mitigation Is Required

The Final EIR found that the following impacts from the implementation of the Mesa Housing Nuevo East Project would be less than significant without mitigation, and no mitigation is proposed for these impacts: impacts to aesthetics (see Draft EIR pages 4-2 through 4-3; scenic vistas, aesthetic character); direct impacts to air quality (see Draft EIR pages 3.1-11 through 3.1-21; exceedance of air quality standards, exposure of sensitive receptors to pollutant concentrations, objectionable odors); impacts to biological resources (see Draft EIR pages 3.2-10 and 3.2-16; sensitive natural communities² and cumulative impacts); impacts to geology and soils (see Draft EIR pages 4-22 through 4-26; all impacts); impacts to global climate change (see Draft EIR pages 3.6-13 through 3.5-20; all impacts); impacts to hydrology and water quality (see Draft EIR pages 3.3-9 through 3.3-14 and 3.3-23 through 3.3-24; direct alteration of existing drainage or hydrology; cumulative increases in storm water runoff within the watershed; cumulative development within the watershed increases pollutant sources); impacts to land use and planning (see Draft EIR pages 4-26 through 4-27; land use policy conflicts); impacts to population and housing (see Draft EIR pages 4-28 through 4-29; all impacts); impacts to public services (see Draft EIR pages 3.4-9 through 3.4-10 and 3.4-14; all direct impacts); impacts to recreation (see Draft EIR pages 4-29 and 4-30; all impacts); impacts to transportation and traffic (see Draft EIR pages 3.5-10 through 3.5-24, and 3.5-37 through 3.5-39; direct conflict with circulation plans, direct conflict with alternative circulation plans, design hazards, cumulative regional decreases in traffic level of service); and impacts to utilities, service systems, and energy (see Draft EIR pages 4-31 through 4-37; all impacts).

FINDING: The Regents finds that all of the aforementioned environmental impacts would be less than significant without mitigation. Therefore, no mitigation is proposed or required.

3. Potentially Significant Impacts Reduced to Less-Than-Significant Impacts Through the Incorporation of Mitigation Measures

Pursuant to Public Resources Code section 21081(a)(1) and CEQA Guidelines section 15091(a)(1), the following potentially significant impacts identified in the Final EIR will be reduced to less-than-significant impacts through the implementation of the mitigation measures hereby incorporated into the Project.

i. Aesthetics

Aesthetics Lighting and Glare Impacts: The proposed Project could create a substantial new source of lighting that could adversely affect nighttime views in the Project area. (Draft EIR pages 4-3 through 4-5)

MM LRDP AES-2B: If a proposed project includes outdoor lighting, lighting plans shall be reviewed during the project planning process to ensure that the UCSD Outdoor Lighting Policy and the UCSD Outdoor Lighting Design Guidelines or equivalent measures have been applied in the lighting plan so that:

² The EIR identifies potentially significant impacts to sensitive natural communities resulting from the Nuevo West Project; however, these impacts and associated mitigation are not applicable to the Nuevo East Project.

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- Direct lighting is shielded from residential areas, sensitive biological habitat, and other light sensitive receptors;
- Lighting is directed to the specific location intended for illumination (e.g., roads, walkways, or recreation fields);
- Non-essential lighting and stray light spillover is minimized; and
- Low intensity lamps are used except when high intensity illumination is required, such as for a recreational field. (Draft EIR page 4-4)

MM LRDP AES-2C: If a proposed project includes development or alteration of a parking area, parking structure, or road that could result in the prolonged or excessive repetitive exposure of residential areas, or other light sensitive receptors to vehicle headlights then the project shall be designed to shield direct lighting from such uses. If shielding cannot be implemented through design modifications, walls, landscaping or other light barriers shall be provided as appropriate to shield direct lighting from such uses. (Draft EIR page 4-5)

FINDING: The Regents finds that the implementation of the Mesa Housing Nuevo East Project would introduce a new source of nighttime lighting and glare in the Project site vicinity that could adversely affect lighting and glare in the area (see Final EIR Section IV). LRDP Mitigation Measures AES-2B and AES-2C are hereby adopted and incorporated into the Project. The Regents finds that implementation of Mitigation Measure LRDP AES-2B and AES-2C will reduce this potentially significant impact to a less-than-significant impact and that the Project will not, therefore, significantly affect the nighttime views or glare in the Project area. All other aesthetics impacts are less than significant and no mitigation is required (see pages 4-1 through 4-3 of the Final EIR).

ii. Air Quality - Cumulative

Cumulative Construction-related Air Emissions (ozone, PM₁₀ and PM_{2.5}):

Implementation of the proposed Project would have a cumulatively considerable contribution to a cumulative air quality impact associated with consistency with air quality standards during construction. (Draft EIR pages 3.1-16 through 3.1-17).

MM LRDP AIR-CB: Any development on the UC San Diego campus shall include in all construction contracts the measures specified below to reduce PM₁₀ and PM_{2.5} air pollutant emissions:

- All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, or other stabilization techniques.
- All land clearing and grading and demolition activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking.

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- Street sweeping shall be performed regularly on roads surrounding the construction site that carry construction traffic or collect construction related dust or dirt.
- Revegetate exposed earth surface following construction.
- Limit traffic speeds on unpaved roads to 15 miles per hour.
- To the extent that equipment is available and cost effective, the campus shall encourage contractors to use alternate fuels and retrofit existing engines in construction equipment.
- Minimize idling time to a maximum of 10 minutes when construction equipment is not in use.
- To the extent practicable, manage operation of heavy-duty equipment (e.g., restrict operations, operate only when necessary) to reduce emissions. (Draft EIR pages 3.1.15 and 3.1-16).

MM LRDP AIR-CC: Campus construction contracts/specifications shall include language that requires medium and large sized construction fleets to comply with the requirements of the ARB proposed regulation for In-use Off-road Diesel Vehicles (Section 2449, Title 13, Article 4.8, California Code of Regulations, as modified). (Draft EIR page 3.1-16).

FINDING: The Regents finds that the implementation of the Project would result in a cumulatively significant impact associated with criteria air pollutant emissions during construction (see Draft EIR Section 3.1). Mitigation Measures LRDP AIR-CB and AIR-CC are hereby adopted and incorporated into the Project. The Regents finds that implementation of LRDP Mitigation Measures AIR-CB and AIR-CC will reduce this potentially significant cumulative impact to a less-than-significant impact and that the Project will not, therefore, significantly affect air quality in the Project area. All other air quality impacts are less than significant and no mitigation is required.

iii. Biological Resources

Biological Resources Issue 1: Implementation of the proposed Project would not have direct impacts on candidate, sensitive, or special status species on campus; however, raptors and nesting birds protected under the Migratory Bird Treaty Act could be directly and/or indirectly impacted by project construction. (Draft EIR pages 3.2-7 through 3.2-9.)

MM LRDP BIO-2D: Prior to initiation of project construction during the raptor nesting season (generally February through July) where suitable trees for raptor nesting occur on the site or within 500 feet of the site, a pre-construction survey for raptor nests shall be performed by a qualified biologist. Construction activities within 500 feet of an active nest shall not be allowed to commence during the breeding season until a qualified biologist determines that the nest is no longer active. (Draft EIR page 3.2-9)

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MM NWE BIO-1: No grubbing, trimming, or clearing of vegetation shall occur during the general avian breeding season (February 15 through August 31). If grubbing, trimming, or clearing cannot feasibly occur outside of the general avian breeding season, then one pre-construction survey shall be conducted by a qualified biologist no more than seven days prior to the commencement of vegetation clearing or grubbing to determine if active bird nests are present in the affected areas. Should an active migratory bird nest be located, the project biologist would direct vegetation clearing away from the nest until it has been determined by the project biologist that the young have fledged or the nest has failed. If there are no nesting birds (includes nest building or other breeding/nesting behavior) within this area, clearing, grubbing, and grading shall be allowed to proceed. (Draft EIR page 3.2-9)

FINDING: The Regents finds that the implementation of the Project would not have direct impacts on candidate, sensitive, or special status species on campus; however, raptors and nesting birds protected under the MBTA could be directly and indirectly impacted by project construction (see Draft EIR Section 3.2). Mitigation Measures LRDP BIO-2D and NWE BIO-1 is hereby adopted and incorporated into the Project. The Regents finds that implementation of Mitigation Measures LRDP BIO-2D and NWE BIO-1 will reduce this potentially significant impact to a less-than-significant impact and that the Project will not, therefore, significantly affect raptors and nesting birds.

Biological Resources Issue 2: Implementation of the proposed Project would have direct and indirect impacts to sensitive natural communities. (Draft EIR pages 3.2-10 through 3.2-14)

iv. Hazards and Hazardous Materials

Significant Hazard to Public: Munitions and explosives of concern (i.e., lead and arsenic) and munitions debris associated with historic small arms training at Camp Matthews could be encountered during construction of the proposed Project. (Draft EIR pages 4-6 through 4-9)

MM LRDP HAZ-4B: If contamination exists on a proposed project site and if it poses a risk to human health or the environment, actions shall be taken prior to any construction, pursuant to applicable regulations, to remove or otherwise remediate the contamination through appropriate measures such as natural attenuation, active remediation, and engineering controls. Assessment and remediation activities shall incorporate the following conditions:

- i. All assessment and remediation activities shall be conducted in accordance with a work plan which is approved by the regulatory agency having oversight of the activities.
- ii. It may be necessary to excavate existing soil within the Project site, or to bring fill soils into the site from off-site locations. At sites that have been identified as being contaminated or where soil contamination is suspected, appropriate sampling is required prior to disposal of excavated soil. Contaminated soil shall be properly

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disposed at an approved off-site facility. Fill soils also shall be sampled to ensure that imported soil parameters are within acceptable levels.

- iii. Caution shall be taken during excavation activities near existing groundwater monitoring wells, so that they are not damaged. Existing groundwater monitoring wells may have to be abandoned and reinstalled if they are located in an area that is undergoing redevelopment. (Draft EIR page 4-8)

MM LRDP HAZ-4C: In the event that underground storage tanks (“USTs”), not identified in consultation with UCSD Environmental Health & Safety (“EH&S”), or undocumented areas of contamination are encountered during construction or redevelopment activities, work shall be discontinued until appropriate health and safety procedures are implemented. Either the San Diego County Department of Environmental Health (“DEH”) or the Regional Water Quality Control Board (“RWQCB”), depending on the nature of the contamination, must be notified regarding the contamination. Each agency and program within the respective agency has its own mechanism for initiating an investigation. The appropriate program (e.g., the DEH Local Oversight Program for tank release cases, the DEH Voluntary Assistance Program for non-tank release cases, the RWQCB for non-tank cases involving groundwater contamination) will be selected based on the nature of the contamination identified. The contamination remediation and removal activities will be conducted in accordance with pertinent regulatory guidelines, under the oversight of the appropriate regulatory agency. (Draft EIR pages 4-8 and 4-9)

FINDING: The Regents finds that the implementation of the Project would result in potential impacts related to encountering unknown contaminated sites and the associated release of hazardous materials (see Draft EIR Chapter 4). Mitigation Measures LRDP HAZ-4B and LRDP HAZ-4C are hereby adopted and incorporated into the Project. The Regents finds that implementation of Mitigation Measures LRDP HAZ-4B and LRDP HAZ-4C, combined with the UCSD *Site Development Guidelines and Procedures* that will be included with the contractor specifications for the Project, will reduce this potentially significant impact to a less-than-significant impact and that the Project will not, therefore, result in a significant hazard to the public or environment.

Interference with an Emergency Response Plan: Construction of the proposed Project could require temporary lane closure(s), potentially impairing or interfering with emergency response services. (Draft EIR page 4-9)

MM LRDP HAZ-6A: In the event that the construction of a project requires a lane or roadway closure, prior to construction the contractor and/or Facilities Design and Construction (“FD&C”) shall ensure that the UC San Diego Fire Marshal is notified. If determined necessary by the UC San Diego Fire Marshal, local emergency services will be notified of the closure by the Fire Marshal. (Draft EIR page 4-9)

FINDING: The Regents finds that the implementation of the Project would result in the potential need for temporary traffic lane closures in the Project site vicinity during the construction phase (see Draft EIR Chapter 4). Mitigation Measure LRDP HAZ-6A is hereby adopted and incorporated into the Project. The Regents

finds that implementation of Mitigation Measure LRDP HAZ-6A will reduce this potentially significant impact to a less-than-significant impact and that the Project will not, therefore, result in a significant hazard to the public or environment.

v. *Hydrology and Water Quality*

Hydrology and Water Quality Issue 2: Operation of the proposed Project has the potential to violate water quality standards or waste discharge requirements and degrade water quality. (Draft EIR pages 3.3-14 and 3.3-23)

MM NWE HYD-1: The proposed project, including Nuevo West, Nuevo West parking structure, Nuevo East, and the Miramar Road/Athena Circle infrastructure improvements, would create and/or replace 5,000 square feet or greater of impervious surface; therefore, a Post-Construction Storm Water Management Checklist(s) shall be completed prior to construction of the project. The checklist(s) shall be provided to the UC San Diego project manager who will ensure the information is uploaded to the SWRCB's SMARTS online program. A separate checklist may be prepared for each project component, as each would individually increase impervious surfaces by at least 5,000 square feet.

To comply with the checklist(s), each component of the project shall implement site design measures in accordance with UC San Diego's Phase II Small MS4 General Permit 2013-0001-DWQ to reduce project runoff. The project shall verify that post-construction water balance be achieved through site design measures. If post-project flows continue to exceed existing conditions, additional storm water treatment BMPs, source control measures, and/or storm water treatment/baseline hydromodification measures shall be designed to achieve water balance, as described in the checklist. The State Water Board's SMARTS Post-Construction Calculator or equivalent shall be used to quantify runoff reduction resulting from implementing any site design measures in the checklist. The checklist can be found at:

<http://blink.ucsd.edu/safety/environment/outdoor/storm/post-construction.html>. (Draft EIR page 3.3-22)

FINDING: The Regents finds that the Project would result in the potential for operational water quality impacts (see Draft EIR Section 3.3). Project-specific Mitigation Measure NWE HYD-1 is hereby adopted and incorporated into the Project. The Regents finds that implementation of Mitigation Measure NWE HYD-1, as well as compliance with all applicable storm water permits and plans and incorporation of post-construction treatments and source control measures, will reduce this potentially significant impact to a less-than-significant impact and will ensure that violation of water quality standards or waste discharge requirements will not occur.

vi. *Noise*

Construction Noise Impacts: Construction noise from the louder equipment used to build the Project could temporarily expose nearby noise-sensitive receptors to elevated noise levels (i.e., above the 75-dBA CNEL threshold from the 2004 LRDP EIR) that could disrupt communications and routine activities. (Draft EIR pages 4-14 and 4-15)

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MM LRDP NOI-2A: UC San Diego shall implement the following measures to minimize short-term noise levels caused by construction activities. Measures to reduce construction/demolition noise to the maximum extent feasible shall be included in contractor specifications and shall include, but not be limited to, the following:

- i. The construction contractor shall be required to work in such a manner so as not to exceed a 12-hour average sound level of 75 dBA at any noise-sensitive land use (dormitories/residential/lodging, contemplative spaces, libraries, inpatient medical care facility [beds present], and on-campus classrooms) between 7:00 a.m. and 7:00 p.m. Monday through Saturday.
- ii. Construction equipment shall be properly outfitted and maintained with manufacturer recommended noise-reduction devices to minimize construction-generated noise.
- iii. Stationary construction noise sources such as generators or pumps shall be located at least 100 feet from noise-sensitive land uses as feasible.
- iv. Laydown and construction vehicle staging areas shall be located as far from noise sensitive land uses as feasible.
- v. 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, whenever possible.
- vi. Loud construction activity such as jackhammering, concrete sawing, asphalt removal, pile driving, and large-scale grading operations occurring within 100 feet of a residential or academic building shall not be scheduled during any finals week of classes to the extent feasible or consider adjusting the hours or days of construction.
- vii. Loud construction activity, such as jackhammering, concrete sawing, asphalt removal, pile driving, and large-scale grading operations, occurring within 100 feet of an academic or residential use shall be scheduled during holidays, class breaks, and/or summer session, to the extent feasible.
- viii. Loud construction activity located within 100 feet of a residential building or inpatient medical care facility shall be restricted to occur between the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday. (Draft EIR pages 4-13 and 4-14)

FINDING: The Regents finds that the construction of the Project could expose nearby noise-sensitive receptors to temporarily noise levels that would exceed the 75-dBA CNEL threshold identified in the 2004 LRDP EIR (see Draft EIR Section 4.1.3). The applicable provisions of Mitigation Measure LRDP NOI-2A are hereby adopted and incorporated into the Project. The Regents finds that implementation of the applicable provisions of Mitigation Measure LRDP NOI-2A will reduce this potentially significant impact to a less-than-significant impact and that construction of the Project will not, therefore, result in temporarily elevated noise levels that would disrupt communication and routine activities.

Construction Vibration Impacts: Construction activities at the Project site could cause vibrations at adjacent properties. (Draft EIR pages 4-13 and 4-14)

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MM LRDP NOI-4A: For major construction activity involving heavy earth moving equipment within 200 feet, and pile driving within 600 feet, of sensitive land uses (e.g., vibration sensitive laboratory equipment), prior to the initiation of construction activities, the UC San Diego Environmental Planner and the Facilities Design and Construction department shall approve a construction vibration mitigation program developed by a qualified person experienced in the fields of environmental noise and vibration assessment to be implemented by the construction contractor. The construction vibration mitigation program shall include measures to reduce vibration resulting from construction activities to the maximum extent practicable. Notification and monitoring of construction activities shall include, but not be limited to, the following:

- i. Vibration monitoring shall be performed during construction to establish the level of vibration produced by high impact activities. Monitoring shall be conducted when any construction would occur within 50 feet of a vibration sensitive land use. Monitoring shall be conducted using a portable vibration-monitoring instrument that provides a calibrated record of local ground movement/accelerations. If construction vibration exceeds 2.0 in/sec, alternative work methods and equipment shall be used. Baseline vibration levels at specified locations shall be established prior to construction.
- ii. Building occupants shall be notified at least two weeks prior to the start of construction that would occur within 50 feet of any vibration sensitive land use. (Draft EIR pages 4-13 and 4-14)

FINDING: The Regents finds that construction of the Project would include activities that have the potential to lead to vibration impacts to existing vibration-sensitive equipment at nearby sites (see Draft EIR Section 4.1.3). Mitigation Measure LRDP NOI-4A is hereby adopted and incorporated into the Project. The Regents finds that implementation of Mitigation Measure LRDP NOI-4A will reduce this potentially significant impact to a less-than-significant impact and that construction of the Project will not, therefore, result in a significant amount of vibration at adjacent properties.

vii. Public Services—Cumulative

Cumulative Fire Services Impact: The proposed Project would contribute considerably to cumulative demands for fire protection services that may require new facilities potentially resulting in adverse physical impacts. (Draft EIR pages 3.4-11 through 3.4-13)

MM NWE FIRE-1: UC San Diego is planning to design and construct a fire station on campus to meet the increased demand for fire and emergency medical services of the proposed project, as well as other future campus development, and to ensure a heightened level of fire protection for the campus. The planned fire station is anticipated to commence operation in 2021, after transfer of the fire station and underlying land to the City of San Diego, and would serve the campus and the City's University community. UC San Diego's construction of this fire station would incorporate mitigation measures for any potentially significant environmental impacts and would therefore serve as mitigation for the proposed project's (and many other projects') CEQA-cognizable environmental impacts on fire

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services. However, while an agreement between UC San Diego and the City of San Diego is underway and anticipated to come to fruition soon, the fire station has not yet been finally approved by either entity.

In the event the fire station is not approved, UC San Diego shall pay its proportionate share of the cost of mitigating the environmental impacts associated with the construction and operation of a new fire station in the UC San Diego/University City area to the City of San Diego. UC San Diego's proportionate share of funding would be determined by the percentage of new population generated by the project compared to the additional population in the community (as defined by the 2011 Citygate study) that could be served within five minutes by a new fire station. UC San Diego may meet its proportional share contribution obligation by contributing either land or money or some combination thereof. (Draft EIR page 3.4-13)

FINDING: The Regents finds that the Project would result in a considerable contribution to cumulative demands for public services that may result in significant, potential, cumulative environmental impacts associated with the construction and operation of other fire protection and emergency medical facilities (see Draft EIR Section 3.4). If by project occupancy the proposed UC San Diego fire station is not approved, the implementation of Project-specific mitigation measure NWE FIRE-1 would reduce the project's contribution to the potential cumulative impact associated with fire protection and emergency medical services to below a level of significance. Mitigation Measure NWE FIRE-1 is hereby adopted and incorporated into the Project. The Regents finds that implementation of Mitigation Measure NWE FIRE-1 will mitigate the Project's contribution to this cumulatively significant public services impact to a level that is not cumulatively considerable. All other public services impacts are less than significant and no mitigation is required.

viii. Transportation and Traffic

Transportation and Traffic Issue 3: Construction activities at the Project site could potentially result in temporary inadequate emergency access. (Draft EIR pages 3.5-24 and 3.5-25)

MM LRDP TRA-1B: If construction of the proposed project requires an on-campus lane or roadway closure, or could otherwise substantially interfere with campus traffic circulation, the contractor or other responsible party will provide a traffic control plan for review and approval by UC San Diego. The traffic control plan shall ensure that adequate emergency access and egress is maintained and that traffic is allowed to move efficiently and safely in and around the campus. The traffic control plan may include measures such as signage, detours, traffic control staff, a temporary traffic signal, or other appropriate traffic controls. If the interference would occur on a public street, UC San Diego (or its contractor) shall apply for all applicable permits from the appropriate jurisdiction (Draft EIR page 3.5-25)

FINDING: The Regents finds that construction of the Project would result in the potential for inadequate emergency access (see Draft EIR Section 3.5). Mitigation Measure LRDP TRA-1B is hereby adopted and incorporated into the Project. The Regents finds that implementation of Mitigation Measure LRDP TRA-1B will reduce

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this potentially significant impact to a less-than-significant impact and will ensure that access would not be compromised or blocked due to road closures during construction of the Project.

4. Significant and Unavoidable Adverse Impacts and Related Mitigation Measures

Pursuant to Public Resources Code section 21081(b) and CEQA Guidelines section 15093, where the lead agency identifies significant adverse environmental impacts that cannot feasibly be mitigated to a less-than-significant level, the lead agency may nonetheless approve the project if it finds that specific economic, legal social, technological, or other benefits of the project outweigh the unavoidable significant environmental impacts.

The EIR did not identify any Project-specific significant and unavoidable impacts that would result from development of the Project. The EIR, however, found that the Project will contribute incrementally to certain significant and unavoidable cumulative impacts (listed above under Section 3) associated with implementation of the 2004 LRDP. UCSD 2004 LRDP EIR (as updated in 2010) and 2010 ECBT EIR identified mitigation measures (listed below and described in Section 3(ii) above) that would reduce to the extent feasible, but not avoid, these significant and unavoidable adverse impacts. These mitigation measures were adopted as part of the approval of the 2004 LRDP and certification of the UCSD 2004 LRDP EIR (as updated in 2010) and 2010 ECBT EIR and are currently being implemented. The EIR did not identify any additional Project-specific mitigation measures that would further reduce or avoid these impacts.

The Regents finds that the Project's contribution to the 2004 LRDP impacts are minimal and individually less-than-significant. The Regents finds, furthermore, that these impacts were adequately analyzed in the UCSD 2004 LRDP EIR and 2010 ECBT EIR and that the EIRs' analyses remain valid because the campus has not exceeded the level of development contemplated in the 2004 LRDP and circumstances have not changed such that the UCSD 2004 LRDP EIR's and the 2010 ECBT EIR's analyses (and the updated analysis in the Project EIR) would no longer apply. The Regents finds that the remaining significant and unavoidable cumulative impacts associated with growth pursuant to the 2004 LRDP, including the Project, continue to be acceptable because the benefits of the Project outweigh these impacts for the reasons set forth in the findings associated with approval of the 2004 LRDP. Therefore, the University reaffirms the statement of overriding considerations adopted for the 2004 LRDP and finds that those overriding considerations remain applicable to development on the UCSD campus generally and with respect to this Project specifically. The University has been implementing—and will continue to implement—the mitigation measures listed below (and described in Section 3(ii) above) to reduce the associated significant impacts, including the Project's incremental contributions to those impacts.

Cumulatively significant impacts on air quality from construction-related air emissions (ozone, PM₁₀ and PM_{2.5}): LRDP Impact Air-CB and ECBT Impact Air-CC (addressed by 2004 LRDP Mitigation Measures Air-CB and Air-CC).

C. MITIGATION MONITORING AND REPORTING PROGRAM

Public Resources Code section 21081.6 requires the lead agency, when making the finding required by Public Resources Code section 21081(1)(a), to adopt a mitigation monitoring and

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reporting program that incorporates all of the changes made to the project or any conditions of project approval adopted to mitigate or avoid significant effects on the environment. The University has prepared a Mitigation Monitoring and Reporting Program that requires the University to monitor all of the mitigation measures adopted and made fully enforceable through these Findings and the approval of the Mesa Housing Nuevo East Project. The Regents finds that the Mitigation Monitoring and Reporting Program has been designed to ensure compliance with the mitigation requirements during project implementation.

The Mitigation Monitoring and Reporting Program designates the responsibility and anticipated timing for implementation of mitigation measures within the University's jurisdiction. The University will ensure the accomplishment of mitigation measures through administrative controls over the Project's implementation, and the University will monitor and enforce the implementation of mitigation measures through verification in periodic mitigation monitoring reports and through periodic inspections by appropriate University personnel.

D. PROJECT ALTERNATIVES

Chapter 5 of the Final EIR (i.e., the Draft EIR) evaluated a range of alternatives to the Mesa Housing Nuevo East Project. The EIR's analysis examined the feasibility of each alternative, the environmental impacts of each alternative, and each alternative's ability to meet the project objectives described in Chapter 2 of the Draft EIR. In compliance with CEQA and the CEQA Guidelines, the alternatives analysis included an analysis of a no-project alternative and also identified the environmentally superior alternative.

FINDING: The Regents certifies that it has independently reviewed and considered the information on alternatives provided in the Draft and Final EIR and in the administrative record. For the reasons set forth below, the Regents finds that the alternatives either fail to avoid or substantially lessen the Project's significant impacts.

1. Project Objectives

The Regents finds that the objectives for the Mesa Housing Nuevo East Project are as described in Section 2.0 of the Draft EIR. The overall purpose of the Project is to support of the 2016 UC President's Student Housing Initiative and increase UC San Diego's student housing inventory.

The specific objectives of the Mesa Housing Nuevo East Project are as follows:

1. Continue the replacement of low-density student housing in the existing Mesa Housing Neighborhood with higher-density apartment buildings that are environmentally responsible in design and aesthetically compatible with the Mesa Nueva project.
2. Further the primary goal of the 2016 UC President's Student Housing Initiative relative to providing 5,000 new beds on the UC San Diego campus by 2020.
3. Further the University's 2004 LRDP goal of housing 50 percent of the UC San Diego student population on the campus.

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4. Meet the persistent demand for on-campus graduate housing to support UC San Diego's recruitment and retention of two target groups: single graduate and professional students, and two-year master's degree students.
5. Provide contemporary student housing apartments that are more affordable than the local off-campus market and with amenities that far exceed those typically found in the local market.
6. Provide capacity for the UC San Diego Family House program, which serves as a short-term housing facility to accommodate temporary stays for UC San Diego Health System patients and their families.
7. Promote socializing and a sense of community among residents by including multiple exterior gathering areas, active spaces, and community amenities, thereby continuing the campus's efforts to build a vibrant community for students in the Mesa Housing Neighborhood.
8. Incorporate sustainable design features to reduce energy consumption, conserve natural resources, and achieve LEED Gold rating for the project.

2. Alternatives to the Project

The Final EIR evaluated two alternatives to the Project that were determined to have the potential to meet most of the Project objectives, reduce impacts when compared to the Project, and/or be potentially feasible: the No Project Alternative and the Reduced Project Alternative.

a) No Project Alternative

Under the No Project Alternative, the Nuevo East site would not be redeveloped. The housing site would remain in its existing condition as developed land associated with the existing low-density student housing and associated surface parking.

FINDING: Pursuant to Public Resources Code section 21081(a)(3) and CEQA Guidelines section 15091(a)(3), The Regents finds that the No Project Alternative is infeasible because it does not meet any of the Project objectives identified by the University in Chapter 2 of the Final EIR. The existing low-density student housing would not be replaced with higher-density housing, hindering the achievement of the 2016 UC President's Student Housing Initiative goal of providing 5,000 new beds on the UC San Diego campus by 2020, as well as the University's 2004 LRDP goal of housing 50 percent of the UC San Diego student population on the campus. The demand for affordable, contemporary on-campus housing for single graduate and professional students and two-year master's degree students would remain unmet. A new location for the UC San Diego Family House would not be provided, and the demand for affordable patient family housing within proximity to the UC San Diego Health System in La Jolla would not be met. New community amenities and gathering spaces for students in the Mesa Housing Neighborhood would not be provided within this location. Furthermore, the No Project Alternative would not replace the existing energy inefficient buildings with new and more energy-efficient

student housing buildings (see Draft EIR pages 5-6 through 5-8). The Regents therefore rejects this alternative as infeasible for the reasons listed above.

b) Reduced Project Alternative

The Reduced Project Alternative would develop the project but in a modified configuration that would reduce the gross square footage of the proposed buildings by approximately 25 percent while maintaining the overall building program and proposed uses. This alternative would be constructed with a corresponding reduction in the number of beds. Thus, approximately 1,030 new beds for student housing would be provided at Nuevo East. With the reduction in building area, the proposed student housing buildings would be one to three stories lower than those of the proposed project. Community gathering spaces, recreation facilities, and support spaces would also be proportionally smaller than the proposed project.

FINDING: Pursuant to Public Resources Code section 21081(a)(3) and CEQA Guidelines section 15091(a)(3), The Regents finds that the Reduced Project Alternative is infeasible because while it would generally achieve the basic Project objectives, it would not achieve the following project objectives as completely as a larger student housing development might: further the primary goal of the 2016 UC President's Student Housing Initiative relative to providing 5,000 new beds on the UC San Diego campus by 2020; further the University's 2004 LRDP goal of housing 50 percent of the UC San Diego student population on the campus; meet the persistent demand for on-campus graduate housing to support UC San Diego's recruitment and retention of single graduate and professional students; and provide more affordable housing (with better amenities) than the local off-campus market. Due to the reduced building size and the subsequent decrease in potential on-campus residents, the Reduced Project Alternative would incrementally decrease demand for fire and emergency services as compared to the proposed project, although cumulative impacts would remain potentially significant. Impacts associated with cumulative air quality, traffic (emergency access during construction), and water quality would be slightly reduced, but mitigation would still be required. Thus, although the Reduced Project Alternative would incrementally reduce some of the Project's significant environmental impacts, those relatively minimal reductions in adverse impacts would be outweighed by the detrimental results of a considerable decrease in the Project's capacity – a decrease that would render UC San Diego unlikely to fulfill its campus' housing needs. The Regents therefore rejects this alternative because it would generate significant, yet mitigable impacts only slightly reduced in comparison to the proposed Project, while failing to meet essential Project objectives.

FINDING: While The Regents finds that the No Project Alternative is the environmentally superior alternative because it would avoid many of the significant environmental impacts of the development that would occur under the Mesa Housing Nuevo East Project, The Regents also finds that the No Project Alternative is infeasible pursuant to Public Resources Code section 21081(a)(3) and CEQA Guidelines section 15091(a)(3) because it would not meet any of the basic project objectives. CEQA Guidelines section 15126.6(e)(2) requires that if the environmentally superior alternative is the No Project Alternative, the EIR shall

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identify an environmentally superior alternative among the other alternatives. Therefore, the Draft EIR identified the Reduced Project Alternative as the environmentally superior alternative.

The Reduced Project Alternative, however, is infeasible because it would 1) fail to completely fulfill many of the essential project objectives, and 2) would not avoid any of the significant environmental impacts of the development associated with biological resources, fire and emergency services (cumulative impacts), traffic (emergency access), air quality (cumulative construction emissions), and water quality which would be only slightly reduced in intensity compared to the Project. These and other relatively minimal reductions in adverse impacts would be outweighed by the potentially detrimental results of a decrease in the Project's building size and the associated smaller growth potential. For these reasons, The Regents rejects the environmentally superior alternative as infeasible. When compared to those alternatives, the Project provides the best available and feasible balance between maximizing attainment of the Project objectives and minimizing significant environmental impacts.

IV. RECORD OF PROCEEDINGS

The record of proceedings upon which The Regents bases these Findings consists of all the documents and evidence relied upon by the University in preparing the proposed Project and the associated EIR. The custodian of the record of proceedings is: Catherine J. Presmyk, Assistant Director, Environmental Planning, UC San Diego Campus Planning, Torrey Pines Center South, Suite 355 (MC 0074), La Jolla, California 92093, (858) 534-3860.

V. SUMMARY

Based on the foregoing Findings and the information contained in the record, The Regents has made one or more of the following Findings with respect to the significant environmental effects of the proposed Mesa Housing Nuevo East Project as described in the Final EIR:

- Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects on the environment.
- Changes or alterations that are wholly or partially within the responsibility and jurisdiction of another public agency have been, or can and should be, adopted by that other public agency.
- Specific economic, legal, social, technological, or other considerations make infeasible certain mitigation measures and alternatives.

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

- All significant effects on the environment due to approval of the Mesa Housing Nuevo East Project have been eliminated or substantially lessened to the extent feasible for the reasons set forth in Section II of these Findings.

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VI. APPROVALS

The Regents hereby takes the following actions:

- 1) The Regents certifies the Final EIR, as described in Section I, above.
- 2) The Regents hereby adopts as conditions of approval of the Mesa Housing Nuevo East Project all mitigation measures within the responsibility and jurisdiction of the University set forth in Section II of the Findings, above.
- 3) The Regents hereby adopts the Mitigation Monitoring and Reporting Program for the Mesa Housing Nuevo East Project accompanying the Final EIR and discussed in Section II.C of the Findings, above.
- 4) The Regents hereby adopts the Findings in their entirety as set forth in Sections I-IV, above, and reaffirms the Statement of Overriding Considerations adopted in association with certification of the UCSD 2004 LRDP EIR and 2010 ECBT EIR from which the Mesa Housing Nuevo East Project EIR tiers.
- 5) Having certified the Final EIR, independently reviewed and analyzed the Final EIR, incorporated mitigation measures into the Mesa Housing Nuevo East Project, and adopted the Mitigation Monitoring and Reporting Program and the foregoing Findings and Statement of Overriding Considerations, The Regents hereby approves the Mesa Housing Nuevo East Project. The Regents directs staff to prepare and file a Notice of Determination for the Project.