Print Form

Notice of Determination

Appendix D

To:
☒ Office of Planning and Research

U.S. Mail:
P.O. Box 3044
Sacramento, CA 95812-3044

Street Address:
1400 Tenth St., Rm 113
Sacramento, CA 95814

☐ County Clerk
County of: _____
Address: _____

From:
Public Agency: University of California, San Diego
Address: 9500 Gilman Drive, M.C. 0074
La Jolla, CA 92093-0074
Contact: Alison Buckley
Phone: 858-534-4464

Lead Agency (if different from above):
_____
Address: _____
_____
Contact: _____
Phone: _____

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2017061003

Project Title: Scripps Institution of Oceanography (SIO) Marine Conservation Facility

Project Applicant: University of California, San Diego

Project Location (include county): San Diego County

Project Description:
The proposed project would renovate an existing four-story, 26,967-GSF shell of a building (Building D) to provide laboratories, offices, and classrooms for the CMBC on the SIO campus. In addition, a portion of the project site (a concrete slab previously known as Building A) would include a two-story addition totaling approximately 10,494 GSF. This addition would include a 100-seat lecture room, 30-seat conference room, visualization exhibit, and a teaching kitchen. A café with an outdoor shaded terrace and seating would also be included on the second floor. Additional improvements to the project site would include the provision of approximately 58 parking spaces, an open space ⊞

This is to advise that the University of California, San Diego has approved the above
(☒ Lead Agency or ☐ Responsible Agency)

described project on _____ and has made the following determinations regarding the above
(date)
described project.

1. The project [☐ will ☒ will not] have a significant effect on the environment.
2. ☐ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
   ☒ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [☒ were ☐ were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [☒ was ☐ was not] adopted for this project.
5. A statement of Overriding Considerations [☐ was ☒ was not] adopted for this project.
6. Findings [☒ were ☐ were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:
UC San Diego Campus Planning Office, 9500 Gilman Drive, La Jolla, CA 92093-0074

Signature (Public Agency): Alison Buckley Title: Senior Planner

Date: May 20, 2019 Date Received for filing at OPR: _____

Governor's Office of Planning & Research
MAY 20 2019
STATE CLEARINGHOUSE

Authority cited: Sections 21083, Public Resources Code.
Reference Section 21000-21174, Public Resources Code.

Revised 2011

CHANCELLOR OF THE UNIVERSITY OF CALIFORNIA, SAN DIEGO

ACTION ITEM

May 2019

APPROVAL OF DESIGN FOLLOWING ACTION PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), MARINE CONSERVATION AND TECHNOLOGY FACILITY, SCRIPPS INSTITUTION OF OCEANOGRAPHY

Campus:	San Diego
Project:	Marine Conservation and Technology Facility, Scripps Institution of Oceanography
Previous Actions:	May 2017: Approval of Budget June 2017: Approval of External Financing
Proposed Actions:	Approval of Design; Adoption of Initial Study and Mitigated Negative Declaration; Adoption of Mitigation Monitoring and Reporting Program; Adoption of CEQA Findings
Project Description:	The project site is approximately 3.22 acres located on a bluff top in the northwestern-most corner of the Scripps Institution of Oceanography (SIO) campus, immediately west of La Jolla Shores Drive, coastal bluffs and the Pacific Ocean to the west, Biological Grade to the south and a single family home to the north. This site, which is located within the SIO West Neighborhood, is the location of the previous National Oceanic and Atmospheric Administration (NOAA) Southwest Fisheries Science Center (SWFSC), which relocated in 2013 across the street, to the east of La Jolla Shores Drive. Originally, this site was home to a four-building complex (1964 through 2013). The project site and immediate vicinity have been the subject of geotechnical investigations since 1973, when structural distresses were observed in Buildings B and C. In 2009, staff from NOAA and UC San Diego prepared a Final Environmental Impact Statement/Environmental Impact Report – compliant with both the National Environmental Policy Act and California Environmental Quality Act (CEQA) – and issued a Record of Decision (ROD) and Notice of Determination which approved complete demolition of Buildings B and C, and a partial

demolition of Building A.

Before NOAA returned the property to UC San Diego in August 2013, they demolished Buildings B, C, and most of Building A. NOAA also installed tieback anchors and grade beams, and completed seismic retrofits to Building D. Building A was left as an on-grade concrete foundation slab with a below grade basement level containing supporting mechanical and electrical rooms. With the basic seismic retrofits and the installation of a grade beam with tiebacks, Building D was left as a "shell" space requiring complete interior renovation and building system upgrades to make the space functional for future occupants.

The existing project site consists of surface parking and associated driveways, a service yard with loading dock, coastal overlook, as well as surrounding landscaping, including multiple large Torrey Pine trees.

Building D is a four-story structure including a basement level. There are 37 existing parking spaces on site. Proposed site improvements will include the addition of 21 spaces (5 of which are to provide public access to the Coastal Overlook as required by the California Coastal Commission), a loading and delivery zone, and 4 motorcycle spaces. An outdoor terrace space will be constructed over the parking area to accommodate seating and UC San Diego venue space.

Upon completion, Building 'D' will accommodate approximately 60 faculty, staff, and students, with room for between 10 and 12 percent growth, equating to one new faculty hire and associated staff, graduate students, and postdoctoral scholars.

The project will allow members of the Marine Biodiversity and Conservation team to consolidate into a space that already has circulating seawater infrastructure, and it would provide this group with classrooms and labs to support their specific research.

Project Budget and Funding:

The approved project budget is $25,813,000, funded with Campus Funds ($4,200,000), and External Financing ($21,613,000).

The campus is analyzing the extent to which the proposed design compares to the approved budget and is exploring deductive scope alternates to deliver the project within 15% of the approved budget.

Project Design:

To ensure that appropriate geotechnical and site-specific safety considerations are achieved, the constructed elements of the project will be set back 60-feet from the top of bluff as required by the California Coastal Commission.

The proposed renovations and additions will be architecturally consistent with surrounding SIO facilities. The proposed facilities will not exceed the existing height of Building D (i.e., four stories tall, built into a hill).

The basement of Building D will include a research aquarium facility and a shower. The first floor will include teaching laboratories, offices, a staging laboratory, and chemical storage areas; the second and third floors will include primarily laboratory and office space. Restrooms and the elevator system will be refurbished.

The existing exterior exposed concrete structure at Building D will remain; however, the existing railings and glazing will be removed and replaced with new code and energy compliant products. New conference rooms will replace the existing non-compliant southern exterior stairway. New natural wood siding accent/infill materials will be used to complement the surrounding structures and landscape. Building A will consist primarily of a new exposed architectural concrete structure with wood trellis to provide sun-shading for the large floor-to-ceiling sliding aluminum doors which promote the indoor-outdoor relationship of the classroom and outdoor terrace spaces.

The addition to Building 'A' provides an entrance lobby, classroom and support space, conference room and event space for University events, teaching and catering kitchen, a small café, as well as, outdoor circulation space. The existing basement level of Building 'A' would continue to operate as mechanical and electrical rooms and these systems will be upgraded as necessary to support operations. Two additional stories would be constructed on the existing concrete foundation. The second floor addition will include a 100-seat lecture room/event space, 30-seat conference room, a Visualization Lab, and a catering kitchen (the catering kitchen is a shell space) – all at ground level. A modest café (the café will be provided as a shell space) with an associated outdoor terrace and shade trellis is proposed above the lecture room on the third level. Seating for the café will be provided for approximately 80 people, the majority of which will be accommodated outdoors.

The project will utilize the two existing driveway access points to the facility. The southern entrance will provide access to covered staff and faculty parking as well as the Coastal Overlook and loading dock area. The northern entrance will provide access to the future Café and Terrace areas and an accessible path will provide access to the main entry through a shaded landscaped area.

Environmental Impact Summary:

Pursuant to State Law and University procedures for implementation of the California Environmental Quality Act (CEQA), an Initial Study/Mitigated Negative Declaration (IS/MND) was prepared. The Initial Study and proposed MND were circulated to responsible agencies and to the State Clearinghouse for a 30-day public review. During the public review period, seven comment letters were received. Responses to the comment letters provide additional clarification and expand on project specific analyses as well as previous campus-wide analyses conducted as part of the 2004 Long Range Development Plan (LRDP) Environmental Impact Report (EIR), as updated by the 2010 East Campus Bed Tower EIR. In addition, the IS/MND has been revised and updated to incorporate the following revisions based on public comment:

- Change in the ancillary use of the SIO Marine Conservation and Technology Facility for public and private events to academic events only.
- Adjustment in the footprint of the SIO Marine Conservation and Technology Facility such that the project incorporates a 60-foot setback from the bluff edge.

No other new issues were raised that were not already addressed in the project environmental document and/or in the 2004 LRDP Environmental Impact Report EIR, as updated by the 2010 East Campus Bed Tower EIR.

The IS/MND are tiered from the 2004 LRDP EIR, as updated. Based on the Tiered IS/MND, the University concluded that although the proposed project could have a significant effect on the environment, there would not be a significant effect in this case due to project modifications or mitigation measures agreed to by the University.

During the course of the CEQA review process for the Marine Conservation Facility Project, UC San Diego drafted and ultimately received approval for a new LRDP (2018 LRDP), which replaces the 2004 LRDP. In tandem with the 2018 LRDP's approval, the University certified an EIR for the 2018 LRDP, and the 2018 LRDP EIR considered the Marine Conservation Facility Project as part of the 2018 LRDP's cumulative impacts analysis. The University has concluded that no additional analysis is necessary with respect to this Project as a result of the approval of the 2018 LRDP and certification of the associated EIR, and recirculation of the IS/MND is not required pursuant to CEQA Guidelines section 15073.5 because the IS/MND did not require substantial revision. A summary of project impacts and mitigation requirements is included in the attached Findings. On the basis of the Tiered IS/MND and implementation of LRDP EIR and project mitigation measures, there is no substantial evidence that the project may have a significant effect on the environment.

RECOMMENDATION

Upon review and consideration of the design and environmental consequences of the proposed Marine Conservation and Technology Facility project, the Chancellor approves the following actions:

1) Adopts the attached Initial Study and Final Mitigated Negative Declaration;
2) Adopts the attached Mitigation Monitoring and Reporting Program;
3) Adopts the attached CEQA Findings;
4) Approves the design.

5/7/2019

Pradeep K. Khosla, Chancellor Date

ATTACHMENTS:

Attachment 1: Capital Improvement Budget
Attachment 2: Design Graphics
Attachment 3: Initial Study and Final Mitigated Negative Declaration for the Marine Conservation Facility with Mitigation Monitoring and Reporting Program
Attachment 4: CEQA Findings

ATTACHMENT 1

SCRIPPS INSTITUTION OF OCEANOGRAPHY
MARINE CONSERVATION AND TECHNOLOGY FACILITY (MCTF)
SAN DIEGO CAMPUS

PROJECT FUND SOURCES

Fund Sources	Amount
Campus Funds	4,200,000
External Financing	21,613,000
Total Project	**$25,813,000**

PROJECT BUDGET
CCCI 6691

Cost Category	Total	% of Total
Site Clearance	$25,000	0.1%
Building Construction	20,177,000	78.2%
Exterior Utilities	0	0%
Site Development	0	0%
A/E Fees	2,522,000	9.8%
Campus Administration	551,000	2.1%
Surveys, Tests, Plans, Specs	417,000	1.6%
Special Items (includes IDC)	1,395,000	5.4%
Contingency	726,000	2.8%
Total P-W-C	**25,813,000**	**100%**
Groups 2 & 3 Equipment	-	
Total Project	**$25,813,000**	

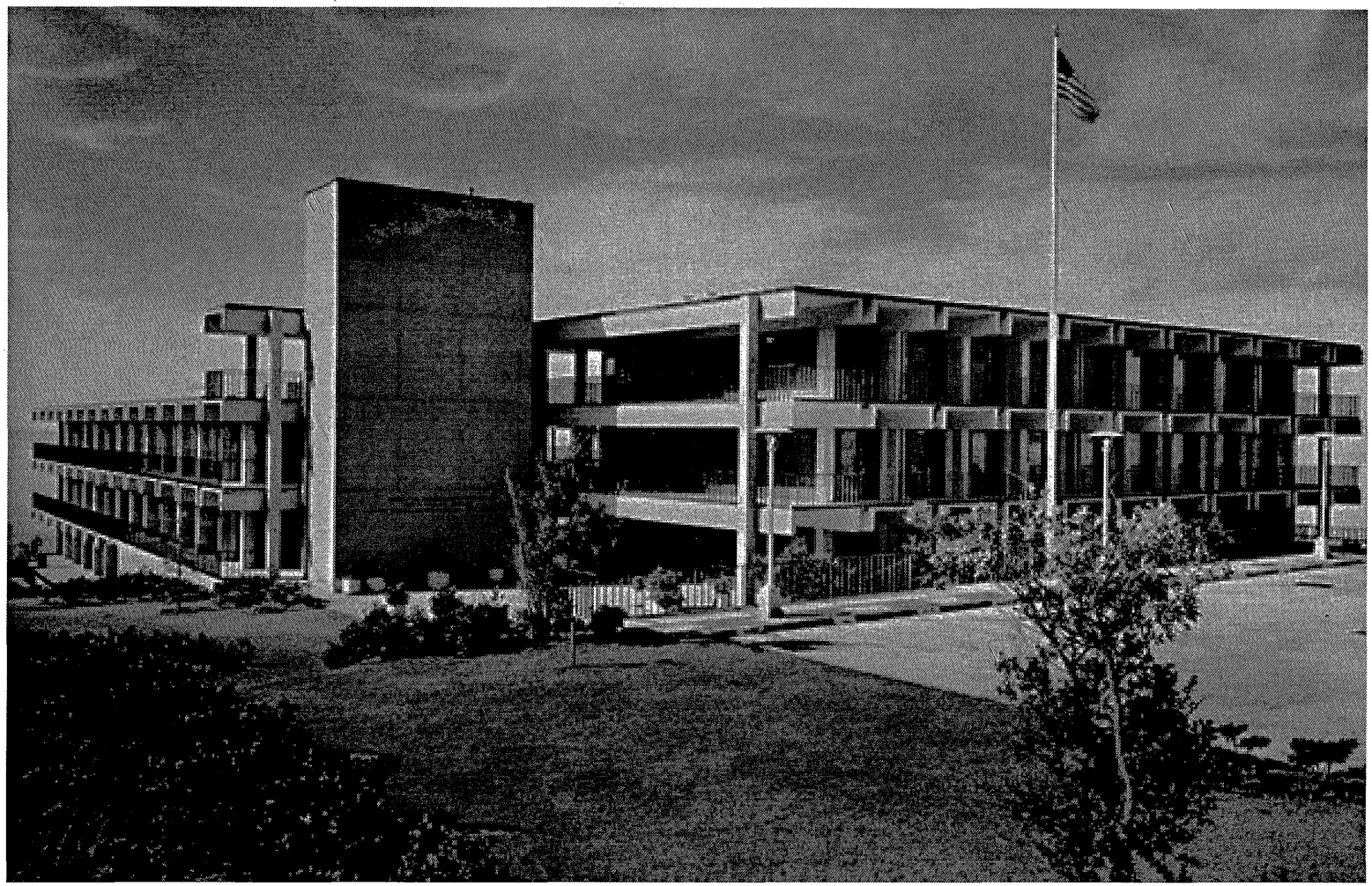
FUNDING SCHEDULE

Phase	Amount
Preliminary Plans	1,162,000
Working Drawings	1,420,000
Construction	23,231,000
Equipment	
Total P-W-C	**25,813,000**
Groups 2 & 3 Equipment	0
Total Project	**$25,813,000**

ATTACHMENT 2

MARINE CONSERVATION AND TECHNOLOGY FACILITY

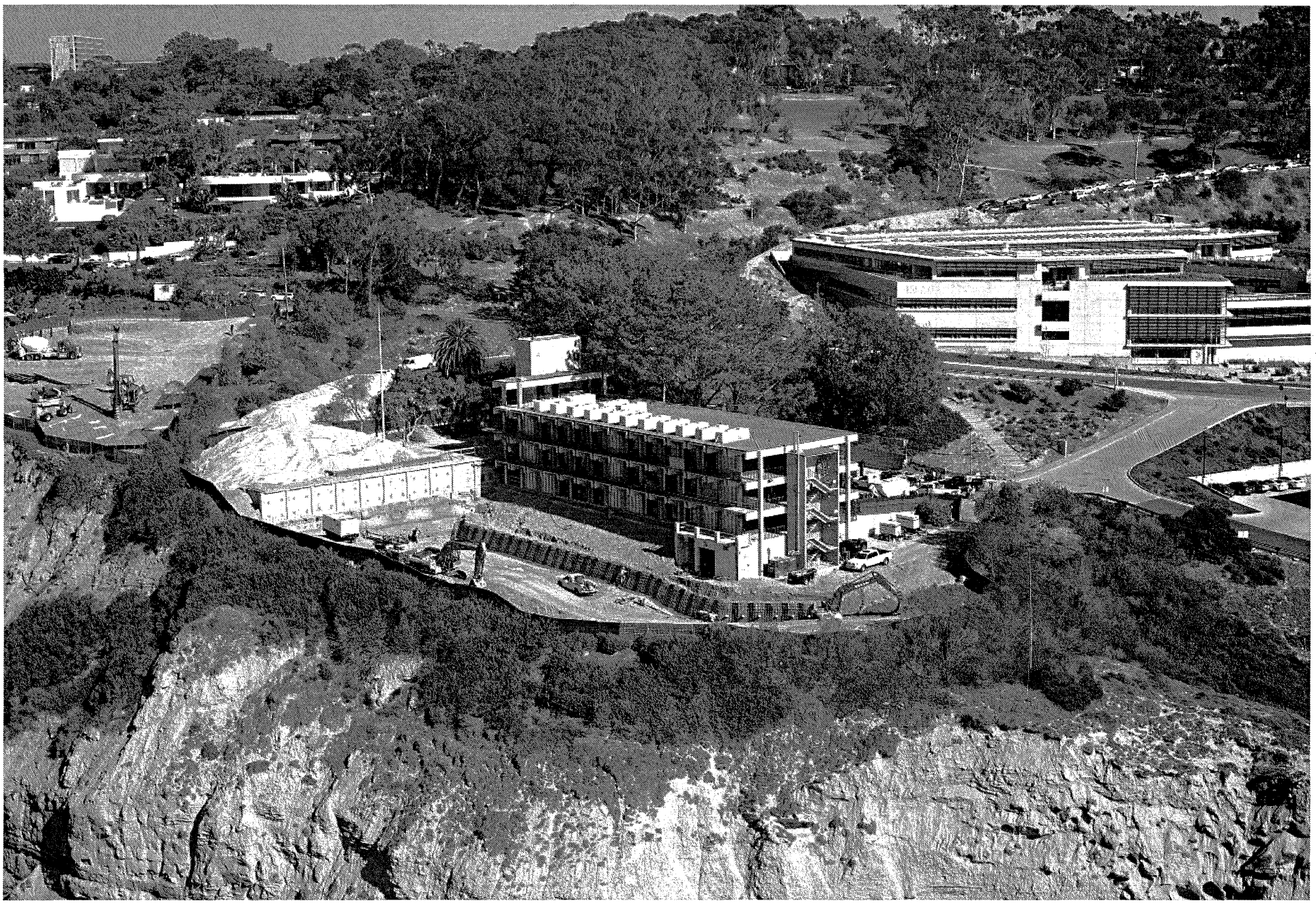
DESIGN GRAPHICS



SAFDIE RABINES
ARCHITECTS

ORIGINAL BUILDINGS 'A' & 'D' - FROM UPPER DRIVEWAY c1963

MARINE CONSERVATION AND TECHNOLOGY FACILITY

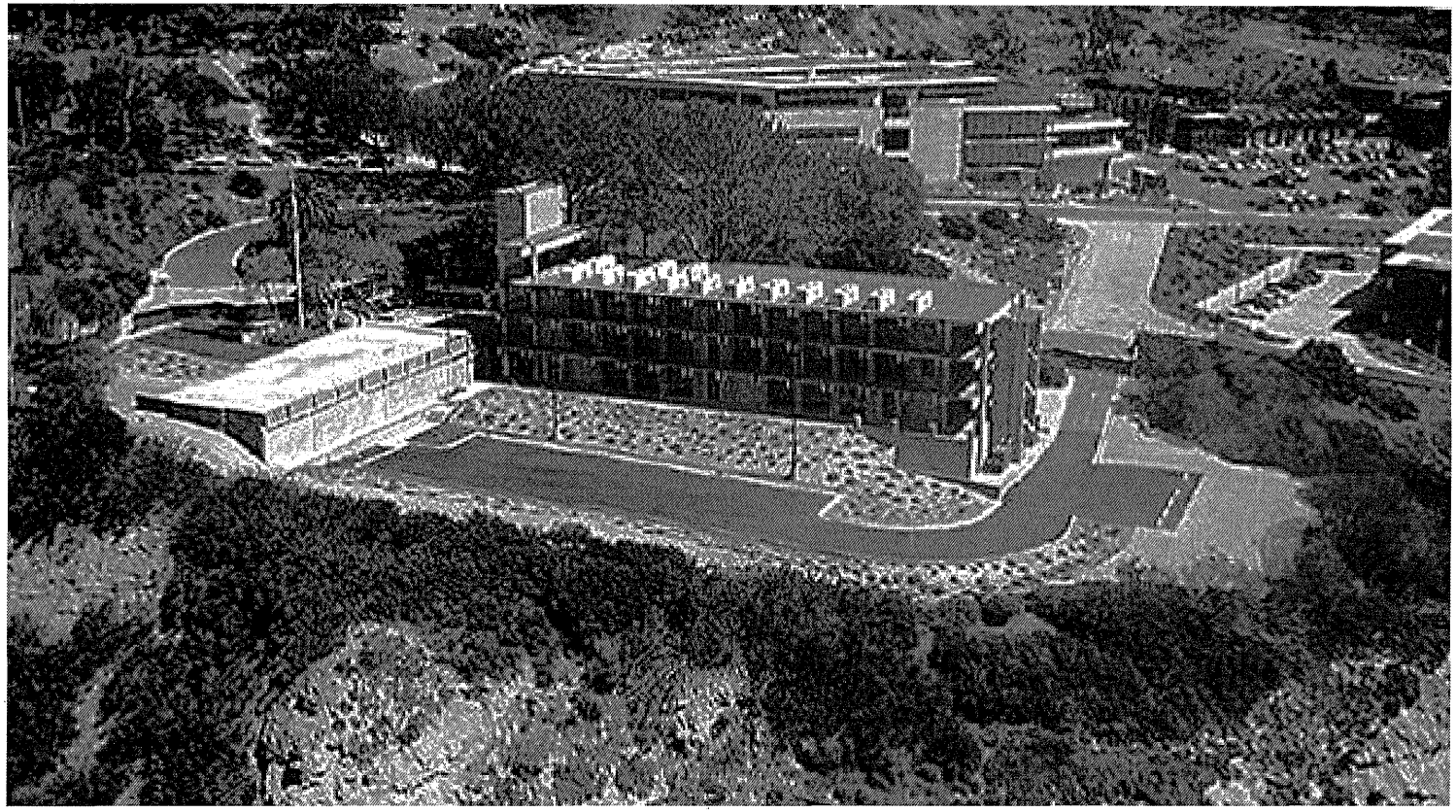


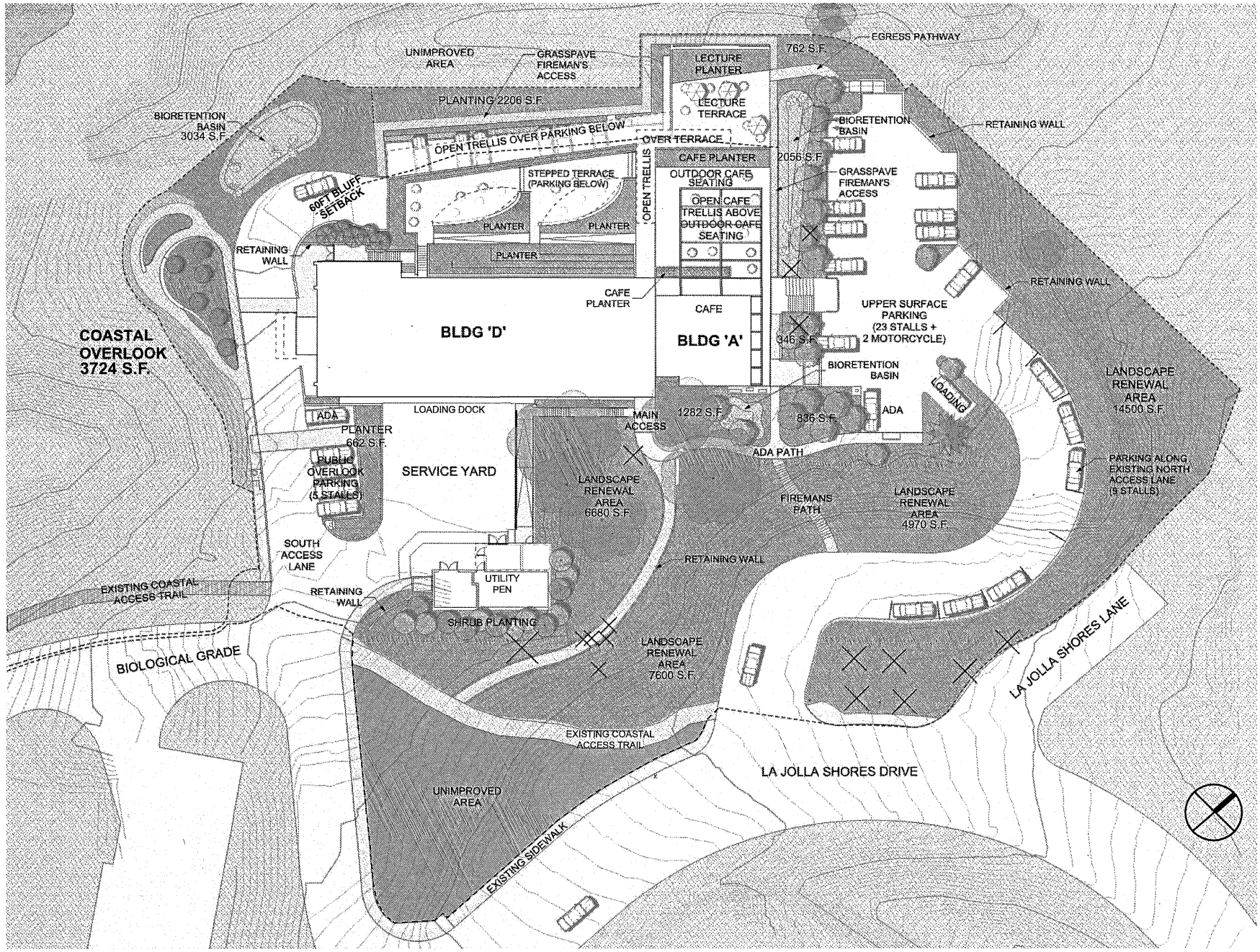
SAFDIE RABINES ARCHITECTS

SITE AERIAL DURING NOAA'S 2014 DEMOLITION & TIE BACK INSTALLATION

MARINE CONSERVATION AND TECHNOLOGY FACILITY

UCSD - PROJECT 4638
PAGE-02 (SK-651)
02/22/2019



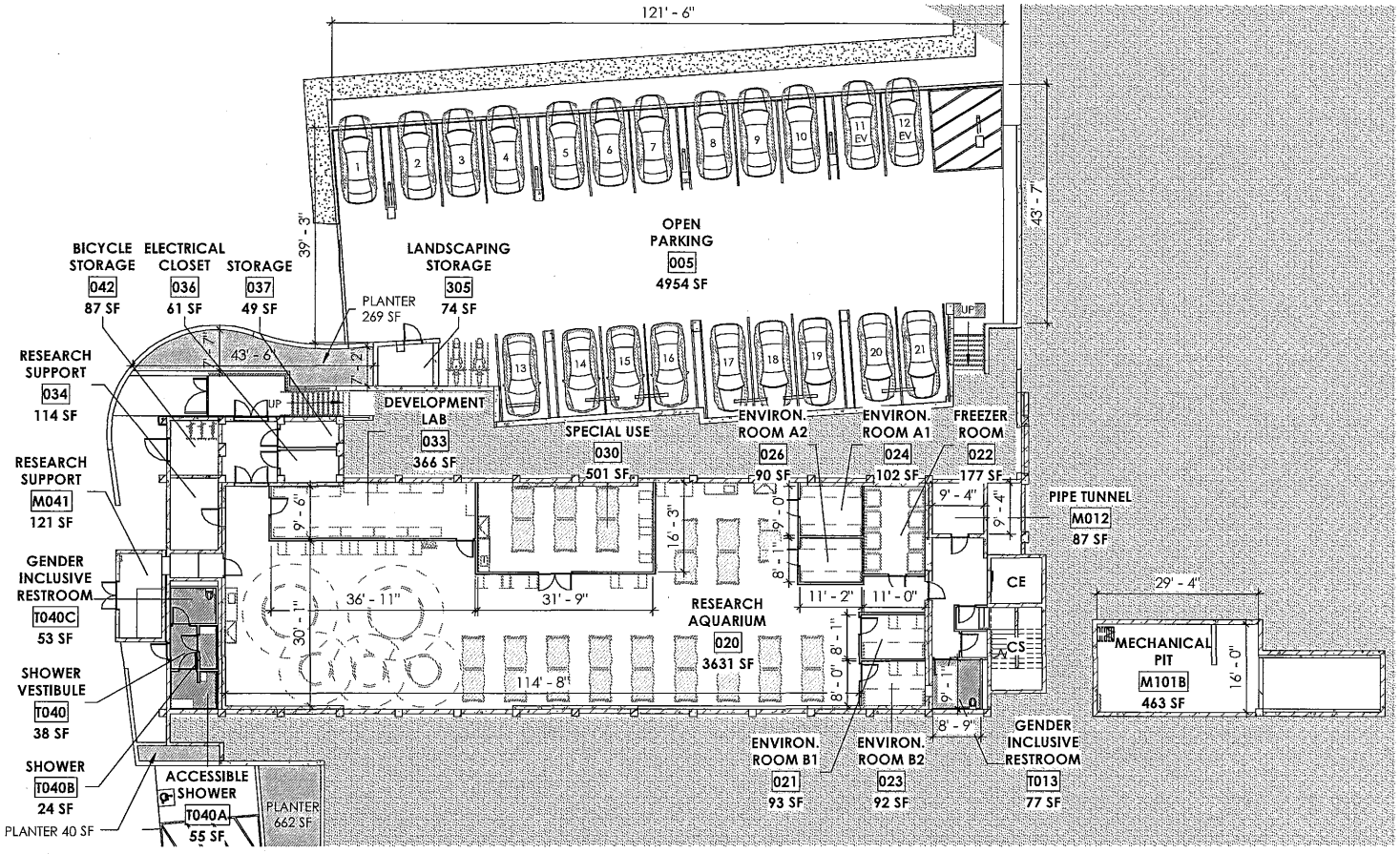


SAFDIE RABINES ARCHITECTS

SITE PLAN

MARINE CONSERVATION AND TECHNOLOGY FACILITY

UCSD - PROJECT 4638
PAGE-04 (SK-653)
02/22/2019

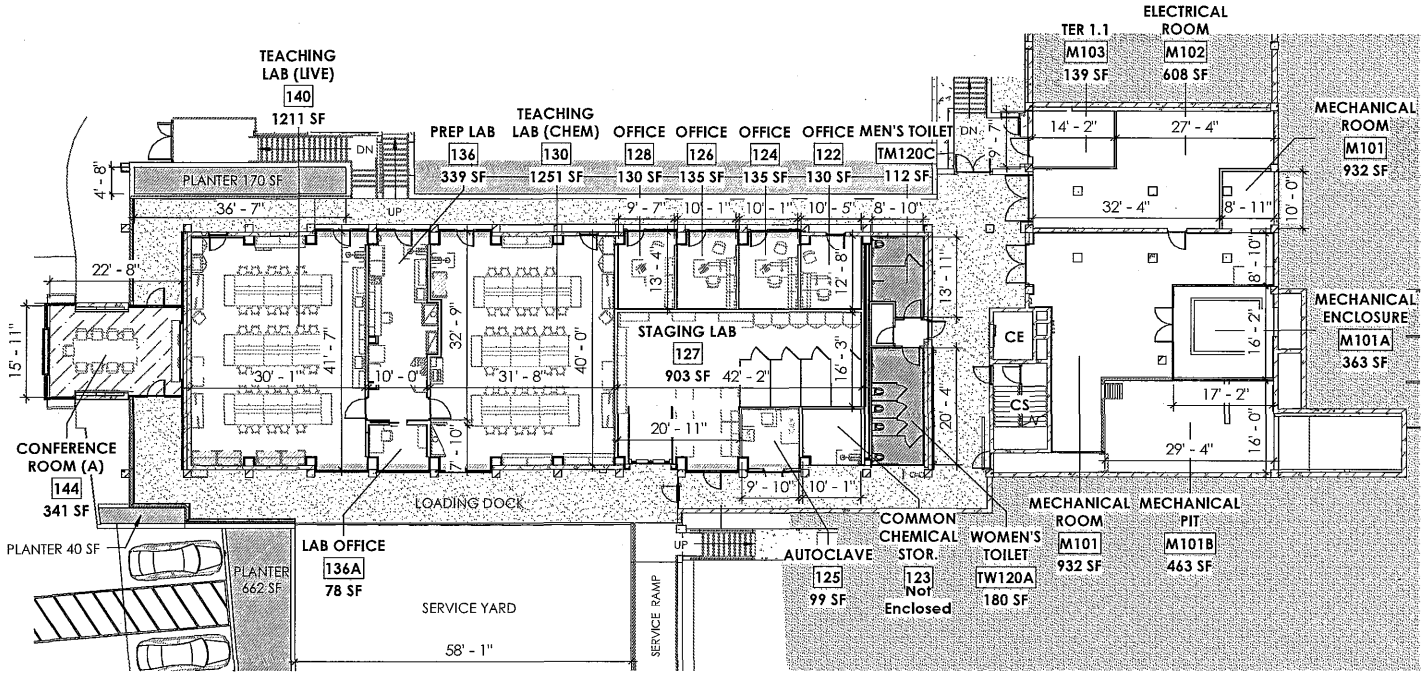


SAFDIE RABINES ARCHITECTS

BASEMENT SPACE PLAN *(1/32"=12")*

MARINE CONSERVATION AND TECHNOLOGY FACILITY

UCSD - PROJECT 4638
PAGE-05 (SK-654)
02/22/2019

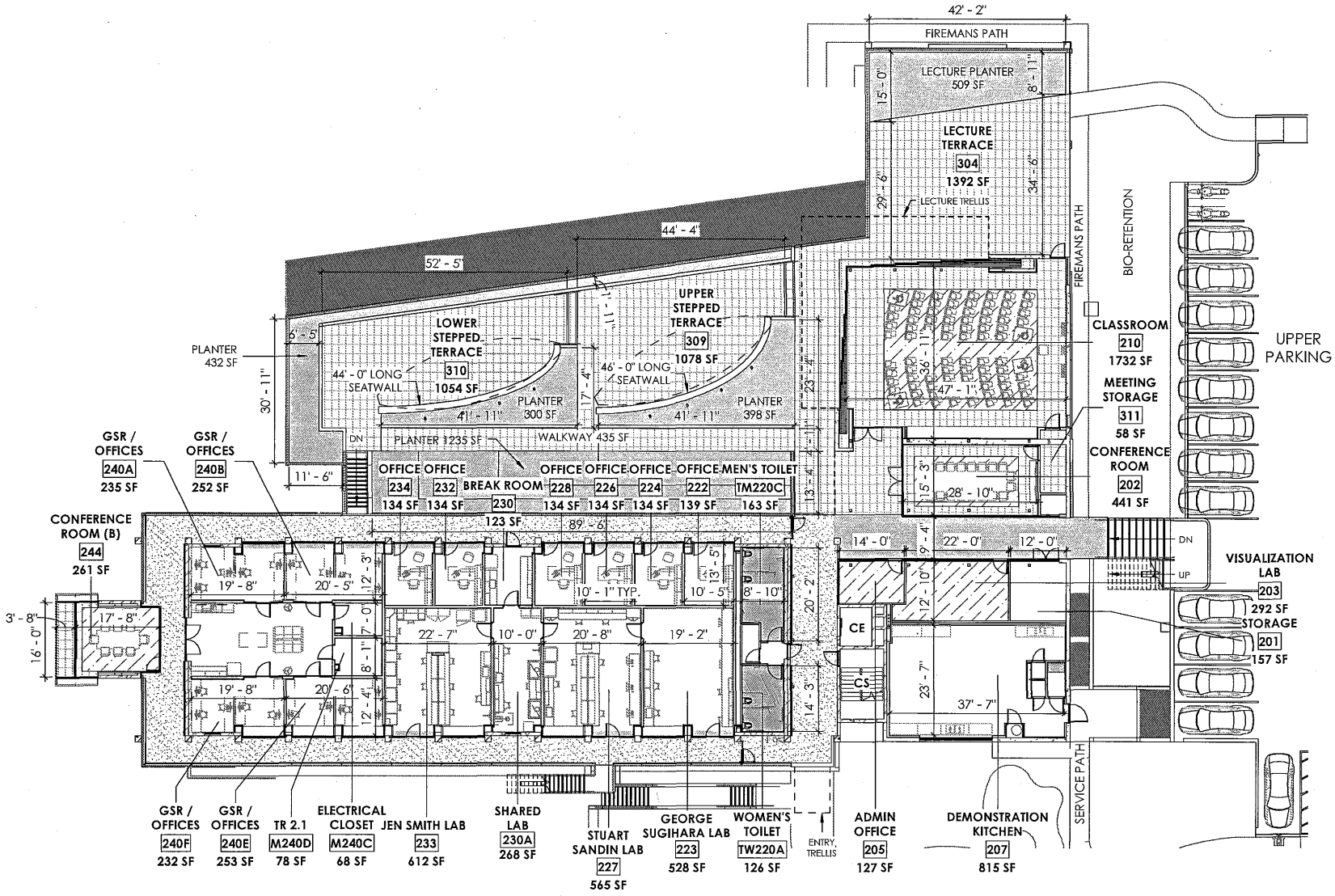


SAFDIE RABINES ARCHITECTS

LEVEL 1 - SPACE PLAN *(1/32"=12")*

MARINE CONSERVATION AND TECHNOLOGY FACILITY

UCSD - PROJECT 4638
PAGE-06 (SK-655)
02/22/2019

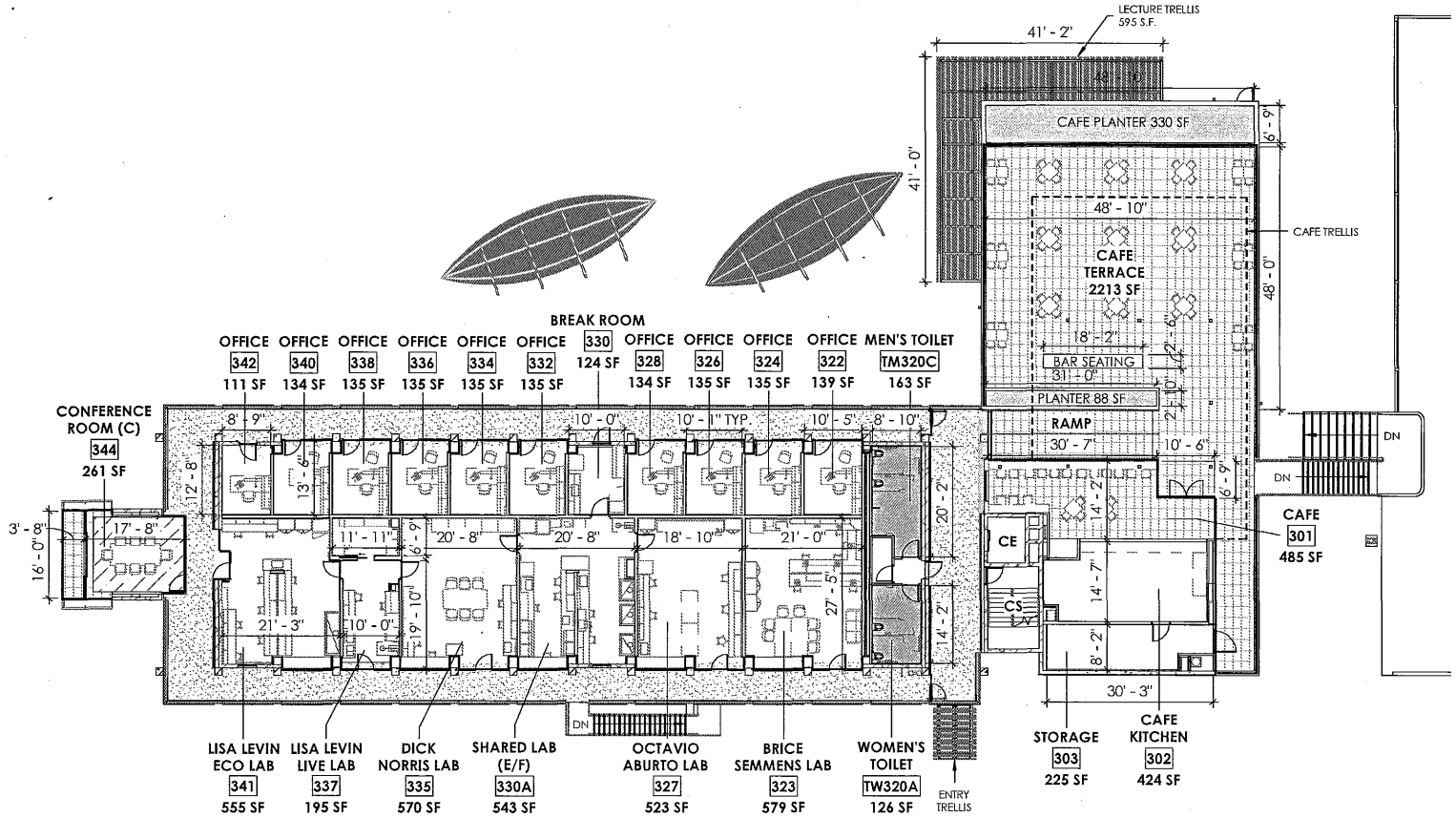


SAFDIE RABINES ARCHITECTS

LEVEL 2 - SPACE PLAN *(1/32"=12")*

MARINE CONSERVATION AND TECHNOLOGY FACILITY

UCSD - PROJECT 4638
PAGE-07 (SK-656)
02/22/2019

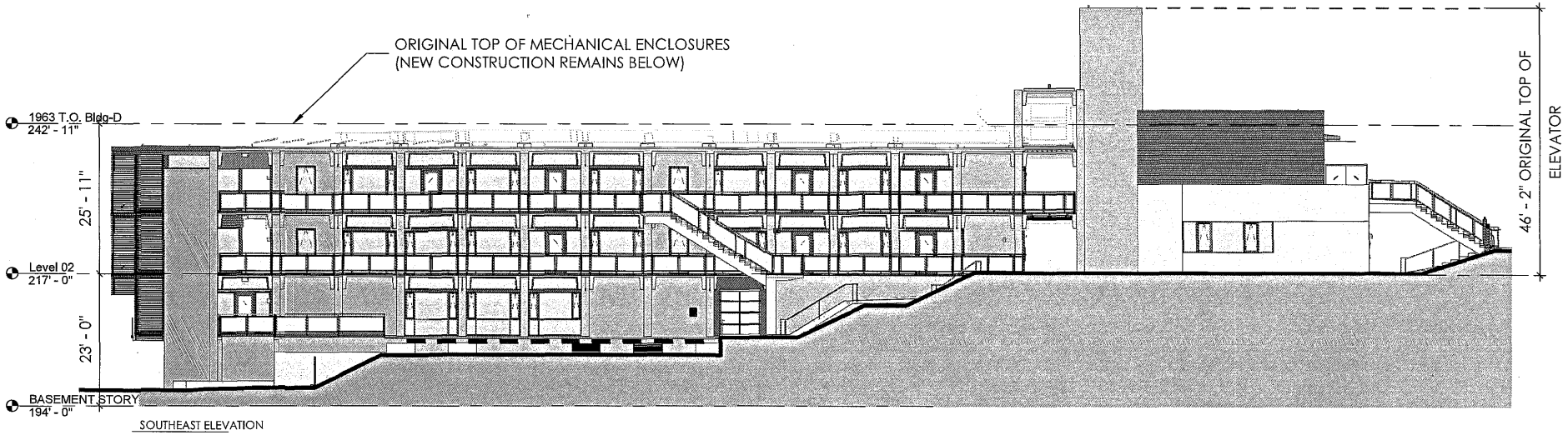


SAFDIE RABINES ARCHITECTS

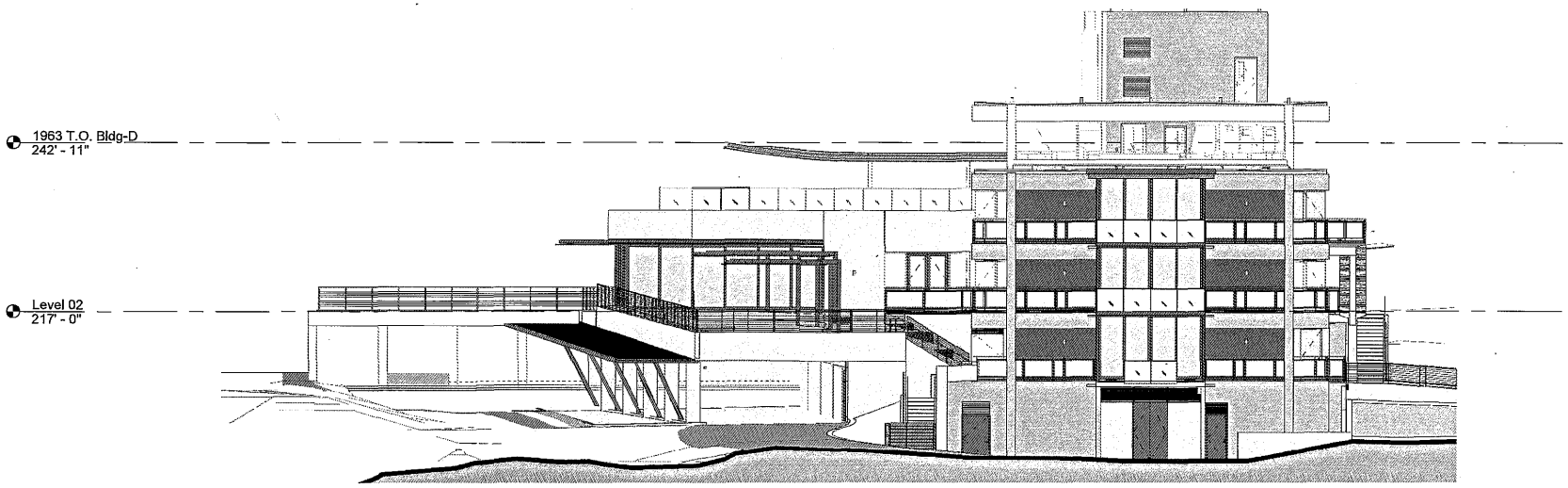
LEVEL 3 - SPACE PLAN *(1/32"=12")*

MARINE CONSERVATION AND TECHNOLOGY FACILITY

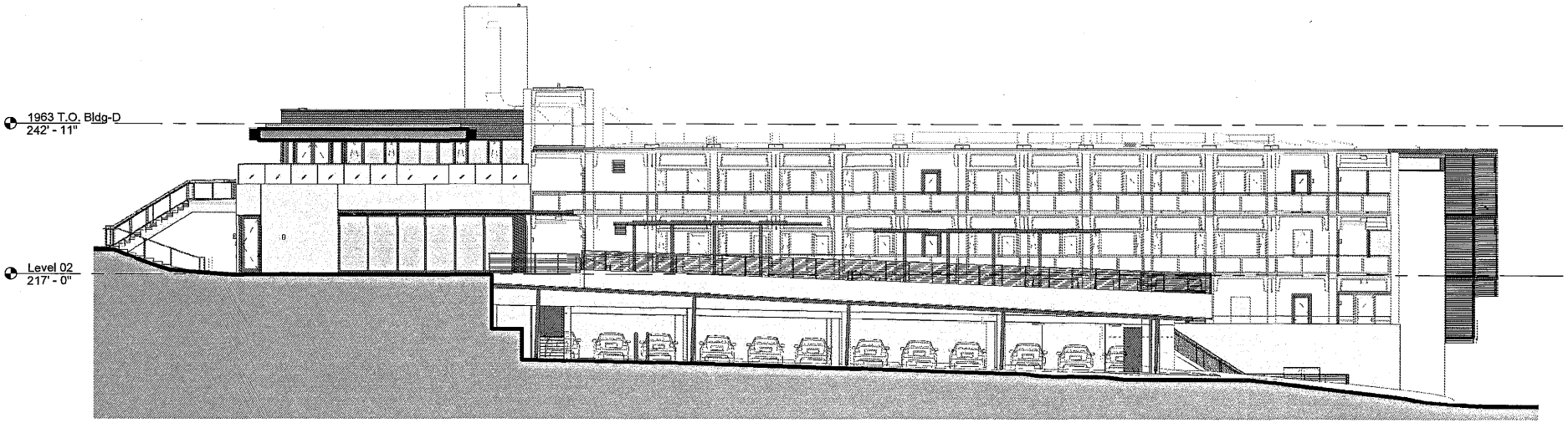
UCSD - PROJECT 4638
PAGE-08 (SK-657)
02/22/2019



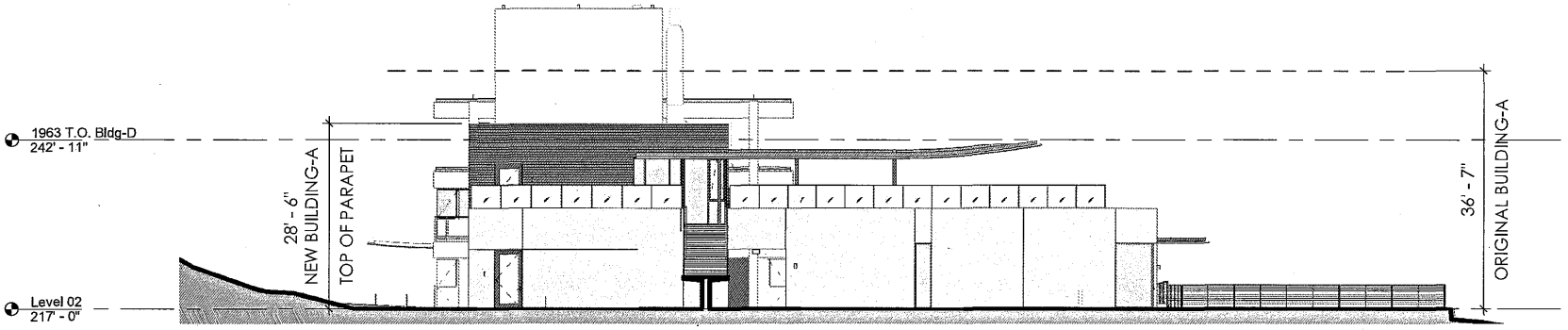
SOUTHEAST ELEVATION



SOUTHWEST ELEVATION



NORTHWEST ELEVATION



NORTHEAST ELEVATION

SAFDIE RABINES ARCHITECTS

PROPOSED BUILDING ELEVATIONS

MARINE CONSERVATION AND TECHNOLOGY FACILITY

UCSD - PROJECT 4638
PAGE-10 (SK-659)
02/22/2019

SAFDIE RABINES ARCHITECTS

PROPOSED BUILDING-D VIEW FROM THE SOUTH

MARINE CONSERVATION AND TECHNOLOGY FACILITY

UCSD - PROJECT 4638
PAGE-11 (SK-660)
02/22/2019

SAFDIE RABINES ARCHITECTS

PROPOSED BUILDINGS VIEWED FROM BLUFF EDGE

MARINE CONSERVATION AND TECHNOLOGY FACILITY

UCSD - PROJECT 4638
PAGE-12 (SK-661)
02/22/2019

SAFDIE RABINES ARCHITECTS

PROPOSED BUILDING-A VIEWED FROM UPPER DRIVE LANE

MARINE CONSERVATION AND TECHNOLOGY FACILITY

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PAGE-13 (SK-662)
02/22/2019

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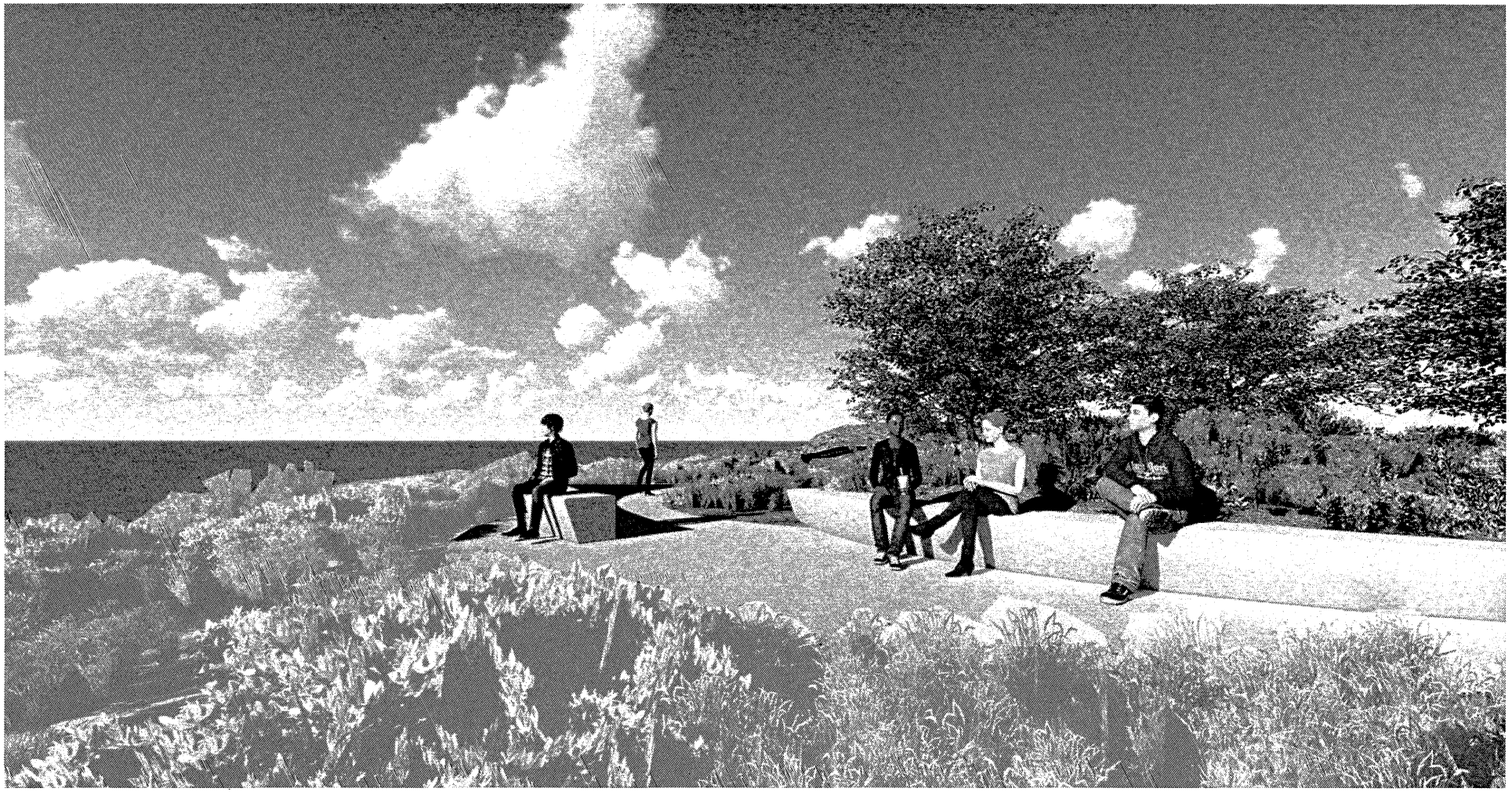
ARCHITECTS

PROPOSED ENTRANCE AT LEVEL 2

MARINE CONSERVATION AND TECHNOLOGY FACILITY

UCSD - PROJECT 4638
PAGE-15 (SK-664)
02/22/2019



SAFDIE RABINES
ARCHITECTS

PROPOSED COASTAL OVERLOOK

MARINE CONSERVATION AND TECHNOLOGY FACILITY

UCSD - PROJECT 4638
PAGE-16 (SK-665)
02/22/2019

ATTACHMENT 3

INITIAL STUDY FINAL MITIGATED NEGATIVE DECLARATION
FOR THE MARINE CONSERVATION AND TECHNOLOGY FACILITY,
SCRIPPS INSTITUTION OF OCEANOGRAPHY
WITH MITIGATION MONITORING AND REPORTING PROGRAM

PLEASE VISIT THE FOLLOWING WEBSITE TO VIEW THESE DOCUMENTS:

https://drive.google.com/file/d/1LZDCWCkgpwI7_Iwbbr_iPkhjgbG4CpGU/view

ATTACHMENT 4

MARINE CONSERVATION AND TECHNOLOGY FACILITY

CEQA FINDINGS

CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS FOR THE APPROVAL OF THE DESIGN OF THE SCRIPPS INSTITUTION OF OCEANOGRAPHY MARINE CONSERVATION FACILITY

I. ADOPTION OF THE MITIGATED NEGATIVE DECLARATION

The findings set forth below support the adoption of the Initial Study / Mitigated Negative Declaration (IS/MND) for the Scripps Institute of Oceanography (SIO) Marine Conservation Facility (State Clearinghouse [SCH] No. 2017061003) and approval of the SIO Marine Conservation Facility Project (hereinafter referred to as the "Project"). The Project consists of the renovation of Building D as well as additions to the existing concrete slab foundation and basement level of the previously demolished Building A in order to create a new facility in support of academic and research objectives on the SIO campus at the University of California, San Diego campus (UC San Diego).

Pursuant to Title 14, California Code of Regulations, Section 15074(b), the Chancellor of UC San Diego, exercising authority delegated from the University of California Board of Regents (Regents) (hereinafter referred to collectively as "the University"), finds that an IS was prepared for the Project in compliance with the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 *et seq.*), and the CEQA Guidelines (Title 14, California Code of Regulations, Section 15000 *et seq.*). Pursuant to Public Resources Code Sections 21080.09, 21093, and 21094, and CEQA Guidelines Sections 15152 and 15385, the IS tiers from the 2004 Long Range Development Plan (LRDP) Program Environmental Impact Report (EIR), SCH No. 2003081023, prepared in connection with approval of the 2004 LRDP for the UC San Diego campus and certified by the Regents on September 23, 2004, as updated by the 2010 East Campus Bed Tower (ECBT) Project EIR, SCH No. 2009081053, prepared in connection with the approval of the ECBT and certified by the Regents on July 13, 2010. On the basis of the IS and the whole record, including any comments received, the Chancellor finds that the adoption of a MND is appropriate for the Project.

The Final IS/MND, which incorporates the Draft IS/MND that was circulated for public review, assesses the potential environmental effects of implementation of the Project and identifies mitigation measures necessary to eliminate or reduce potentially significant adverse impacts. In addition, the Final IS/MND provides responses to comments on the Draft IS/MND from government agencies, nongovernmental organizations, and individuals, and includes the Mitigation Monitoring and Reporting Program (MMRP) for the Project.

The University received the Final IS/MND, the 2004 LRDP Program EIR, and the ECBT Project EIR, and has reviewed and considered the information contained in these documents prior to making the approvals set forth below in Section III. The University finds that the Final IS/MND reflects the independent judgment and analysis of the University and hereby adopts the MND.

II. FINDINGS

The University hereby adopts the following Findings pursuant to Title 14, California Code of Regulations, Section 15074, in conjunction with the approval of the Project, which is set forth in Section III. The conclusions presented in these Findings are based upon the Final IS/MND, the

2004 LRDP Program EIR as updated by the ECBT Project EIR (hereinafter referred to as the "2004 LRDP Program EIR, as updated"), and other evidence in the administrative record.

A. Environmental Review Process

The Final IS/MND was prepared for the Project in accordance with CEQA, the CEQA Guidelines, and the University of California procedures for implementation of CEQA. The Final IS/MND for the Project is tiered from the 2004 LRDP Program EIR, as updated. The 2004 LRDP Program EIR, as updated, analyzes the overall projected effects of UC San Diego campus growth and facility development through the academic year 2020–2021 and identifies measures to mitigate the significant adverse impacts associated with that growth.

The tiering of the environmental impact analysis for the Project allowed the Final IS/MND to be derived from the 2004 LRDP Program EIR, as updated, for: (1) a discussion of general background and setting information for environmental topic areas; (2) overall growth-related issues; (3) issues that were evaluated in sufficient detail in the 2004 LRDP Program EIR, as updated, for which there is no significant new information or change in circumstances that would require further analysis; and (4) long-term cumulative impacts. The purpose of the tiered IS/MND is to evaluate the potential environmental impacts of the Project with respect to the existing 2004 LRDP Program EIR analysis, as updated, to determine what level of additional environmental review, if any, is appropriate. The tiered IS/MND analyzed the Project impacts in relation to the environmental analysis in the 2004 LRDP EIR, as updated, with regard to the following topic areas: (1) aesthetics; (2) air quality; (3) biological resources; (4) cultural resources; (5) geology and soils; (6) greenhouse gas emissions; (6) hazards and hazardous materials; (7) hydrology and water quality; (8) land use and planning; (9) noise; (10) population and housing; (11) public services; (12) recreation; (13) transportation/traffic; and (14) utilities and service systems. The 2004 LRDP Program EIR, as updated, concluded that implementation of the 2004 LRDP did not have the potential to result in significant impacts related to agricultural resources, forest resources, and mineral resources. Therefore, further analysis of potential impacts to those resources has been scoped out for the project-level analyses. Additionally, Public Resources Code Section 21083.09, added by Assembly Bill (AB) 52, required the California Natural Resources Agency to update Appendix G of the CEQA Guidelines to address tribal cultural resources, defined as a site feature, place, cultural landscape, sacred place or object, which is of cultural value to a Native American tribe that is either: (1) on or eligible for the California Historic Register or a local historic register; or (2) treated by the lead agency, at its discretion, as a traditional cultural resource per Public Resources Code 21074 (a)(1)(A)-(B). Pursuant to Government Code Section 11346.6, on August 8, 2016 the California Natural Resources Agency adopted and amended the CEQA Guidelines to include consideration of impacts to tribal cultural resources. Therefore, the tiered IS also evaluated potential impacts to tribal cultural resources.

The Draft IS/MND was submitted to the Office of Planning and Research's SCH and circulated for a 30-day public review period beginning on June 2, 2017 and ending on July 3, 2017. During that time, the document was reviewed by various federal, state, and local agencies, as well as by interested individuals and organizations. During the public review period, seven comment letters were received.

After consideration of these comments, the University modified aspects of the project and developed project-specific mitigation measures, described in detail below in Section II.E, to

address potential indirect impacts of onsite events. The letters received, and the University responses, have been included as an appendix to the Final IS/MND.

B. Relation of the Project to the 2004 LRDP Program EIR as Updated by the 2010 ECBT Project EIR

The 2004 LRDP Program EIR prepared pursuant to Section 15168 of the CEQA Guidelines and Section 21080.09 of the Public Resources Code. It identified potentially significant environmental impacts resulting from the implementation of the 2004 LRDP and included mitigation measures (MMs) to reduce the impacts campus development to the maximum extent feasible. The Project is within the scope of, and implements a portion of, the 2004 LRDP. As such, the impacts of the Project were evaluated at a programmatic level as part of the 2004 LRDP Program EIR.

In July 2010, the Regents certified the ECBT Project EIR, which included an update to the long-term traffic and cumulative air quality construction emissions analyses presented in the 2004 LRDP Program EIR as well as an analysis of greenhouse gas emissions associated with implementation of the 2004 LRDP. The Regents also adopted modifications to the MMRP for the 2004 LRDP Program EIR. Specifically, MMs Tra-1B and Tra-1C through Tra-1L were removed and replaced with MMs Tra-1 and Tra-2a through Tra-2f; MMs Air-CA and Air-CB were removed and replaced with MMs Air-CA and Air-CB; and MM Air-CC was added, as described on pages 3.8-71 through 3.8-73 of the ECBT Project EIR.

Based on the analysis contained in the tiered IS, the Project would not result in any new significant impacts or any increase in the impacts that were previously identified in the 2004 LRDP Program EIR, as updated. The updated 2004 LRDP Program EIR MMs identified in the IS will be implemented to reduce Project impacts to a level where no significant impacts would occur. All updated 2004 LRDP Program EIR MMs that are relevant to the Project and Project-Specific MMs, are included in the approvals set forth in Section III and are made conditions of the Project.

C. Significant and Unavoidable Impacts Associated with the 2004 LRDP

The 2004 LRDP Program EIR, as updated, identified all significant and unavoidable impacts that could occur from the implementation of the 2004 LRDP, including all significant and unavoidable impacts related to cumulative development. Feasible MMs necessary to avoid or substantially reduce significant adverse individual and cumulative impacts associated with growth and facility development were also identified in the 2004 LRDP Program EIR and ECBT Project EIR. The cumulative impact analysis from the 2004 LRDP Program EIR, as updated, which analyzed campus development through 2020–2021 as projected in the 2004 LRDP, is incorporated by reference in the Final IS/MND for this Project pursuant to CEQA Guidelines Section 15130(d). The Final IS/MND did not identify any new significant and unavoidable adverse impacts or related MMs associated with the Project beyond impacts previously identified in the 2004 LRDP Program EIR, as updated.

D. Project Impacts that are Less Than Significant without Mitigation

The Final IS/MND found that the impacts to the following resource areas would be less than significant without mitigation incorporated into the Project: agriculture and forestry resources;

greenhouse gas emissions; land use and planning; mineral resources; population and housing; recreation; and utilities/service systems.

E. Project Impacts that would be Mitigated to Less Than Significant Levels

The following discusses potentially significant impacts of the Project identified in the Final IS/MND. Implementation of the 2004 LRDP EIR MMs, as updated, as well as Project-Specific MMs identified in the Final IS/MND would reduce all potentially significant impacts to below a level of significance.

Aesthetics

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

Implementation of the Project would result in the renovation of Building D and additions to the Building A foundation slab that would have the potential to increase sources of light and/or glare. New development under the 2004 LRDP would occur in previously developed areas that were abandoned following the relocation of the National Oceanic and Atmospheric Administration (NOAA) Southwest Fisheries Science Center (SWFSC). Potential new sources of light would be similar to those originally associated with the NOAA SWFSC, and would include exterior building illumination, parking lots or structures, new landscaped areas, and new roadway lighting. Relative to existing conditions, new sources of glare could result from reflective building surfaces, interior and exterior lighting, and/or the headlights of vehicular traffic. Considering the existing architecture on campus and general practices for design of buildings, the 2004 LRDP Program EIR concludes there would be a low potential for daytime glare impacts (refer to page 4.1-39 of the 2004 LRDP Program EIR). However, mitigation is recommended in Section 4.1.3.2 of the 2004 LRDP Program EIR and described below in 2004 LRDP Program EIR Mitigation Measure Aes-2B.

Due to the developed nature of the SIO campus and the adjacent La Jolla community, there is already a substantial amount of ambient light both on campus and in the immediate surrounding area. The 2004 LRDP Program EIR concludes that the potential for new light and glare is limited (see page 4.1-39 of the 2004 LRDP Program EIR). However, as part of the campus design review process, all lighting for new campus development projects are required to comply with the UC San Diego Outdoor Lighting Policy and the UC San Diego Outdoor Lighting Design Guidelines. Therefore, potential impacts associated with Project were adequately addressed in the 2004 LRDP Program EIR, as updated, and no additional mitigation would be required.

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

i. Direct lighting is shielded from residential areas, sensitive biological habitat, and other light sensitive receptors;
ii. Lighting is directed to the specific location intended for illumination (e.g., roads, walkways, or recreation fields);
iii. Non-essential lighting and stray light spillover is minimized; and

iv. Low intensity lamps are used except when high intensity illumination is required, such as for a recreational field.

All other aesthetics impacts would be less than significant and no mitigation would be required.

Air Quality

2. The proposed project could potentially result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors).

Following the approval and adoption of the 2004 LRDP, UC San Diego determined that the amount of construction projected on campus in the near-term is more than was assumed in the peak construction scenario outlined in the 2004 LRDP Program EIR. As a result, technical analyses presented in the ECBT Project EIR serve as an update to the cumulative construction emissions analysis presented in the 2004 LRDP Program EIR. These analyses were conducted to address changed conditions that have resulted since the 2004 LRDP Program EIR was certified in September 2004.

Section 3.2.4 (see Table 3.2-7) of the ECBT Project EIR includes a worst-case construction emissions scenario in order to evaluate cumulative air quality impacts. Cumulative emissions of ozone (O_3) precursors and particulate matter (PM_{10} and $PM_{2.5}$) resulting from LRDP implementation exceeded significance thresholds, contributing to particulate matter and O_3 in the air basin, and therefore were found to be temporary cumulative and significant impacts. While Project-specific impacts to air quality would be less than significant, to reduce contributions to cumulative construction-related PM emissions caused by campus-wide construction, 2004 LRDP EIR Program MMs Air-CA, Air-CB, and Air-CC have been incorporated into the Project.

LRDP MM Air-CA: The following measures shall be implemented campus-wide to reduce PM_{10} emissions from vehicles, as feasible, and on specific projects when applicable:

- Compliance with the *UC Policy for Sustainable Practices*, which guides the design of green buildings and the use of clean energy.
- Reduce emissions related to motor vehicle trips through refinements to the Transportation System Management program or other methods to discourage automobile use and encourage use of alternative transportation.
- Expand pedestrian-enhancing infrastructure to encourage pedestrian activity and discourage vehicle use.
- Expand bicycle facilities to encourage bicycle use instead of driving.
- Expand transit-enhancing infrastructure to promote the use of public transportation such as buses, light rail, and other applicable methods.
- Expand facilities to accommodate alternative-fuel vehicles such as electric cars and compressed natural gas vehicles.

- Expand on-site housing and retail services to facilitate pedestrian activity and reduce need for off-site travel.

LRDP MM Air-CB: Any development on the UC San Diego campus shall include in all construction contracts the measures specified below to reduce PM_{10} and $PM_{2.5}$ air pollutant emissions:

- All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, or other stabilization techniques.
- All land clearing and grading and demolition activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking.
- Street sweeping shall be performed regularly on roads surrounding the construction site that carry construction traffic or collect construction related dust or dirt.
- Revegetate exposed earth surface following construction.
- Limit traffic speeds on unpaved roads to 15 miles per hour.
- To the extent that equipment is available and cost effective, the campus shall encourage contractors to use alternate fuels and retrofit existing engines in construction equipment.
- Minimize idling time to a maximum of 10 minutes when construction equipment is not in use.
- To the extent practicable, manage operation of heavy-duty equipment (e.g., restrict operations, operate only when necessary) to reduce emissions.

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

All other air quality impacts would be less than significant and no mitigation would be required.

Biological Resources

3. **The proposed project could potentially have a substantial adverse effect, either directly or through habitat modifications, on a species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.**

The Project site has potentially suitable nesting habitat (e.g., eucalyptus trees) for raptors, which are considered sensitive due to their protection under the federal Migratory Bird Treaty Act and California Fish and Game Code. Additionally, peregrine falcons are known to use the bluffs below and north of "The Knoll" area of the Scripps Coastal Reserve located to the north of the Project site. To avoid potential impacts to nesting raptors and other sensitive bird species during tree removal and grading activities, 2004 LRDP Program EIR Mitigation Measure Bio-2D would be implemented.

LRDP MM Bio-2D: Prior to initiation of project construction, during the raptor nesting season (generally between February and July) where suitable trees for raptor nesting occur on-site or within 500 feet of the site, preconstruction surveys for raptor nests shall be performed by a qualified biologist. Removal of trees with active nests or major construction activities within 500 feet of active nests shall not be allowed during the breeding season until a qualified biologist determines that the nest is no longer active.

All other impacts to biological resource would be less than significant and no additional mitigation would be required.

Cultural/Paleontological/Tribal Resources

4. **The proposed project could cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5, cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5, directly or indirectly destroy a unique paleontological resource or site or unique geologic feature, and/or disturb any human remains, including those interred outside of dedicated cemeteries.**

A variety of recorded or potential historical resources exist on the UC San Diego campus, as discussed in Section 4.4.1 of the 2004 LRDP Program EIR. During the preparation of the 2004 LRDP Program EIR, a historical resources evaluation was prepared for the UC San Diego campus, which determined that no historical built resources (i.e., buildings) occured within the Project site. Additionally, a Phase I Cultural Resources Survey was prepared for the NOAA SWFSC relocation, which determined that Building A and Building D were not considered eligible for listing to the National Register of Historic Places or the California Register of Historic Resources (Hector 2008).

The Project site has not been disturbed since the original construction of the NOAA SWFSC in the 1960s, which likely only included limited grading to level the area prior to paving. Consequently, with an abundance of caution, ground-disturbing activities that have the potential to disturb soils beneath the loading dock (e.g., utilities trenching activities) would require an archaeological monitor consistent with 2004 LRDP Program EIR Mitigation Measure Cul-2D and CUL-2E.

The proposed off-site utility trenching route would follow Biological Grade for approximately 230 feet before meeting and following La Jolla Shores Drive further south for approximately 370 feet. This off-site trenching route would not cross any previously undisturbed areas. Since length of the route has been covered by previous monitoring efforts (HELIX 2016b), it is unlikely that archaeological deposits would be uncovered. With the implementation of archaeological monitoring for ground disturbing activities beneath the loading dock (e.g., utilities trenching activities) consistent with 2004 LRDP Program EIR Mitigation Measure Cul-2D and Cul-2E, impacts to cultural resources would be less than significant.

Project-Specific MM Cul-1: Consistent with 2004 LRDP Program EIR Mitigation Measure Cul-2D a qualified archaeologist shall be present during excavation/trenching activities within the loading dock to monitor removal of the top 2 to 3 feet of soil. Consistent with 2004 LRDP Program EIR Mitigation Measure Cul-2Ei, prior to any excavation/trenching activities within the loading dock a preconstruction meeting shall be held to identify the specific areas to be

monitored. Consistent with 2004 LRDP Program EIR Mitigation Measure Cul-2Eii the archaeologist shall document trenching/grading activity on a standardized form. In the event of a discovery materials would be examined consistent with 2004 LRDP Program EIR Mitigation Measure Cul-2Eiii and all artifacts would be replaced outside of the project impact zone.

All other cultural/paleontological/tribal resource impacts would be less than significant and no additional mitigation would be required.

Geology and Soils

5. **The proposed project would expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides, and would be located on a geologic unit or soil that is unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.**

Bluff retreat would likely be between 8 and 25 feet within the expected 50-year economic life of the proposed project. As such, Southern California Soils Testing, Inc. (SCST) determined that hardscaping and ancillary improvements planned within 40 feet of the edge of bluff would likely not be subject to stress over their design lives in the event of slope movement (see Appendix B of the Final IS/MND). Sea level rise may possibly accelerate the regional rate of coastal bluff retreat in San Diego. However, even with an increase in the project site's established retreat rate of 2 to 6 inches (e.g., an increase to 3 to 9 inches per year), the bluff edge would not reach the 40-foot setback line. In an extreme scenario where the retreat rate doubled (i.e., an increase to 4 to 12 inches per year), the bluff edge would not reach the 60-foot setback line for structural components of the proposed Building A additions. The existing slope stability monitoring system at the project site (i.e., in-place inclinometers) – operated by NOAA prior to the relocation of the NOAA SWFSC – has been re-activated by SIO and is tracked at regular intervals to monitor such movements. With the implementation of Project-Specific Mitigation Measure Geo-1 impacts related to landslides or bluff collapse would be less than significant.

Project-Specific MM Geo-1: A qualified geologist, approved by Capital Program Management (CPM), shall inspect all design drawings prior to construction to ensure that all of the recommendations contained in SCST (2017) have been implemented appropriately. Importantly, no new occupied structures shall be located within the 60-foot setback from the bluff edge.

All other geology and soils impacts would be less than significant and no additional mitigation would be required.

Hazards and Hazardous Materials

6. **Construction of the proposed project could potentially impact emergency response/evacuation on campus.**

Under current campus procedures, multiple emergency access or evacuation routes are provided to ensure emergency response services are not impaired or interfered with in the event of a temporary roadway closure and/or changes in campus traffic patterns. Nevertheless, LRDP Program EIR MM Haz-6A would be incorporated to ensure impacts from Project construction would be less than significant.

LRDP MM Haz-6A: In the event that the construction of a project requires a lane or roadway closure, prior to construction, the contractor and/or CPM shall ensure that the UC San Diego Fire Marshal is notified. If determined necessary by the UC San Diego Fire Marshal, local emergency services will be notified by the Fire Marshal of the closure.

All other hazards and hazardous materials impacts would be less than significant and no additional mitigation would be required.

Hydrology and Water Quality

7. **The proposed project could potentially violate water quality standards and waste discharge requirements and otherwise substantially degrade water quality.**

Water quality standards developed by the State Water Resources Control Board (SWRCB) or Regional Water Quality Control Board (RWQCB) for storm water are set forth in applicable storm water permits (which also serve as wastewater discharge requirements). Storm water permits that are applicable to growth under the 2004 LRDP include the General Construction Storm Water Permit, the General Industrial Storm Water Permit, the General Phase II Permit for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (Phase II Small MS4 Permit), and an individual NPDES wastewater permit for discharges SIO. All of these permits control pollutants in runoff from UC San Diego campus properties.

During Project construction the potential for short-term impacts on surface water quality exists through activities such as demolition, clearing and grading, stockpiling of soils and materials, concrete pouring, painting, and asphalt paving. However, with the implementation of Proejct Specific Mitigation Hyd-1, this impact would be reduced to a level that is less than significant.

Project Specific Mitigation Hyd-1: *For each development or redevelopment project that would create and/or replace 5,000 SF or greater of impervious surface, a Post-Construction Storm Water Management Checklist is required. The draft checklist, which is drafted early during the schematic design phase of the project, provides a description of the project, estimates square footages of disturbed, new impervious, and replaced impervious surfaces, identifies proposed post-construction site design measures and source control measures, and calculates area, volume, and flow that would be required to be treated for each drainage management area affected by the project. A draft of this checklist would be provided to the project team during schematic design, and would inform the design effort going forward. It is anticipated that the checklist would be revised and completed when construction drawings are finalized. The checklist can be found at: http://blink.ucsd.edu/safety/environment/outdoor/storm/post-construction.html.*

All other hydrology and water quality impacts would be less than significant and no additional mitigation would be required.

Noise

8. **The proposed project (including construction) could potentially result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing within the project area.**

Construction of the Project would result in short-term temporary noise impacts in the immediate vicinity of the Project site due to operation of heavy equipment. Although, no noise-sensitive receptors would be adversely impacted during construction of the proposed Project, implementation of 2004 LRDP Program EIR MM Noi-2A would ensure that construction noise impacts would remain less than significant.

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

i. The construction contractor shall be required to work in such a manner so as not to exceed a 12-hour average sound level of 75 A-weighted decibels (dBA) at any noise-sensitive land use (dormitories/residential/lodging, contemplative spaces, libraries, inpatient medical care facility [beds present], and on campus classrooms) between 7:00 a.m. and 7:00 p.m. Monday through Saturday.

ii. Construction equipment shall be properly outfitted and maintained with manufacturer recommended noise-reduction devices to minimize construction-generated noise.

iii. Stationary construction noise sources such as generators or pumps shall be located at least 100 feet from noise-sensitive land uses as feasible.

iv. Laydown and construction vehicle staging areas shall be located as far from noise-sensitive land uses as feasible.

v. All neighboring land uses that would be subject to construction noise shall be informed at least two weeks prior to the start of each construction project, whenever possible.

vi. Loud construction activity such as jackhammering, concrete sawing, asphalt removal, pile driving, and large-scale grading operations occurring within 100 feet of a residential or academic building shall not be scheduled during any finals week of classes to the extent feasible or consider adjusting the hours or days of construction.

vii. Loud construction activity, such as jackhammering, concrete sawing, asphalt removal, pile driving, and large-scale grading operations, occurring within 100 feet of an academic or residential use shall be scheduled during holidays, class breaks, and/or summer session, to the extent feasible.

viii. Loud construction activity located within 100 feet of a residential building or inpatient medical care facility shall be restricted to occur between the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday.

All other noise impacts would be less than significant and no mitigation would be required.

Public Services

9. **The proposed project could result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, particularly associated with fire protection.**

While the Project alone would not generate significantly increased demand for fire services; however, occupation of Building A and Building D could contribute to an existing underlying deficiency. A new fire station for the University City community is currently in design stages. Fire Station (FS) 50 would be located on Nobel Drive off Interstate 805 (I-805) (Citygate 2017), which is an approximate driving distance of 3 miles from the Project site. This station would provide additional fire services in the University Towne Center area; however, based on the Citygate studies, the need for one or two additional stations to meet demand for fire services in the University City community would remain following completion of FS 50. As the Project, along with other past and proposed development at UC San Diego, could substantially contribute to a cumulatively considerable impact associated with fire protection and emergency medical services, Project-Specific Mitigation Measure Fire-1 has been identified.

Project-Specific MM Fire-1: UC San Diego shall pay its proportionate share of the cost of mitigating the environmental impacts associated with the construction and operation of a new UC San Diego-area fire station. UC San Diego's proportionate share of funding would be determined by the percentage of new population generated by the project compared to the additional population in the community (as defined by the 2011 and 2017 Citygate studies) that could be served within five minutes by a new fire station. UC San Diego may meet its proportional share contribution obligation by contributing either land or money or some combination thereof. Implementation of Project-Specific Mitigation Measure Fire-1 would reduce the project related contribution to the potential cumulative impact to below a level of significance. No additional mitigation would be required.

All other public service impacts would be less than significant and no mitigation would be required.

Transportation/Traffic

10. The proposed project could potentially result in inadequate emergency access.

The Project would generate short-term temporary traffic during construction associated with delivery vehicles, heavy equipment, haul trucks, and transportation for construction workers. However, to ensure that any temporary significant emergency access impacts are avoided during construction, the Project would implement the 2004 LRDP Program EIR MM Tra-1B as updated by the ECBT Project EIR:

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

In addition, development pursuant to the 2004 LRDP, including development of the Project, is subject to review by the UC San Diego Fire Marshal. Prior to final plan approval, the Fire Marshal would review all Project plans to ensure among other things, that adequate fire and

emergency access is provided. Further, 2004 LRDP Program EIR MM Haz-6A (UC San Diego Fire Marshal would notify local emergency services of lane closures at his/her discretion) would be implemented during construction of the proposed project. Finally, UC San Diego has contracted with a construction logistical consulting firm that is overseeing ongoing construction activities on the UC San Diego East Campus to ensure that conflicts between construction projects are avoided. Therefore, impacts would be less than significant.

Mandatory Findings of Significance/Cumulative Impacts

11. The project could potentially result in impacts that are individually limited, but cumulatively considerable. ("Cumulatively considerable" means that the incremental effects of a project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of past, present and probable future projects.)

The Project would contribute to a cumulative impact to air quality resulting from construction related emissions. To reduce cumulative air quality impacts caused by campus construction, 2004 LRDP Program EIR MMs Air-CA, Air-CB, and Air-CC would be incorporated into the Project to reduce the its contributions to cumulative construction-related PM emissions.

F. Additional Findings

1. These Findings incorporate by reference in their entirety the text of the Final IS/MND prepared for the SIO Marine Conservation Facility Project; the 2004 LRDP; the 2004 LRDP Program EIR; the ECBT Project EIR; and the Findings and Statement of Overriding Considerations adopted by the Regents in connection with its approval of the 2004 LRDP Program EIR and ECBT Project EIR. 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. To the extent that the Project contributes incrementally to any impacts determined to be significant and unavoidable in the 2004 LRDP Program EIR and ECBT Project EIR, the University hereby reaffirms the continuing applicability of the previously adopted Statement of Overriding Considerations.
2. During the course of the CEQA review process for the SIO Marine Conservation Facility Project, UC San Diego drafted and ultimately received approval for a new LRDP (the "2018 LRDP"), which replaces the 2004 LRDP. In tandem with the 2018 LRDP's approval, the University certified an environmental impact report for the 2018 LRDP (the "2018 LRDP EIR"), and the 2018 LRDP EIR considered the Project as part of the 2018 LRDP's cumulative impacts analysis. The University has concluded that no additional analysis is necessary with respect to this Project. The differences between the 2004 LRDP and 2018 LRDP would not produce any additional potentially significant environmental impacts, nor would they require the inclusion of any new or modified mitigation measures to address this Project's impacts, because the development contemplated for the area around the Project changed in only an insubstantial manner between the 2004 LRDP and the 2018 LRDP, and any potential cumulative impacts will be addressed through the 2018 LRDP EIR. For these reasons, the University finds that no additional CEQA analysis is necessary as a result of the approval of the 2018 LRDP, and recirculation of the IS/MND is not required pursuant to CEQA Guidelines section 15073.5 because the IS/MND did not require substantial revision.

3. CEQA requires the Lead Agency approving a project to adopt a MMRP 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 MMRP that accompanies the Final IS/MND has been prepared to serve this purpose, and is hereby adopted by the University. To the extent this Project incorporates relevant 2004 LRDP Program EIR MMs, as updated by the ECBT Project EIR, the MMs previously adopted by the Regents and the implementation of those MMs by this Project will be monitored pursuant to the existing 2004 LRDP Program EIR MMRP previously adopted by the Regents in connection with its approval of the 2004 LRDP Program EIR, as updated. The University has prepared a Project-specific MMRP, which accompanies – and is adopted in tandem with – this Project approval.
4. Various documents and other materials constitute the record of proceedings upon which the University bases its findings and decisions contained herein. Most documents related to this Project and the custodian of the administrative record are located at the UC San Diego Physical & Community Planning Office, 9500 Gilman Drive, La Jolla, CA 92093-0074.

G. Summary

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

1. Mitigation measures previously identified in the 2004 LRDP Program EIR, as updated, have been incorporated into the Project, in addition to Project design features and Project-Specific Mitigation Measures, which will mitigate all impacts to a less than significant level or avoid the potentially significant environmental effects of the Project as identified in the Final IS/MND.
2. There is no substantial evidence in the record that the Project may have a significant effect on the environment.
3. The Final IS/MND reflects the University's independent judgment and analysis, based on an examination of the whole record before the University, including any comments received on the CEQA documentation for this Project.

III. APPROVALS

The University hereby takes the following actions:

A. Adopts the Final IS/MND for the SIO Marine Conservation Facility Project as described in Section I, above.

B. Approves, incorporates, and makes a condition of the Project, all Project elements and relevant 2004 LRDP Program EIR MMs, as updated, and adopts the Project-Specific MMRP identified in the Final IS/MND.

C. Adopts the Findings in their entirety as set forth in Section II, above.

D. Having approved the MND, independently reviewed and analyzed the Final IS/MND, conditioned the Project as described above, and adopted Findings, the University hereby approves the design of the SIO Marine Conservation Facility Project.