

**CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS
IN CONNECTION WITH THE APPROVAL OF
THE ALTERATIONS FOR ACADEMIC PROGRAMS PHASE 1 PROJECT, 2300
DELAWARE AVENUE
SANTA CRUZ CAMPUS**

I. ADDENDUM #3 TO THE 2005 LRDP FINAL EIR

Pursuant to the California Environmental Quality Act, Public Resources Code Sections 21000 et seq. (“CEQA”) and the State CEQA Guidelines, Title 14, California Code of Regulations, Sections 15000 et seq. (“CEQA Guidelines”), the Chancellor of the University of California, Santa Cruz (“UC Santa Cruz,” or “Campus”) hereby finds that the Addendum #3 to the 2005 Long Range Development Plan Final Environmental Impact Report (“LRDP EIR”) prepared for the proposed Alterations for Academic Programs Phase 1 Project has been completed in compliance with the California Environmental Quality Act (CEQA). The Chancellor further finds that he has reviewed and considered the information contained in the Addendum. The Chancellor further finds that the information contained in the Addendum reflects his independent judgment and analysis. The Chancellor has determined that the Addendum is the appropriate CEQA documentation to support the Alterations for Academic Programs Phase 1 Project.

II. FINDINGS

The following Findings are hereby adopted by the UC Santa Cruz Chancellor as required by Public Resources Code Sections 21081 and CEQA Guidelines Sections 15091, 15092, 15162, 15164, and 15168 in conjunction with the approval of Amendment #3, as set forth in Section III, below.

A. Description of Proposed Action

The proposed Alterations for Academic Programs Phase 1 Project would construct building-wide infrastructure for the existing Building C at 2300 Delaware Avenue to support future development of up to 28,000 asf of laboratory and laboratory support space.

B. Environmental Review Process

On September 21, 2006, The Regents of the University of California (“The Regents”), as Lead Agency, in conjunction with their adoption of the UC Santa Cruz 2005 LRDP, certified the 2005 LRDP EIR. The Final EIR was assigned State Clearinghouse No. 2005012113. The Final EIR consists of six volumes. Volumes I, II and III of the Final EIR (September 2006) contain the October 2005 Draft EIR. Volumes I and II analyze, at a program level, the significant environmental effects of implementing the Draft 2005 LRDP (January 2005), which proposed to increase campus enrollment growth to 21,000 students by the 2020-2021 academic year. Volume III analyzes the environmental effects of three specific development projects proposed by

UC Santa Cruz for implementation under the 2005 LRDP, including the 2300 Delaware Avenue Project. Volumes V and VI of the 2005 LRDP Final EIR include comments on the October 2005 Draft EIR submitted by interested public agencies, organizations and members of the public, and provide written responses to the environmental issues raised in those comments.

In February 2007, the UC Santa Cruz Chancellor approved the 2300 Delaware project and adopted CEQA Findings in reliance on the certified 2005 LRDP EIR. Also in February 2007, Addendum #1 to the LRDP EIR to support the Chancellor's approval of the Infrastructure Improvements Project, Phase 1. Addendum #1 determined that none of the proposed changes made to the Infrastructure Improvements Project, Phase 1, after the certification of the 2005 LRDP Final EIR would result in environmental impacts not previously identified in the LRDP EIR, or substantially increase the severity of the impacts previously identified.

In October 2010, the Campus prepared Addendum #2 to the LRDP EIR to support approval by the UC Santa Cruz Chancellor of the Thin Films and Materials Research Labs Project, which implemented a portion of the previously approved 2300 Delaware Project. The Final EIR and Addenda #1 and #2 are hereby incorporated in these findings by reference and are collectively referred to as the 2005 LRDP EIR.

Addendum #3 to the 2005 LRDP EIR (SCH# 2005012113), certified by the UC Regents in September 2006, has been prepared in accordance with CEQA, the State CEQA Guidelines, and the University of California Procedures for Implementation of CEQA.

The University has determined that an addendum is the appropriate CEQA document for the proposed action. Pursuant to the California Code of Regulations Title 14, Chapter 3 (the "CEQA Guidelines") Section 15162 provides that:

"When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;*
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or*
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the*

previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:

(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Section 15162(d) provides that if a Supplemental EIR is not required pursuant to the foregoing analysis, *"the lead agency shall determine whether to prepare a subsequent negative declaration, an addendum, or no further documentation."*

If none of the conditions described in CEQA Guidelines Section 15162, above, requires the preparation of a subsequent EIR, the University may prepare an addendum if some changes or additions to the 2002 LRDP EIR, as Amended are necessary.

Addendum #3 was prepared in compliance with CEQA Section 21166 and CEQA Guidelines Section 15162 to examine the potential environmental impacts of approving the Alterations for Academic Programs Phase 1 Project (the Proposed Action).

The legal criteria for preparation of an addendum to the 2005 LRDP EIR are met here. None of the conditions or circumstances that would require preparation of subsequent or supplemental environmental review pursuant to CEQA Section 21166 and CEQA Guidelines Section 15162 exists in connection with the LRDP Amendment. No substantial changes have been proposed nor have there been any substantial changes with respect to the circumstances under which implementation of the 2005 LRDP EIR would be undertaken that would require major revisions to the previously certified 2005 LRDP EIR. In addition, there is no new information of substantial importance, which was not known and could not have been known at the time that the 2005 LRDP EIR, as Amended was certified showing that new or more severe environmental impacts not addressed in the 2005 LRDP EIR would occur, that mitigation measures or alternatives found infeasible in the 2005 LRDP EIR would in fact be feasible, or that different mitigation measures or alternatives from those analyzed in the 2005 LRDP EIR would substantially reduce one or more significant impacts. Further, pursuant to CEQA Guidelines Section 15164(c), addenda do not need to be circulated for public review.

The Addendum #3 analyzes the potential impacts of the Proposed Action with regard to the following environmental topic areas: (1) aesthetics, (2) agricultural and forestry resources (3) air quality, (4) biological resources, (5) cultural resources, (6) geology and soils, (7) greenhouse gas emission, (8) hazards and hazardous materials, (9) hydrology and water quality, (10) land use and planning, (11) noise, (12) population and housing, (13) public services, (14) recreation, (15) transportation/traffic, and (16) utilities. The 2005 LRDP EIR previously determined that there are no known mineral resources on the 2300 Delaware property, thus this environmental topic is not included. The Proposed Action will not result in any new impacts or increase the severity of any significant impact previously identified in the 2005 LRDP. No revisions or specific mitigation measures applicable to the Proposed Action were identified in Addendum #3 that would further reduce the impacts of the implementation of the 205 LRDP.

C. Relation of the Proposed Action to the 2005 LRDP EIR

The 2300 Delaware Avenue Project, as analyzed in the 2005 LRDP EIR and approved by the UC Santa Cruz Chancellor in February 2007, consists of the redevelopment of an existing University-owned facility in the City of Santa Cruz. The property is developed with three building: two office buildings (Buildings A and B) and one building formerly used in the manufacture of silicon chips (Building C). The redevelopment proposed under the 2300 Delaware Avenue Project includes the addition of work stations within Buildings A and B to accommodate up to 300 persons, a net increase of 54 persons. It also includes repairs and interior remodeling to unoccupied Building C to provide 92,000 assignable square feet (asf) of laboratory, office, and University service facility space to accommodate a new population of up to 482. The approved 2300 Delaware project also includes limited work to upgrade chiller capacity in an existing walled exterior service yard, and other necessary utility retrofits.

The University has completed several elements of the 2300 Delaware Project, including remodeling the interior of Buildings A and B, basic accessibility (ADA) and life safety improvements in Building C, and the Thin Films and Materials Research Labs, Project which remodeled approximately 5,448 sf of Building C to create laboratories and associated corridors and mechanical space.

The Alterations for Academic Programs Phase 1 Project would implement additional elements of the 2300 Delaware Project, by constructing improvements to the on-site utility infrastructure serving Building C, and other building improvements necessary to provide 28,000 asf of warm shell, flexible and generic research laboratory spaces in Building C to make it possible to fit up research labs quickly as new faculty are hired.

The 2300 Delaware Project description analyzed in the 2005 LRDP EIR was intended to encompass an “envelope” for potential uses of Building C. Project elements analyzed in the 2005 LRDP EIR were based on conservative assumptions regarding the maximum envisioned population, number of fume hoods, utility demand, and the range of chemicals that would be used, for the assessment of potential environmental impacts of the

proposed use. The square footage of laboratory and support space that would be redeveloped under the Alterations for Academic Programs Phase 1 Project, and the associated population, utility demand, number of fumehoods, and type of hazardous materials are consistent with these assumptions.

D Impacts of the Proposed Action

As described in greater detail below, the analysis in Addendum #3 indicates that the Proposed Action would not result in any new significant impacts; increase the severity of significant impacts previously identified in the 2005 LRDP EIR; or cause any significant environmental effects not previously examined in the 2005 LRDP EIR. All significant impacts that might result from implementation of the 2300 Delaware Project have been addressed in the 2005 LRDP EIR and the 2300 Delaware Project Findings adopted by the Chancellor. The Proposed Action does not involve new information of substantial importance which would require mitigation measures or alternatives that are considerably different from those analyzed in the 2005 LRDP EIR. No additional mitigation measures are feasible to substantially lessen any significant and unavoidable impacts previously identified in the 2005 LRDP EIR.

The Proposed Action will not result in any new significant cumulative impacts, increase the severity of significant cumulative impacts previously identified in the 2005 LRDP EIR, or cause any environmental effects not previously examined in the 2005 LRDP EIR. The 2005 LRDP EIR examined all significant cumulative impacts to which implementation of the 2300 Delaware Project would contribute; these have been addressed in the 2005 LRDP and in the 2300 Delaware Findings adopted by the Chancellor.

Each of the potential impact areas relevant to the Proposed Action is discussed below.

1. Aesthetics

The 2005 LRDP EIR (Vol. 3, p. 4-24) determined that the 2300 Delaware Avenue Project would not result in any impacts on scenic vistas, visual character or quality, or lighting. The analysis in Addendum #3, pages 16-17, determined that the proposed Alterations for Academic Programs Phase 1 Project would not result in any new significant aesthetic impacts that were not analyzed in the 2005 LRDP EIR.

FINDING: Based on the analysis in Addendum #3, pages 16-17, the University finds that the Project would not result in any new, significant aesthetic impacts that were not examined in the 2005 LRDP and that the aesthetic impacts associated with implementation of the 2300 Delaware Avenue Project as modified would remain as identified in the 2005 LRDP EIR.

2. Agricultural and Forestry Resources

The 2005 LRDP EIR (Vol. 3, p. 4-25) determined that the 2300 Delaware Avenue Project would not result in any direct or indirect impact to agricultural resources. The

analysis in Addendum #3, pages 17-18, determined that the proposed Alterations for Academic Programs Phase 1 Project would not result in any new significant impacts to agricultural resources that were not analyzed in the 2005 LRDP EIR.

FINDING: Based on the analysis in Addendum #3, pages 17-18, the University finds that the Project would not result in any new, significant impacts to agricultural resources that were not examined in the 2005 LRDP and that the agricultural resources impacts associated with implementation of the 2300 Delaware Avenue Project as modified would remain as identified in the 2005 LRDP EIR.

3. Air Quality

The 2005 LRDP EIR (Vol. 3, page 4-28) determined that the emissions of criteria pollutants associated with the 2300 Delaware Project would not have a significant impact on regional air quality but would contribute to a significant and unavoidable cumulative impact of development under the 2005 LRDP on regional air quality. The LRDP EIR identified LRDP Mitigations AIR-2A through AIR-2C to reduce this impact but concluded that the impact would remain significant even with mitigation. The analysis in Addendum #3, pages 19-20, concluded that the Alterations for Academic Programs Phase 1 Project would contribute to this significant and unavoidable cumulative impact.

The 2005 LRDP EIR determined that development under the 2005 LRDP, including the 2300 Delaware Avenue Project, would hinder attainment of the regional air quality plan because the population growth associated with the LRDP was not accounted for in the 2004 Air Quality Management Plan (AQMP). This was considered a significant and unavoidable impact (LRDP Impact AIR-4). However, as discussed in Addendum #3 (page 19, the Association of Monterey Bay Area Governments issued a new consistency determination for the 2005 LRDP in April 2009 stating that the 2005 LRDP is consistent with the 2008 regional forecasts and AQMP. Therefore, Addendum #3 concluded that LRDP Impact AIR-4 is no longer considered to be significant.

The 2005 LRDP EIR determined that air pollutant emissions associated with construction activities at 2300 Delaware Avenue, carbon monoxide emissions associated with project-related traffic, and emissions of toxic air contaminants at the site, would not result in significant impacts on air quality. The analysis in Addendum #3, pages 19-20, determined that the proposed Alterations for Academic Programs Phase 1 Project would not result in emissions of construction-related air pollutants, toxic air contaminants or carbon monoxide greater than those analyzed in the 2005 LRDP EIR.

FINDING: Based on the analysis in Addendum #3, pages 19-20, the University finds that the Project will not result in any new, significant impacts on regional air quality that were not analyzed in the 2005 LRDP EIR. As discussed in Addendum #3, page 11, previously adopted LRDP Mitigations AIR-2A and AIR-2B are applicable to and included as part of the Project. The Project will contribute to significant impacts on regional air quality previously identified in the 2005 LRDP EIR but will not result in those impacts being more severe than as described 2005 LRDP EIR.

4. Biological Resources

The 2005 LRDP EIR (Vol. 3, pp. 4-30 to 4-31) determined that the 2300 Delaware Avenue Project would not result in an significant impacts on biological resources. The analysis in Addendum #3, pages 22-23, concludes that the proposed Alterations for Academic Programs Phase 1 Project would not introduce any new potential biological resources impacts that were not previously identified in the 2005 LRDP EIR.

FINDING: Based on the analysis in Addendum #3, pages 22-23, the University finds that the Project would not result in any new, significant impacts to biological resources that were not examined in the 2005 LRDP and that the biological resources impacts associated with implementation of the 2300 Delaware Avenue Project as modified would remain as identified in the 2005 LRDP EIR.

5. Cultural Resources

The 2005 LRDP EIR (Vol. 3, pp. 4-30 to 4-31) determined that the 2300 Delaware Avenue Project would not result in an any impacts on cultural resources. The analysis in Addendum #3, pages 23-24, concludes that the proposed Alterations for Academic Programs Phase 1 Project would not introduce any new potential cultural resources impacts that were not previously identified in the 2005 LRDP EIR.

FINDING: Based on the analysis in Addendum #3, pages 23-24, the University finds that the Project would not result in any new, significant impacts to cultural resources that were not examined in the 2005 LRDP and that the cultural resources impacts associated with implementation of the 2300 Delaware Avenue Project as modified would remain as identified in the 2005 LRDP EIR.

6. Geology and Soils

The 2005 LRDP EIR (Vol. 3, pp. 4-30 to 4-31) determined that the 2300 Delaware Avenue Project would not result in an any impacts geology or soils. The analysis in Addendum #3, pages 24-25, concludes that the proposed Alterations for Academic Programs Phase 1 Project would not introduce any new potential impacts related to geology or soils that were not previously identified in the 2005 LRDP EIR.

FINDING: Based on the analysis in Addendum #3, pages 24-25, the University finds that the Project would not result in any new, significant impacts to cultural resources that were not examined in the 2005 LRDP and that the cultural resources impacts associated with implementation of the 2300 Delaware Avenue Project as modified would remain as identified in the 2005 LRDP EIR.

7. Greenhouse Gas Emissions

The 2005 LRDP EIR was certified before the passage of Assembly Bill 32 (Global Warming Solutions Act of 2006) and therefore did not analyze greenhouse gas emissions or climate change. As analyzed in Addendum #3, pages 26-29, the proposed

Alterations for Academic Programs Phase 1 Project would not result in a significant greenhouse gas impact.

FINDING: Based on the analysis in Addendum #3, pages 26-29, the University finds that the Project would not result in a new, significant impact related to greenhouse gas emissions that were not examined in the 2005 LRDP EIR.

8. Hazards and Hazardous Materials

The 2005 LRDP EIR (Vol. 3, pages 4-34 through 4-37) determined that the hazardous materials impacts of the 2300 Delaware Avenue Project would be less than significant with implementation of DA Mitigations HAZ-2 and HAZ-11. As discussed in Addendum #3, pages 29-32, The Alterations for Academic Programs Phase 1 Project would not introduce any new potential impacts with respect to hazardous materials that were not previously analyzed in the 2005 LRDP EIR, and no changed circumstance or new information is present that would alter the conclusions contained therein. DA Mitigation HAZ-2 is applicable to and incorporated into the Thin Films and Materials Research Labs Project.

FINDING: Based on the analysis in Addendum #3, pages 29-32, the University finds that the Alterations for Academic Programs Phase 1 Project would not result in any new, significant hazardous materials impacts that were not examined in the 2005 LRDP and that the hazardous materials impacts associated with implementation of the 2300 Delaware Avenue Project as modified would remain as identified in the 2005 LRDP EIR.

9. Hydrology and Water Quality

The 2005 LRDP EIR (Vol. 3, pages 4-38 to 4-39) determined that the impacts of the 2300 Delaware Avenue Project on hydrology and water quality would be less than significant with implementation of DA Mitigation HYD-2. As discussed in Addendum #3, pages 32-34, Alterations for Academic Programs Phase 1 Project would not introduce any new potential impacts on hydrology and water quality that were not previously analyzed in the 2005 LRDP EIR, and no changed circumstance or new information is present that would alter the conclusions contained therein. DA Mitigation HYD-2 is applicable to and incorporated into the Alterations for Academic Programs Phase 1 Project.

FINDING: Based on the analysis in Addendum #3, pages 22-34, the University finds that the Alterations for Academic Programs Phase 1 Project would not result in any new, significant hydrology and water quality materials impacts that were not examined in the 2005 LRDP and that the hazardous materials impacts associated with implementation of the 2300 Delaware Avenue Project as modified would remain as identified in the 2005 LRDP EIR.

10. Land Use

The 2005 LRDP EIR (Vol. 3, pages 4-40 to 4-42) determined that the 2300 Delaware Avenue Project would not create any significant impacts with respect to land

use and planning. As discussed in Addendum #3, pages 34-35, the Alterations for Academic Programs Phase 1 Project would not introduce any new potential impacts with respect to land use that were not previously analyzed in the 2005 LRDP EIR, and no changed circumstance or new information is present that would alter the conclusions contained therein.

FINDING: Based on the analysis in Addendum #3, pages 34-35, the University finds that the Alterations for Academic Programs Phase 1 Project would not result in any new, significant land use impacts that were not examined in the 2005 LRDP and that the land use impacts associated with implementation of the 2300 Delaware Avenue Project as modified would remain as identified in the 2005 LRDP EIR.

11. Noise

The 2005 LRDP EIR (Vol. 3, pages 4-42 to 4-44) determined that the 2300 Delaware Avenue Project would not result in any significant noise impacts. As discussed in Addendum #3, pages 35-36, the Alterations for Academic Programs Phase 1 Project would not introduce any new noise impacts that were not previously analyzed in the 2005 LRDP EIR, and no changed circumstance or new information is present that would alter the conclusions contained therein.

FINDING: Based on the analysis in Addendum #3, pages 35-36, the University finds that the Alterations for Academic Programs Phase 1 Project would not result in any new, significant noise impacts that were not examined in the 2005 LRDP and that the noise impacts associated with implementation of the 2300 Delaware Avenue Project as modified would remain as identified in the 2005 LRDP EIR.

12. Population and Housing

The 2005 LRDP EIR (Vol. 3, pages 4-44 to 4-45) determined that, because the residential population associated with campus growth was not accounted for in AMBAG's 2004 population forecasts, development under the 2005 LRDP would directly induce substantial population growth in the study area, which would be a significant and unavoidable impact. The 2005 LRDP EIR determined that the 2300 Delaware Project would also contribute to a significant impact on housing. The LRDP EIR identified LRDP Mitigations POP-3A through POP-3C to reduce this impact to the extent feasible but concluded that the impact would be significant even with mitigation. As analyzed in Addendum #3, page 34, AMBAG issued a new consistency determination for the 2005 LRDP in April 2009, stating that the 2005 LRDP is consistent with the 2008 regional population forecasts. Therefore, the Alterations for Academic Programs Phase 1 Project would not have the potential to increase the severity of the impact associated with population growth identified in the 2005 LRDP EIR. As analyzed in Addendum #3, pages 37-41, the population associated with the AAP Phase 1 Project is within the scope of the 2300 Delaware Avenue Project as analyzed in the 2005 LRDP EIR. However, as part of the 2008 Comprehensive Settlement Agreement, the University agreed that for future projects under the 2005 LRDP it would not "tier" from or otherwise rely on the housing analysis in the LRDP which was invalidated by the Santa Cruz Superior Court to

obtain CEQA compliance. As analyzed in Addendum #3, the AAP Phase 1 Project would not result in a significant housing impact which was not analyzed in the LRDP EIR. LRDP Mitigations POP-3A through POP-3C are implemented as part of general Campus operations and are not directly applicable to the Project.

FINDING: Based on the analysis in Addendum #3, pages 37-41, the University finds that the Project will not result in any new, significant impacts on population and housing that were not analyzed in the 2005 LRDP EIR.

13. Public Services

The 2005 LRDP EIR (Vol. 3, page 4-44) determined that the 2300 Delaware Avenue Project would not result in any significant impacts on public services. As discussed in Addendum #3, pages 41-42, the Alterations for Academic Programs Phase 1 Project would not introduce any new public services impacts that were not previously analyzed in the 2005 LRDP EIR, and no changed circumstance or new information is present that would alter the conclusions contained therein.

FINDING: Based on the analysis in Addendum #3, pages 41-42, the University finds that the Alterations for Academic Programs Phase 1 Project would not result in any new, significant public services impacts that were not examined in the 2005 LRDP and that the public services impacts associated with implementation of the 2300 Delaware Avenue Project as modified would remain as identified in the 2005 LRDP EIR.

14. Recreation

The 2005 LRDP EIR (Vol. 3, pages 4-46 to 4-47) identified as a potentially significant impact of the 2300 Delaware Avenue Project that the Project could increase the use of the Antonelli Pond area such that substantial physical deterioration of recreational facilities could occur or be accelerated. The EIR determined that this impact would be reduced to a less-than-significant level through the implementation of DA Mitigation REC-1A, DA Mitigation REC-1B, and LRDP Mitigation REC-2D. As discussed in Addendum #3, page 37, the Alterations for Academic Programs Phase 1 Project would not introduce any new potential impacts with respect to recreation that were not previously analyzed in the 2005 LRDP EIR, and no changed circumstance or new information is present that would alter the conclusions contained therein. The Campus implements DA Mitigation REC-1A, DA Mitigation REC-2A, and LRDP Mitigation REC-2D on an ongoing basis.

FINDING: Based on the analysis in Addendum #3, page 43, the University finds that the Alterations for Academic Programs Phase 1 Project would not result in any new, significant recreation impacts that were not examined in the 2005 LRDP and that the recreation impacts associated with implementation of the 2300 Delaware Avenue Project as modified would remain as identified in the 2005 LRDP EIR.

15. Traffic, Circulation, and Parking

The 2005 LRDP EIR determined (Vol. 3, pages 4-47 to 4-58) that the 2300 Delaware Avenue Project DA Impact TRA-1 result in significant impacts on the level of service at three City intersections. The University adopted DA Mitigations TRA-1A and TRA-1B to reduce these impacts to the extent feasible, but determined that the Impact would be significant and unavoidable because these mitigations would not reduce the impact to a less-than-significant level because implementation of the intersection improvements is outside the jurisdiction of the University and, further, the effectiveness of traffic reduction measures would depend on significant coordination and collaboration among the University, the City, and regional transportation agencies the therefore cannot be guaranteed in the short term. The impact therefore was considered significant and unavoidable. The 2005 LRDP EIR identified the increased demand for public transit generated by the 2300 Delaware Avenue Project as a potentially significant impact but determined that the impact would be less than significant with implementation of DA Mitigation TRA-3. The 2005 LRDP EIR also identified DA Mitigation TRA-2 to further reduce a less-than-significant impact on parking supply. Addendum #3 (pages 44-47) determined that the contribution of the 2300 Delaware Avenue Project to the significant impacts on intersection operations will be reduced to a less-than-significant level through payments to the City by the University equivalent to the City's Traffic Impact Fee, pursuant to an August 2008 Comprehensive Settlement Agreement. Addendum #3 (page 46) determined that the Alterations for Academic Programs Phase 1 Project would contribute incrementally to the potentially significant impact on the effectiveness of public transit. As discussed in Addendum #3, pages 9 to 13, previously adopted DA Mitigations TRA-1A, TRA-1B, TRA-2 and TRA-3 are applicable to and included in the Alterations for Academic Programs Phase 1 Project.

FINDING: Based on the analysis in Addendum #3, pages 44-47, the University finds that the Project will not result in any new, significant impacts on transportation and circulation that were not analyzed in the 2005 LRDP EIR. The impact of the 2300 Delaware Avenue Project on intersection operations, previously determined to be significant and unavoidable, will be reduced to a less-than-significant level through payments to the City by the University pursuant to the August 2008 Comprehensive Settlement Agreement.

16. Utilities

The 2005 LRDP EIR (Vol. 3, pages 4-59 to 4-61) determined that the 2300 Delaware Avenue Project would not result in any significant project impacts related to utilities. However, the 2300 Delaware Avenue Project would make a cumulatively considerable contribution to the cumulative water supply impact of development under the 2005 LRDP in conjunction with other regional growth. The 2005 LRDP EIR identified LRDP Mitigations UTIL-9A through UTIL-9I to reduce this impact to the extent feasible. However, as discussed in the 2005 LRDP EIR, the impact would be significant and unavoidable even with mitigation. The University adopted identified DA Mitigations UTIL-1A through UTIL-1C, which specify the means by which LRDP Mitigations UTIL-9A through UTIL-9C would be implemented at the 2300 Delaware

Avenue site. As discussed in Addendum #3, since the 2300 Delaware Project was approved, the City of Santa Cruz General Plan 2030 EIR has determined that the water supply impact of development which would be accommodated by the General Plan 2030 is a significant and unavoidable impact. Addendum #3 concludes that the increase in water demand resulting from the AAP Phase 1 Project would not substantially affect the reliability of the water supply during drought or during future normal water years, as the increase is too small to cause a noticeable increase in the curtailment which would be required during drought conditions. Thus, the Project's water supply impact would be less than significant and the Project would not make a cumulatively considerable contribution to cumulative water supply impacts. As discussed in Addendum #3, page 10, DA Mitigations UTIL-1A through UTIL-1C are applicable to and included in the Alterations for Academic Programs Phase 1 Project.

FINDING: Based on the analysis in Addendum #3, pages 48-51, the University finds that the Project will not result in any new, significant utilities impacts that were not analyzed in the 2005 LRDP EIR.

E. Additional Findings

1. Adequacy of Prior Environmental Review

All of the environmental effects of implementation of the 2300 Delaware Avenue Project thereto, as reflected in the Findings adopted by the Chancellor in February 2007, were adequately addressed in the certified 2005 LRDP EIR thereto in that those impacts: (1) have been mitigated or avoided, (2) have been examined at a sufficient level of detail to enable those effects to be mitigated or avoided by site specific revisions, the imposition of conditions, or by other means in connection with the approval of the 2005 LRDP EIR, or (3) cannot be mitigated to avoid or substantially lessen the significant impacts despite the University's willingness to accept all feasible mitigation measures, and the only purpose of including analysis of such effects in another environmental impact report would be to put the agency in a position to adopt a statement of overriding considerations with respect to the effects.

The Proposed Action meets the criteria for tiering defined in CEQA Guidelines Section 15152(e). These Findings summarize, rely upon and incorporate the 2300 Delaware Project Findings, to address cumulative impacts, consistent with Guidelines Section 15130(d).

The Proposed Action is within the scope of the 2300 Delaware Avenue Project and does not implicate any of the conditions set forth in CEQA Section 21166 or CEQA Guidelines Section 15162 requiring the preparation of a subsequent or supplemental EIR to the 2005 LRDP EIR. No new significant environmental impacts have been identified in connection with the Proposed Action that was not previously considered in the 2005 LRDP EIR. As a result, no new environmental impacts are anticipated to occur and no new mitigation measures will be required other than as addressed in the 2005 LRDP EIR. The potential environmental effects of the implementation of the Alterations for Academic Programs Phase 1 Project (including any contribution of the Proposed Action

to significant/mitigated and significant/ unavoidable impacts) have been fully addressed by the 2005 LRDP EIR and the 2300 Delaware Project Findings. In accordance with CEQA Guidelines Section 15168(c), The Regents hereby finds that none of the circumstances described in Section 15162(a) of the CEQA Guidelines is present, and no further environmental review or documentation is required for the Project.

The Proposed Action does not otherwise provide an opportunity to eliminate or substantially reduce any of the significant and unavoidable adverse impacts of implementing the 2005 LRDP EIR.

2. Criteria for an Addendum

Addendum #3 to the 2005 LRDP EIR concludes that none of the conditions or circumstances that would require preparation of a subsequent or supplemental EIR pursuant to CEQA Section 21166 exists in connection with the Proposed Action. No substantial changes have been proposed to the 2300 Delaware Project described in the 2005 LRDP EIR that require major revisions to the 2005 LRDP EIR. The 2300 Delaware Project as analyzed in the 2005 LRDP EIR consists of three major components: 1) adding work stations within Buildings A and B to accommodate up to 300 persons (for a net increase of 54 persons); 2) repairs and interior remodeling to unoccupied Building C to provide 92,000 asf of laboratory, office, and University service facility space to accommodate a new population of up to 482; and 3) limited work to upgrade chiller capacity in an existing walled exterior service yard, and other utility retrofits to support the proposed uses. The Alterations for Academic Programs Phase 1 Project would remodel Building C to support the future development of 28,000 asf of new laboratory and laboratory support space and an associated population of approximately 190. In conjunction with the 5,448 asf of existing laboratory and laboratory support space in Building C, with an existing population of approximately ten, the Alterations for Academic Programs Phase 1 Project is consistent with the development “envelope” analyzed in the LRDP EIR.

Addendum #3 also indicates that there have not been any substantial changes with respect to the circumstances under which implementation of Alterations for Academic Programs Phase 1 Project would occur that would require major revisions to the 2005 LRDP EIR.

Addendum #3 also concludes that no new information of substantial importance, which was not known and could not have been known at the time that the 2005 LRDP EIR was certified as complete; shows that the Proposed Action would not cause or substantially worsen environmental impacts discussed in the 2005 LRDP EIR; that mitigation measures or alternatives found infeasible in the 2005 LRDP EIR would in fact be feasible; or that different mitigation measures or alternatives from those analyzed in the 2005 LRDP EIR would substantially reduce one or more significant environmental impacts found in the 205 LRDP EIR.

For the reasons described above, The Regents hereby finds that preparation of Addendum #3 to the 2005 LRDP EIR, to analyze the environmental consequences of implementing the Proposed Action is appropriate under CEQA. In accordance with CEQA, the

Chancellor hereby finds that none of the circumstances described in Section 15162(a) of the CEQA Guidelines is present and no further environmental review or documentation is required for the Project.

3. Incorporation by Reference

These findings incorporate by reference in their entirety the text of the 2005 LRDP, the 2005 LRDP Final EIR, and the Findings and Statement of Overriding Considerations and Mitigation Monitoring Program adopted by The University in connection with its approvals of the 2005 LRDP and the 2300 Delaware Avenue Project. Without limitation, this incorporation is intended to elaborate on the scope and nature of the 2300 Delaware Avenue Project, potential environmental impacts that could result from the 2300 Delaware Avenue Project, related mitigation measures, and the basis for determining the significance of the impacts of the 2300 Delaware Avenue Project.

4. Mitigation Monitoring

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, including mitigation measures intended to eliminate or reduce potentially significant impacts of the project, in order to ensure compliance during project implementation. No new mitigation measures are required as part of the Proposed Action, which incorporates relevant and previously adopted 2005 LRDP EIR mitigation measures that will be monitored pursuant to the existing 2005 LRDP EIR and 2300 Delaware Project monitoring programs previously adopted by the University in connection with its approvals of the 2005 LRDP and the 2300 Delaware Project.

5. Records of Proceedings

Various documents and other materials constitute the record of proceedings upon which the University bases its findings and decisions contained herein. These documents are located in the office of Environmental Planning, Physical Planning and Construction in Barn G, University of California, 1156 High Street, Santa Cruz, California. The custodian for this record of proceedings is UC Santa Cruz Physical Planning and Construction.

F. Summary

Based on the foregoing Findings and the information contained in the administrative record, the Chancellor has made one or more of the following Findings with respect to the significant environmental effects of the Proposed Action:

- The Proposed Action will not increase the severity of significant environmental impacts previously identified in the 2005 LRDP EIR.
- All 2005 LRDP EIR mitigation measures relevant to the Proposed Action, as identified in Addendum #3, are made a condition of approval.

- All significant effects on the environment due to the implementation of the 2005 LRDP EIR, have been eliminated or substantially lessened where feasible through 2005 LRDP EIR mitigation measures adopted in connection with The Regent's certification of the 2005 LRDP and 2300 Delaware Project mitigations adopted in connection with the Chancellor's approval of the 2300 Delaware Project.
- The Proposed Action will not result in environmental effects that were not adequately examined in the 2005 LRDP EIR.
- All remaining significant effects on the environment caused by implementation of the 2005 LRDP, found to be unavoidable, remain acceptable due to the reasons set forth in the 2005 LRDP EIR Findings adopted by The Regents in connection with its approval of the 2005 LRDP, and the 2300 Delaware Project Findings adopted by the Chancellor in connection with his approval of the 2300 Delaware Project, as referenced and reaffirmed herein.

III. APPROVALS

Based on the foregoing, the Chancellor intends to take the following actions:

- A. The Chancellor has reviewed and considered the 2005 LRDP EIR as supplemented and augmented by Addendum #3 for the Alterations for Academic Programs Phase 1 Project as described in Section II.A., above.
- B. The Chancellor reaffirms the Findings and Statement of Overriding Considerations adopted for the 2005 LRDP in September 2006 and 2300 Delaware Avenue Findings adopted in February 2007.
- C. The Chancellor hereby approves and makes a condition of the Proposed Action all elements of the Proposed Action and relevant 2005 LRDP EIR mitigation measures identified in Addendum #3.
- D. The Chancellor hereby adopts these Findings in their entirety as set forth in Section II, above.
- E. Having independently reviewed and considered the 2005 LRDP EIR, as supplemented by Addendum #3, the Chancellor hereby approves the Alterations for Academic Programs Phase 1 Project.