

# **CHAPTER 5.0**

## **OTHER CEQA CONSIDERATIONS**

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California Environmental Quality Act (CEQA) Guidelines Section 15128 requires that an Environmental Impact Report (EIR) contain a brief statement disclosing the reasons why various possible significant effects of a proposed project were found not to be significant and thus not discussed in detail. UCI reviewed the Area 9/2 Housing Project against the potential environmental issues contained in the Initial Study Checklist. Environmental issue areas found to have potentially significant impacts are addressed in Chapter 4 of this EIR. Chapter 4 also discusses related issues that were found to have no potential for a significant impact under the sections titled “CEQA Checklist Items Adequately Addressed in Initial Study.” However, some checklist issues were found to have no potential for a significant impact and are therefore not discussed in Chapter 4. The reasons these issues were found not to be significant are briefly discussed below in Section 5.1.

Section 15126 of the CEQA Guidelines requires that all aspects of a project be considered when evaluating its impact on the environment, including planning, acquisition, development and operation. As part of this analysis, the EIR must provide an analysis of the following three components, included in this chapter:

- Growth-inducing impacts of the proposed project;
- Significant environmental effects that cannot be avoided if the proposed project is implemented ; and
- Significant irreversible environmental effects that would be involved in the proposed project should it be implemented.

### **5.1 OTHER EFFECTS FOUND NOT TO BE SIGNIFICANT**

The Initial Study for the 2007 LRDP indicated that implementation of projects under the 2007 LRDP such as the proposed Area 9/2 Housing Project would not have the potential to result in significant impacts related to the following checklist items and therefore, negate the need for further analysis in this EIR.

## 5.1.1 AGRICULTURE RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation to assess impacts on agriculture and farmland.

***Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?***

Soil mapping has been conducted on the UCI campus by the U.S. Department of Agriculture (1978). Based that survey, approximately 30 percent of the UCI campus is considered to contain soils classified as Prime Farmland or Farmland of Statewide Importance by the California Department of Conservation Farmland Mapping and Monitoring Program (FMMP). Much of the area containing these soils has been developed with non agricultural uses. Further, according to an updated FMMP map of Orange County's Important Farmlands (2002), the UCI campus is classified as a mix of "Other Land" and "Urban and Built-up Land." The "Other Land" classification is applied to lands not falling into any other category. The "Urban and Built-Up Land" classification is used for land occupied by structures with a building density of at least one unit per 1.5 acres. Because soils once considered important farmland have been replaced with campus development, no impacts to agricultural resources would occur as a result of implementation of the 2007 LRDP; therefore, no further analysis is required.

***Would the project conflict with existing zoning for agricultural uses, or a Williamson Act contract?***

The University of California is constitutionally exempt from local zoning and land use plan/element requirements, and no portion of the campus is under a Williamson Act contract. Due to the specific tax-exempt status of the University of California, land owned by the University of California is not subject to Williamson Act land use/tax contracts. Accordingly, the Area 9/2 Housing Project would not conflict with existing zoning or with Williamson Act contracts. No impact would occur and no further analysis is required.

***Would the project involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?***

Implementation of the Area 9/2 Housing Project would not convert agricultural lands to non-agricultural uses.

***Would the project result in other impacts?***

Implementation of the Area 9/2 Housing Project would not convert agricultural lands to non-agricultural uses.

## 5.1.2 MINERAL RESOURCES

***Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?***

Mineral resources do not occur on the UCI campus. The predominant formational material underlying the UCI campus is the Topanga formation which consists of sandstone, breccia, volcanic flows, and siltstone. The Topanga formation does not contain mineral resources; therefore, the loss of known mineral resources valuable locally or regionally would not occur as a result of development of the Area 9/2 Housing Project and no further analysis is required.

***Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?***

As discussed above, development of the Area 9/2 Housing Project would not result in the loss of a locally important mineral resource recovery site. No impact would occur and no further analysis is required.

## **5.2 GROWTH INDUCEMENT**

As required by the CEQA Guidelines, an EIR must include a discussion of the ways in which the proposed project could directly or indirectly foster economic development or population growth, or the construction of additional housing and how that growth might, in turn, affect the surrounding environment (CEQA Guidelines Section 15126.2(d)). Growth can be induced in a number of ways, including the elimination of obstacles to growth, or through the stimulation of economic activity within the region. The discussion of removal of obstacles to growth relates directly to the removal of infrastructure limitations or regulatory constraints that could result in growth unforeseen at the time of project approval. According to CEQA Guidelines Section 15126.2(d), “it must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.”

The growth inducement analysis in the 2007 LRDP EIR (Volume I, Section 5.2) concluded that the 2007 LRDP would not be considered growth inducing because implementation of the LRDP would be responding to projected growth rather than actually inducing future growth. More specifically, the 2007 LRDP is designed to provide the necessary facilities and infrastructure for an increased demand on educational and research services related to an overall population increase in California. Because the proposed project is a component of the 2007 LRDP, the Area 9/2 Housing Project would also not be considered to be growth inducing.

Further, the Area 9/2 Housing Project would be constructed in response to an existing demand for additional faculty and staff housing and would not actually create supply of housing where no demand currently exists, which could induce growth. Moreover, while these new residences would contribute to the local economy, it is unlikely that the addition of approximately 360 people to a city of over 180,000 would result in substantial economic growth. Lastly, the Area 9/2 Housing Project would not directly remove obstacles to or encourage growth of the campus through the provision of new and essential public services or additional access. Nor would the proposed project result in the urbanization of land in a remote location, resulting in so-called “leapfrog” development because the Area 9/2 Housing Project site is currently served by an established electric, water, sewer, storm drain, communication, and roadway infrastructure network. Therefore, because the 2007 LRDP is not considered to be growth inducing and because the proposed project would be constructed in response to existing demand, the Area 9/2 Housing Project is not considered to be growth inducing.

## **5.3 SIGNIFICANT AND UNAVOIDABLE ENVIRONMENTAL IMPACTS**

Pursuant to Section 15126.2(b) of the CEQA Guidelines, this section identifies significant impacts that could not be avoided, even with the implementation of feasible mitigation measures. The final determination of significance of impacts and the feasibility of mitigation measures will be made by The Regents of the University of California as part of their certification action for the EIR. Sections 4.1 through 4.14 of this EIR provide a comprehensive identification of the Area 9/2 Housing Project’s environmental effects and any necessary mitigation measures, as well as the level of significance both before and after mitigation. A summary of the environmental impacts and mitigation measures is in Volume III, Section 2.0 of this EIR.

### **5.3.1 DIRECT IMPACTS**

Implementation of the Area 9/2 Housing Project would not result in any direct significant and unavoidable project-related impacts.

### **5.3.2 CUMULATIVE IMPACTS**

Implementation of the Area 9/2 project would contribute to cumulative impacts related to air quality.

The estimated air pollutant emissions for CO, VOCs, NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> from future projects that implement the 2007 LRDP may result in a cumulatively considerable contribution to significant cumulative air quality impacts in the Basin. Implementation of LRDP MM Air-2A, Air-2B and Air-2C would reduce the proposed project's cumulatively considerable contribution to these impacts to a level of Less than Significant. In accordance with Section 15130(a)(3) of the CEQA Guidelines, these mitigation measures are consistent with the 2007 AQMP strategies that are designed to alleviate Basin-wide air quality impacts by controlling pollution from all sources, including stationary sources, on-road and off-road mobile sources, and area sources. In addition, the projected air pollutant emissions associated with LRDP implementation would represent an incremental portion of the SIP budgets for the county-wide emissions inventory in 2010 (Table 4.2-7), relative to short-term construction emissions, and in 2020 (Table 4.2-9), relative to long-term operational emissions.

## **5.4 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL EFFECTS**

Section 15126.2(c) of the CEQA Guidelines requires a discussion of any significant irreversible environmental changes that would be caused by the proposed project. Specifically, Section 15126.2(c) states:

Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible, since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also, irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.

Generally, a project would result in significant irreversible environmental changes if:

- The primary and secondary impacts would generally commit future generations to similar uses;
- The project would involve a large commitment of nonrenewable resources;
- The project involves uses in which irreversible damage could result from any potential environmental accidents associated with the project; or
- The proposed consumption of resources is not justified (e.g., the project involves the wasteful use of energy).

Implementation of the Area 9/2 Housing Project, as a component of the 2007 LRDP, would advance the continued commitment of the UCI campus to campus-related uses, thereby precluding any other uses for the lifespan of the campus. Implementation of the Area 9/2 Housing Project includes the permanent consumption

of water, electricity, natural gas, and fossil fuel resources. While the campus uses, transports, stores, and disposes of hazardous wastes, as described in Volume I, Section 4.6, Hazards and Hazardous Materials, the campus complies with all applicable state and federal laws and existing campus programs, practices, and procedures related to hazardous materials, which reduces the likelihood and severity of accidents that would result in irreversible environmental damage. The consumption of energy and water resources are also subject to several ongoing energy conservation programs campus-wide. In the history of the UCI campus, there has never been an accident that resulted in significant irreversible environmental damage, indicating that current practices with respect to hazardous materials handling are adequate, and thus the potential for the proposed project to cause significant irreversible environmental damage from an accident or upset of hazardous materials is less than significant. These topics are discussed in greater detail in Volume I, Section 5.4.

## **5.5 REFERENCES**

Refer to Volume I, Section 5.5 for references relevant to this section.

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