

**CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS IN CONNECTION WITH THE
APPROVAL OF THE VERANO 8 GRADUATE STUDENT HOUSING AND UNIVERSITY OF
CALIFORNIA, IRVINE LONG RANGE DEVELOPMENT PLAN STUDENT HOUSING
AMENDMENT**

UNIVERSITY OF CALIFORNIA, IRVINE CAMPUS

I. ADOPTION OF THE MITIGATED NEGATIVE DECLARATION

The University of California (“University”), as the lead agency pursuant to the California Environmental Quality Act (“CEQA”), has prepared a Mitigated Negative Declaration (“MND”) for the Verano 8 Graduate Student Housing (“Project”) and the UCI Long Range Development Plan Student Housing Amendment. This Project will be developed at the University of California, Irvine Campus. The findings set forth below support the adoption of the Mitigated Negative Declaration (SCH# 2019097032) prepared for the Verano 8 Graduate Student Housing and UCI Long Range Development Plan Student Housing Amendment. Pursuant to Title 14, California Code of Regulations, Section 15074, the Board of Regents of the University of California (The Regents) hereby finds that an Initial Study was prepared for the project in compliance with the California Environmental Quality Act, Public Resources Code Sections 21000 et seq. (CEQA) on the basis of which the adoption of the Mitigated Negative Declaration is proposed. The Initial Study is tiered from the 2007 University of California, Irvine Long Range Development Plan Environmental Impact Report (SCH# 2006071024) (EIR). The Regents received the Initial Study/Mitigated Negative Declaration for review and considered the information contained in these documents and any public comments prior to approving the design of the Project. The Regents hereby finds that the Initial Study/Mitigated Negative Declaration reflect the independent judgment and analysis of the University and adopts the Mitigated Negative Declaration.

II. FINDINGS

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

A. Background

The Project would demolish the existing 6,000 gross-square-foot (GSF) maintenance and operations facility and Lot 27 to construct approximately 1,200 graduate student beds in the existing Verano Place graduate student housing complex. The student beds and a community center would be housed in approximately four apartment buildings. An approximately 1,000-space parking structure with an attached replacement maintenance and operations facility would be constructed in support of the residential facilities, and a driveway would be installed on California Avenue to allow vehicular access to the proposed parking structure.

The LRDP Amendment would increase the on-campus student housing capacity to a total of 22,000 beds, and change the land use designations of a six-acre parcel in the Academic Core and a 12-acre parcel in the West Campus.

B. Environmental Review Process

An Initial Study/Mitigated Negative Declaration was prepared for the Project in accordance with CEQA and the University of California Procedures for Implementation of CEQA. The Initial Study is tiered from the EIR, which was certified by The Regents in connection with its approval of the 2007 Long Range Development Plan (LRDP). The EIR analyzed the overall projected effects of the University of California,

Irvine (UCI) growth through the year 2025 and identified measures to mitigate the significant adverse impacts. The Project is consistent with the 2007 LRDP land use designations and objectives.

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

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

The Draft Initial Study/Mitigated Negative Declaration was submitted to the Office of Planning and Research's State Clearinghouse and circulated for a 30-day public review period beginning on July 11, 2019 through August 10, 2019 (SCH#2019097032). During that time, the document was reviewed by various federal, State, and local agencies, as well as by interested individuals and organizations. Comment letters were received from the Orange County Fire Authority dated July 29, 2019, California Department of Transportation dated August 6, 2019, City of Irvine dated August 7, 2019, Irvine Ranch Water District dated August 8, 2019, and State Clearinghouse dated August 12, 2019. None of the comments received identified a new significant impact not previously analyzed in the Draft Initial Study/Mitigated Negative Declaration. No significant changes or amendments to the Initial Study/Mitigated Negative Declaration resulted from public comments and recirculation of the document was not warranted. All comments received and the University's subsequent responses are included in the Final Initial Study/Mitigated Negative Declaration.

C. Relationship to the LRDP EIR

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

In addition to the Project, UCI is proposing to amend the 2007 LRDP to increase the on-campus student housing capacity to a total of 22,000 beds, which would accommodate 60 percent of on-campus enrollment anticipated in the 2007 LRDP and analyzed in the LRDP EIR. This would increase the LRDP student housing development program from 17,637 beds to 22,000 beds, an overall increase of 4,363 beds. As no additional student housing projects beyond the Project (which is within the existing 2007 LRDP student

bed capacity previously analyzed in the 2007 LRDP EIR), the Initial Study/Mitigated Negative Declaration reviews the proposed LRDP Amendment programmatically. Future projects that implement the LRDP Amendment would undergo additional project-level CEQA analysis during programming and planning.

D. Project Impacts that are Less Than Significant without Mitigation or No Impact

The Initial Study/Mitigated Negative Declaration found that the following impacts would be less than significant without mitigation incorporated into the project: air quality (see Final IS/MND, pg. 4.2-1), energy (see Final IS/MND, pg. 4.5-1), greenhouse gas emissions (see Final IS/MND, pg. 4.7-1), land use and planning (see Final IS/MND, pg. 4.10-1), population and housing (see Final IS/MND, pg. 4.12-1), public services (see Final IS/MND, pg. 4.13-1), recreation (see Final IS/MND, pg. 4.14-1), tribal cultural resources (see Final IS/MND, pg. 4.16-1), utilities and service systems (see Final IS/MND, pg. 4.17-1), and wildfire (see Final IS/MND, pg. 4.18-1).

E. Project Impacts Mitigated to Less Than Significant Levels

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

Aesthetics

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

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

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

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

Implementation of LRDP EIR mitigation measures Aes-2A and Aes-2b would reduce potentially significant impacts related to the creation of new substantial light or glare to a less than significant level (see Final IS/MND, pages 4.1-4 through 4.1-5).

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

Biological Resources

1. **Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CA Department of Fish and Wildlife or U.S. Fish and Wildlife Service;**
2. **Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service;**
3. **Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means; and**
4. **Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.**

BR-1: In order to avoid impacts to nesting birds, project activities shall occur outside of the peak avian breeding season, which runs from February 1st through August 31st. If project construction is necessary during the bird breeding season, a qualified biologist with experience in conducting bird breeding surveys shall conduct surveys for nesting birds, within three days prior to the work in the area, and ensure no nesting birds in the project area would be impacted by the project. If an active nest is identified, a buffer shall be established between the construction activities and the nest so that nesting activities are not interrupted. The buffer shall be a minimum width of 300 feet (500 feet for raptors), be delineated by temporary fencing, and remain in effect as long as construction is occurring or until the nest is no longer active. Reductions in the nest buffer distance may be appropriate depending on the avian species involved, ambient levels of human activity, screening vegetation, or other possible factors.

LRDP EIR Bio-2B: Prior to initiating on-site construction for future projects that implement the 2007 LRDP and that involve land clearing, grading, or similar land development activities adjacent to habitat areas identified as suitable for sensitive wildlife species, UCI shall retain a qualified biologist to conduct a sensitive wildlife survey of the respective areas within 150 feet of the approved limits of disturbance. If sensitive wildlife species are detected from the survey, then UCI shall approve contractor specifications that include measures to reduce indirect construction and post-construction impacts to the identified species, to the maximum extent feasible. These measures shall include, but are not limited to, the following:

- i. A pre-construction meeting shall be held to ensure that construction crews are informed of the sensitive wildlife and habitats in the vicinity of the construction site. Prior to commencement of clearing or grading activities, a biologist (or other qualified person) shall supervise the installation of temporary construction fencing along the approved limits of disturbance to discourage errant intrusions into the identified sensitive wildlife habitats by construction vehicles or personnel. All construction access and circulation shall be limited to designated construction zones. This fencing shall be removed upon completion of construction activities.
- ii. If suitable habitat for raptors or protected bird species is present and raptors or protected bird species are observed in the vicinity, the pre-construction surveys for active nests shall be performed within 30 calendar days prior to commencement of clearing or grading activities during the breeding season for raptors and protected bird species (generally February 1 through August 31) at locations where suitable nesting habitat exists within 500 feet of the approved limits of disturbance. Construction activities within 500 feet of active raptor nests (300 feet for protected bird species)

shall be monitored by the biologist and modified as directed by the biologist until the biologist determines that the nest is no longer active. Construction activity may encroach into the 500-foot buffer area only at the discretion of the biologist.

- iii. Refer to mitigation measure Noi-2A for noise abatement measures during construction.
- iv. Storm water treatment and erosion control measures or facilities shall be maintained in a manner that avoids the discharge of polluted runoff and erosion impacts to the identified sensitive plants.
- v. Night lighting shall be avoided during construction. Any necessary lighting shall be shielded to minimize temporary lighting of the surrounding habitat.
- vi. A biological monitor shall be present on-site on at least a weekly basis during rough grading to ensure that the fenced construction limits are not exceeded.
- vii. Permanent lighting adjacent to natural habitat areas shall be selectively placed, shielded, and directed to minimize impacts to sensitive wildlife.

LRDP EIR Bio-3A: For future projects that implement the 2007 LRDP and are located on sites containing mule fat scrub or herbaceous wetland habitats, UCI shall retain a qualified biologist to conduct a survey of these habitats. If project-level surveys determine that mule fat scrub riparian habitat and/or herbaceous wetland habitat may be impacted by the project, then mitigation measures Bio-3B and 3C shall be implemented.

LRDP EIR Bio-3B: For future projects that implement the 2007 LRDP and could impact mule fat scrub riparian habitat and/or herbaceous wetland habitats as determined by mitigation measure Bio-3A, design features shall be considered to avoid and/or minimize direct impacts to these sensitive vegetation communities, to the extent feasible. If it is not feasible to avoid these impacts, then mitigation measure Bio-3C shall be implemented.

LRDP EIR Bio-3C: For future projects that implement the 2007 LRDP and would impact mule fat scrub riparian habitat and/or herbaceous wetland habitat, if these areas contain jurisdictional wetlands, all necessary regulatory permits shall be obtained and impacts shall be mitigated through implementation of Mitigation Measure Bio 4A. If no jurisdictional wetlands are present, impacts to mule fat scrub riparian habitat and/or herbaceous wetland habitat of greater than 0.1 acre shall be mitigated at ratios of 1:1 through habitat creation, restoration, or enhancement. Mitigation shall occur within dedicated campus open space areas where feasible, or at off-campus locations if on-site mitigation is not feasible. A qualified biologist shall assist in preparation, implementation, and monitoring of a habitat restoration plan, identifying the site preparation and installation requirements, establishment, monitoring, and long term management of the mitigation areas. Impacts to less than 0.1 acre of these habitat types, where no jurisdictional wetlands are present, would not require mitigation.

LRDP EIR Bio-3D: As early as possible in the planning process for future projects that implement the 2007 LRDP and are adjacent to designated campus open space areas containing riparian or wetland vegetation, UCI shall ensure that the projects include a 50-foot setback from the flow line, to the extent practicable.

Implementation of project-specific mitigation measure BR-1 and LRDP EIR mitigation measures Bio-2B, Bio-3A, Bio-3B, Bio-3C, and Bio-3D would reduce potentially significant impacts to candidate, sensitive, and special status species; riparian habitat, protected wetlands; and wildlife corridors to a less than significant level (see Final IS/MND, pages 4.3-2 through 4.3-4).

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

Cultural Resources

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

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

- a. Perform appropriate technical analyses;
- b. File an resulting reports with South Coast Information Center; and
- c. Provide the recovered materials to an appropriate repository for curation, in consultation with a culturally-affiliated Native American.

LRDP EIR Cul-2A: During preparation of the Initial Study for future projects that implement the 2007 LRDP, are located on sites containing facilities that are 50 years of age or older, and are potential historic resources, a qualified professional shall define and survey the Area of Potential Effect (APE) on the project site. The APE shall be based on the extent of ground disturbance and site modification anticipated for the project. If historic resources are present within the project APE, then mitigation measure Cul-2B shall be implemented.

LRDP EIR Cul-2B: Before altering or otherwise affecting historic resources within the project APE as determined by mitigation measure Cul-2A, they shall be evaluated for significance by the architectural historian in accordance with CEQA Guidelines Section 15064.5. The evaluation process shall include the development of appropriate historical background research as context for the assessment of the significance of the historic resources in the history of the UC system, UCI, and the region. The historic resources shall be recorded on a California Department of Parks and Recreation DPR 523 form or equivalent documentation. If the historic resources are determined to be significant, then mitigation measure Cul-2C shall be implemented.

LRDP EIR Cul-2C: For historic resources determined to be significant as determined by mitigation measure Cul2B, UCI shall consider measures that would enable the project to avoid direct or indirect impacts to the significant historic resources. For significant historic resources in which avoidance or reuse on-site is not feasible, mitigation measure Cul-2D shall be implemented.

LRDP EIR Cul-2D: For significant historic resources in which avoidance or reuse on-site is not feasible as determined by mitigation measure Cul-2C, one of the following options shall be implemented:

- i. Remodeling, renovation, or other alterations to significant historic resources within the project APE shall be conducted in compliance with the “Secretary of the Interior’s Standards for the

Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings.”

- ii. Prior to relocation or demolition of significant historic resources within the project APE, a qualified professional shall document the resources, including any buildings, associated landscaping and setting. Documentation shall include still and video photographs (to be provided on a CD-ROM) and a written record in accordance with the standards of the Historic American Building Survey or Historic American Engineering Record, including accurate scaled mapping, architectural descriptions, and scaled architectural plans, if available. The record shall be accompanied by a report containing site-specific history and appropriate contextual information. This information shall be gathered through site-specific and comparative archival research and oral history collection as appropriate. A copy of the record shall be deposited with the UCI archives.
- iii. As appropriate, include features in the design of the new project that reuse or represent features or the historic building or provide interpretative information on the historic resource.

Implementation of LRDP EIR mitigation measures Cul-1C, Cul-2A, Cul-2B, Cul-2C, and Cul-2D would reduce potentially significant impacts related to historical and archaeological resources to a less than significant level (see Final IS/MND, pages 4.4-1 through 4.4-2).

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

Geology and Soils

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

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

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

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

- a. The paleontologist shall ensure that all significant fossils collected are cleaned, identified, catalogued, and permanently curated with an appropriate institution with a research interest in the materials (which may include UCI);
- b. The paleontologist shall ensure that specialty studies are completed, as appropriate, for any significant fossil collected; and
- c. The paleontologist shall ensure that curation of fossils are completed in consultation with UCI. A

letter of acceptance from the curation institution shall be submitted to UCI.

Implementation LRDP EIR mitigation measures Cul-4A, Cul-4B, and Cul-4C would reduce potentially significant impacts related to paleontological resources to a less than significant level (see Final IS/MND, page 4.6-6).

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

Hazards and Hazardous Materials

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

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

Implementation of LRDP EIR mitigation measure Haz-6A would reduce potentially significant impacts due to the impairment or interference of an emergency plan to a less than significant level (see Final IS/MND, page 4.8-6).

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

Hydrology and Water Quality

1. **Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality;**
2. **Result in substantial erosion or siltation on- or off-site;**
3. **Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; and**
4. **Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.**

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

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

requirements.

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

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

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

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

- All new storm drain inlets and catch basins within the project site shall be marked with prohibitive language and/or graphical icons to discourage illegal dumping per UCI standards.
- Outdoor areas for storage of materials that may contribute pollutants to the storm water conveyance system shall be covered and protected by secondary containment.
- Permanent trash container areas shall be enclosed to prevent off-site transport of trash, or drainage from open trash container areas shall be directed to the sanitary sewer system.
- At least one treatment control is required for new parking areas or structures, or for any other new

uses identified by UCI as having the potential to generate substantial pollutants. Treatment controls include, but are not limited to, detention basins, infiltration basins, wet ponds or wetlands, bio-swales, filtration devices/inserts at storm drain inlets, hydrodynamic separator systems, increased use of street sweepers, pervious pavement, native California plants and vegetation to minimize water usage, and climate controlled irrigation systems to minimize overflow. Treatment controls shall incorporate volumetric or flow-based design standards to mitigate (infiltrate, filter, or treat) storm water runoff, as appropriate.

Implementation of LRDP EIR mitigation measures Hyd-1A, Hyd-2A, and Hyd-2B would reduce potentially significant impacts due to the violation of water quality standards, erosion and/or siltation, increased surface runoff, and runoff exceeding stormwater drainage capacity to a less than significant level (see Final IS/MND, page 4.9-2 through page 4.9-6).

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

Noise

1. **Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in any applicable plan or noise ordinance, or applicable standards of other agencies; and**
2. **Generation of excessive groundborne vibration or groundborne noise levels.**

LRDP EIR Noi-1A: Prior to project design approval for future projects that implement the 2007 LRDP and include noise-sensitive land uses (i.e., campus housing, classrooms, libraries, and clinical facilities), UCI shall ensure that the project design will adhere to the following state noise standards: 60 dBA CNEL (single-family campus housing); 65 dBA CNEL (multi-family campus housing, dormitories, lodging); and 70 dBA CNEL (classrooms, libraries, clinical facilities). Applicable project design features may include, but are not limited to, the following:

- i. Specific window treatments, such as dual glazing, and mechanical ventilation when the 45 dBA CNEL limit within habitable rooms and the 50 dBA CNEL limit within classrooms can only be achieved with a closed window condition.
- ii. Setbacks; orientation of usable outdoor living spaces, such as balconies, patios, and common areas, away from roadways; and/or landscaped earthen berms, noise walls, or other solid barriers.

LRDP EIR Noi-1B: As early as possible in the planning process of future projects that implement the 2007 LRDP and would include new or modified stationary noise sources such as utility plant facilities (constant noise source), major HVAC systems (constant noise source), and parking structures (constant and/or intermittent noise source), UCI shall ensure they are designed in a manner that would minimize the exposure of noise-sensitive land uses (i.e., campus housing, classrooms, libraries, and clinical facilities) to noise levels that exceed the following state noise standards: 60 dBA CNEL (single-family campus housing); 65 dBA CNEL (multifamily campus housing, dormitories, lodging); and 70 dBA CNEL (classrooms, libraries, clinical facilities). If the affected noise-sensitive land uses are already exposed to noise levels in excess of these standards, then the new or modified stationary noise sources shall not increase the ambient noise level by more than 3 dBA. These criteria shall be achieved by:

- i. Implementing the following noise reduction measures into the design of the satellite utilities plant, as applicable:

- Use low-speed fans, baffles, mufflers, or other mechanical system design features to reduce emitted noise;
 - Increase the distance from the noise source to sensitive receptors with setbacks;
 - Place equipment inside buildings or within solid enclosures;
 - Construct earthen berms, noise walls, or other solid barriers for noise attenuation;
 - Eliminate glass, louvers, openings, or vents in the exterior walls of the plant, particularly those facing noise-sensitive land uses. If openings are necessary, install acoustical louvers or baffles on project components at all exterior openings;
 - Install silencers on the intake and exhaust system;
 - Place cooling towers as close to plant buildings as possible to utilize the buildings as noise barriers; and
 - Install integrated noise barriers on the sides of cooling towers.
- ii. Implementing the following noise reduction measures into the design of new major HVAC systems, as applicable:
- Install acoustical shielding (parapet wall or near-field noise barrier) around all new equipment; and
 - Place equipment below grade in basement space.
- iii. Implementing the following noise reduction measures into the design of new parking structures: • Incorporate architectural design features that attenuate noise including solid panels at locations facing noise-sensitive land uses; and • Construct earthen berms, noise walls, or other solid barriers between noisesensitive land uses and parking structures.

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

- Noise-generating construction activities occurring Monday through Friday shall be limited to the hours of 7:00 am to 7:00 pm, except during summer, winter, or spring break at which construction may occur at the times approved by UCI.
- Noise-generating construction activities occurring on weekends in the vicinity of (can be heard from) off-campus land uses shall be limited to the hours of 9:00 am to 6:00 pm on Saturdays, with no construction occurring on Sundays or holidays.
- Noise-generating construction activities occurring on weekends in the vicinity of (can be heard from) on-campus residential housing shall be limited to the hours of 9:00 am to 6:00 pm on Saturdays, with no construction on Sundays or holidays. However, as determined by UCI, if on-campus residential housing is unoccupied (during summer, winter, or spring break, for example), or would otherwise be unaffected by construction noise, construction may occur at any time.
- Construction equipment shall be properly outfitted and maintained with manufacturer recommended noise-reduction devices to minimize construction-generated noise.

- Stationary construction noise sources such as generators, pumps or compressors shall be located at least 100 feet from noise-sensitive land uses (i.e., campus housing, classrooms, libraries, and clinical facilities), as feasible.
- Laydown and construction vehicle staging areas shall be located at least 100 feet from noise-sensitive land uses (i.e., campus housing, classrooms, libraries, and clinical facilities), as feasible.
- All neighboring land uses that would be subject to construction noise shall be informed at least two weeks prior to the start of each construction project, except in an emergency situation.
- Loud construction activity such as jackhammering, concrete sawing, asphalt removal, pile driving, and large-scale grading operations occurring within 600 feet of a residence or an academic building shall not be scheduled during any finals week of classes. A finals schedule shall be provided to the construction contractor.

LRDP EIR Noi-4A: Prior to initiating on-site construction for future projects that implement the 2007 LRDP and are located within 100 feet of vibration-sensitive uses (i.e., buildings containing vibrationsensitive instruments or operations, or buildings that are considered vibration sensitive due to their age, construction type and/or fragile condition), UCI shall approve a construction vibration mitigation program as part of the contractor specifications that includes measures to reduce vibration resulting from construction activities to the maximum extent practicable. The program shall include measures to establish baseline vibration conditions, vibration monitoring, work methods or equipment necessary to reduce vibration, and a pre-construction notification process for impacted building occupants (six-month and one-month interval prior to construction).

Implementation of LRDP EIR mitigation measures Noi-1A, Noi-1B, Noi-2A, and Noi-4A would reduce potentially significant impacts to noise standards and excessive groundborne noise levels to a less than significant level (see Final IS/MND, page 4.11-1 through 4.11-4).

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

Transportation and Traffic

1. **Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways.**

LRDP EIR Tra-1A: To reduce on- and off-campus vehicle trips and resulting impacts, UCI will continue to implement a range of Transportation Demand Management (TDM) strategies. Program elements will include measures to increase transit and shuttle use, encourage alternative transportation modes including bicycle transportation, implement parking policies that reduce demand, and implement other administrative mechanisms that reduce vehicle trips to and from the campus. UCI shall monitor the performance of TDM programs through annual surveys.

LRDP EIR Tra-1B: UCI will continue to pursue the implementation of affordable on-campus housing to reduce peak-hour commuter trips to the campus.

LRDP EIR Tra-1C: To enhance transit systems serving the campus and local community, UCI will work cooperatively with the City of Irvine, City of Newport Beach, OCTA and other local agencies to coordinate service and routes of the UCI Shuttle with existing and proposed shuttle and transit programs including the proposed Jamboree/IBC Shuttle, proposed Orange County Great Park Shuttle, Irvine Spectrum Shuttle, and other community transit programs.

LRDP EIR Tra-1D: UCI will monitor campus trip generation and distribution and the performance of UCITP intersections in relationship to enrollment growth. Monitoring will be conducted in consultation with the City of Irvine and the City of Newport Beach, and will occur at each 3,000-student increase in enrollment (measured as General Campus three-term average headcount), above the 2007-08 General Campus enrollment level. If UCI monitoring determines that LRDP traffic results in significant traffic impacts at UCITP intersections, UCI will implement measures to reduce vehicle trips contributing to the impact or provide “fair share” funding for improvements at the impacted intersections as described in Mitigation Measures Tra-1E and Tra-1F. UCI’s share of funding will be determined by the percentage of UCI traffic volumes compared to the total traffic volumes at the impacted intersections.

LRDP EIR Tra-1F: If the City of Irvine or City of Newport Beach implements UCITP improvements following UCI determination that LRDP traffic is causing a significant impact, and UCITP fees collected to date are insufficient to fund UCI’s fair share, UCI shall identify and obtain funding for the fair share of identified improvements from an alternative source.

LRDP EIR Tra-1I: UCI shall review individual projects proposed under the 2007 LRDP for consistency with UC Sustainable Transportation Policy and UCI Transportation Demand Management goals to ensure that bicycle and pedestrian improvements, transit stops, and other project features that promote alternative transportation are incorporated to the extent feasible.

Implementation of LRDP EIR mitigation measures Tra-1A, Tra-1B, Tra-1C, Tra-1D, Tra-1F, and Tra-1I would reduce potentially significant impacts to a congestion management plan to a less than significant level (see Final IS/MND, page 4.15-18).

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

F. Additional Findings

1. These Findings incorporate by reference in their entirety the text of the Final Initial Study/Mitigated Negative Declaration prepared for the project, 2007 LRDP, EIR, and Findings adopted by The Regents in connection with its approval of the 2007 LRDP. Without limitation, this incorporation is intended to elaborate on the scope and nature of the project and cumulative development impacts, related mitigation measures, and the basis for determining the significance of such impacts.
2. CEQA requires the Lead Agency approving a project to adopt a monitoring program for changes to the project that it adopts or makes a condition of project approval in order to mitigate or avoid significant effects on the environment and ensure compliance during project implementation. The Mitigation Monitoring and Reporting Program that accompanies the Final Initial Study/Mitigated Negative Declaration has been prepared to serve this purpose, and is hereby adopted by The Regents. The mitigation monitoring and reporting program includes details of the responsibilities for completing the identified mitigation measures. In addition, the Project incorporates all applicable mitigation measures contained in the LRDP EIR Mitigation Monitoring and Reporting Program. All relevant LRDP EIR mitigation measures identified in the Initial Study and MND will be monitored through the LRDP EIR’s Mitigation Monitoring and Reporting Program, adopted by the University in connection with its approval of the LRDP.
3. Various documents and other materials constitute the record of proceedings upon which The Regents bases the findings and decisions contained herein. Documents related to the Initial Study/Mitigated Negative Declaration are located in the Office of Physical and Environmental Planning, located at 4199 Campus Drive, Suite 380, Irvine, California. The custodian for the record of the proceedings is the Assistant Vice Chancellor, Environmental Planning and Sustainability, Irvine Campus.

G. Summary

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

1. Changes or alterations have been required in, or incorporated into, the approval for the project, which mitigate to a less than significant level or avoid the potentially significant environmental effects of the Project and UCI LRDP Student Housing Amendment as identified in the Final Initial Study/Mitigated Negative Declaration. No significant effects would occur beyond those effects previously and adequately analyzed in the EIR.
2. There is no substantial evidence in the record that the Project as revised may have a significant effect on the environment that was not previously identified and adequately addressed in the EIR.
3. The Initial Study/Mitigated Negative Declaration reflects The Regents' independent judgment and analysis.

III. APPROVALS

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

- A. Adopts the Final Initial Study/Mitigated Negative Declaration as described in Section I, above.
- B. Approves and incorporates into the Project all Project elements, all mitigation measures described in the Mitigation Monitoring and Reporting Program, and all applicable LRDP EIR mitigation measures identified in these Findings, within the jurisdiction of UC Irvine and more specifically described in the Initial Study and LRDP EIR.
- C. Adopts the Findings in their entirety as set forth in Section II, above.
- D. Approves the design of the Verano 8 Graduate Student Housing Project.
- E. Approves the UCI Long Range Development Plan Student Housing Amendment.