

CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS IN CONNECTION WITH THE APPROVAL OF THE RECYCLING YARD PROJECT PHASE 1 AT THE UNIVERSITY OF CALIFORNIA, SANTA CRUZ CAMPUS

I. ENVIRONMENTAL REVIEW PROCESS

The University of California (“University”), as the lead agency pursuant to the California Environmental Quality Act (“CEQA”), has prepared a Mitigated Negative Declaration (“MND”) for the Recycling Yard and Great Meadow Bike Path Projects. These projects will be developed at the University of California, Santa Cruz (“UC Santa Cruz”) main campus, in the vicinity of the intersection of the Great Meadow Bike Path and Village Road. As analyzed in the MND, the Recycling Yard Project would be constructed in two phases and would require a minor amendment to the UC Santa Cruz 2005 Long Range Development Plan (LRDP). In April 2015, pursuant to delegated authority, the UC Santa Cruz Vice Chancellor-Business and Administrative Services adopted the MND, made findings and approved the design of the Great Meadow Bike Path Project. Pursuant to delegated authority, the President hereby adopts these Findings, determines that the previously adopted MND adequately analyzes the potential environmental impacts of the Recycling Yard Project Phase 1, amends the UC Santa Cruz 2005 LRDP to redesignate 1.6 acre of *Protected Landscape* and 2.1 acres of *Site Research and Support to Campus Support*, and approves the design of the Recycling Yard Project Phase 1 (“the Project”). The Recycling Yard Project Phase 2 is dependent on funding and will be the subject of a separate approval.

The Recycling Yard Project would construct, in two phases, a material recovery facility to accommodate all existing Campus waste recovery services and future composting operations. The purpose of the Recycling Yard Project is to consolidate various campus recycling activities into one area and support the Campus’ zero-waste goal. The new facility and associated access road and storm water infrastructure would be constructed on a 6.1-acre undeveloped site in a meadow area of the lower campus. Phase 1 of the Recycling Yard Project would provide a fenced, improved yard to enable the Campus to re-locate all recycling bin and equipment storage and construction/demolition and green waste activities, to the Project site. Phase 2 of the Recycling Yard Project would construct a new 15,000-gsf structure, the Material Recovery Facility (MRF). The MRF would accommodate all existing recycling activities that use mechanical equipment or require cover from rainfall, and a future in-vessel composter. As described in the MND, utilities and storm water drainage facilities to serve both phases of the Project site would be brought to the site and constructed as part of Phase 1. However, the Campus has since decided to defer construction of the utilities required to serve the Material Recovery Facility to Phase 2.

Development of the Recycling Yard Project Phase 1 requires a minor amendment to the 2005 LRDP. The UC Santa Cruz 2005 Long Range Development Plan designates the Recycling Yard Project site as *Site Research and Support* (SRS) (approximately 3.2 acres) and *Protected*

Landscape (PL) (approximately 2.9 acres). The proposed 3.7-acre recycling yard, which is proposed for construction on 1.6 acre of PL lands and 2.1 acres of SRS land, is not consistent with either of these land use designations. The remainder of the 6.1 acre site would be used for a new access road and storm water detention areas, which are consistent with the PL and SRS land use designations. Accordingly, a minor LRDP amendment is proposed as part of the Project to change the land use designation of 1.6 acre of PL lands and 2.1 acres of SRS lands to a *Campus Support* land use designation.

Pursuant to Code of Regulations, title 14, section 15063, the University prepared an Initial Study to consider the potential environmental effects of implementation of the Recycling Yard Project and the Great Meadow Bike Path Project. The Great Meadow Bike Path Project consists of modifications to the intersection of the existing Great Meadow Bike Path and Village Road, which provides access to the Recycling Yard Project site. Construction of Phase 1 of the Recycling Yard Project would be concurrent with construction of the Great Meadow Bike Path Project. Pursuant to delegated authority, the UC Santa Cruz Chancellor approved the design of the Great Meadow Bike Path on April 20, 2015.

The Initial Study describes the Projects, analyzes the environmental impacts of the Projects (including all phases of Project planning, implementation, and operation), and discusses means of mitigating impacts. The Initial Study tiers from the analysis in the UC Santa Cruz Long Range Development Plan 2020-2005 Environmental Impact Report (“LRDP EIR”), and the Initial Study’s purpose was to determine the extent of additional environmental analysis that would be appropriate for the Project.

The Board of Regents approved the LRDP EIR on September 21, 2006. The LRDP EIR comprehensively evaluates all environmental impacts that would result from anticipated development of the UC Santa Cruz campus through 2020, and the Long Range Development Plan 2005-2020 (“LRDP”) describes land use principles and policies to guide the location, scale, and design of individual capital projects. As a tiered document, the MND and Initial Study for the Recycling Yard and Great Meadow Bike Path projects rely on the LRDP EIR for: (1) a discussion of background information on environmental resource areas; (2) issues related to growth on the campus as a whole; (3) issues evaluated in sufficient detail in the LRDP EIR for which no significant new information, no changes in the project, and no changes in circumstances would require further analysis; and (4) cumulative impacts. The Recycling Yard requires a minor LRDP amendment to accommodate this use in the proposed location, other aspects of the Recycling Yard are consistent with the LRDP. The Great Meadow Bike Path Project is consistent with the LRDP and with the development assumptions of the LRDP EIR. Thus, tiering is proper under Public Resource Code sections 21068.5, 21080.09, and 21094 and Code of Regulations, title 14, sections 15081.5(b)(2) and 15152.

Pursuant to Code of Regulations, title 14, section 15074, the University has determined, on the basis of the Initial Study, that no aspect of the Project may cause a significant effect on the environment that was not already adequately examined and mitigated to the extent feasible in the LRDP EIR. Therefore, the University has prepared an MND for the Project. The University published a notice of intent to adopt the MND on March 10, 2015, and made the MND and Initial Study available for public review for 30 days from March 10, 2015, to April 9, 2015. The University also submitted the draft Initial Study and MND to the Office of Planning and

Research's State Clearinghouse (SCH No. 2015032032). In response, the University received five comment letters from members of the public and two comment letters from public agencies. After reviewing those comments, the University made the following changes to the Draft Initial Study: 1) added to Appendix D, portions of the air quality and greenhouse gas emission model output that were inadvertently omitted from the Draft Initial Study; 2) slightly modified the description of the proposed Recycling Yard Project to clarify that the Campus is not proposing to use windrows for composting; 3) added a figure showing the proposed Recycling Yard site plan, which had been omitted inadvertently from the Draft Initial Study. No changes were made to the impact analysis in the Draft Initial Study. The University has considered all of these comments in evaluating the Project's impacts and in preparing the MND.

In connection with the approval of the Recycling Yard Project Phase 1, the University also hereby adopts the attached Mitigation Monitoring and Reporting Program ("MMRP") for Phase 1 of the project. The MMRP details mitigation measures that will either reduce the Project's individual and cumulative impacts to less-than-significant levels.

All of the CEQA documentation regarding the Project, including the LRDP EIR from which this Initial Study and MND tier, is available for review at:

UCSC Physical Planning and Construction, Barn G, Ox Team Road, UC Santa Cruz main campus, 1156 High Street, Santa Cruz, CA 95064, 831-459-3732

McHenry Library, McHenry Service Road, UC Santa Cruz main campus, 1156 High Street, Santa Cruz, CA 95064, 831- 459-5171

Science and Engineering Library, McLaughlin Drive, UC Santa Cruz main campus, 1156 High Street, Santa Cruz, CA 95064, 831- 459-5300

Central Branch of the Santa Cruz Public Library, 224 Church Street, Santa Cruz, CA 95060, in downtown Santa Cruz, 831-427-7707

The UC Santa Cruz web site, at <http://ppc.ucsc.edu/planning/EnvDoc.html>

II. FINDINGS

Having received, reviewed, and considered the Initial Study, MND, public comments, and other information in the administrative record, the University hereby adopts the following Findings for the Recycling Yard Project Phase 1 in compliance with CEQA, the CEQA Guidelines, and the University's procedures for implementing CEQA. The University adopts these Findings in conjunction with its approval of the Recycling Yard Project Phase 1, as set forth below. The University finds, on the basis of the whole record, that there is no substantial evidence that the Recycling Yard Project Phase 1 will have a significant effect on the environment (apart from any significant and unavoidable effects of full LRDP implementation, as identified and addressed in the LRDP EIR) and that the MND reflects the University's independent judgment and analysis. The University further finds that any potentially significant individual or cumulative impacts of the Project have been adequately evaluated in the Initial Study and in the LRDP EIR from which the Initial Study tiers. All such potentially significant impacts have been mitigated to a level of

insignificance by project-specific or LRDP EIR mitigation measures or have been mitigated to the extent feasible by measures identified in and incorporated into the LRDP EIR.

The University finds that the Recycling Yard Project Phase 1 is consistent with the development concepts for which the LRDP was prepared and that new potentially significant effects not previously considered in the LRDP EIR have been reduced to less-than-significant effects by mitigation measures or revisions incorporated into the Project. The Recycling Yard Project Phase 1, as approved concurrently with the adoption of this MND, incorporates all applicable mitigation measures identified in the LRDP EIR, and all mitigation measures required for the Project are described in the attached MMRP.

A. Significant and Unavoidable Impacts Associated with Implementation of the LRDP

The Initial Study did not identify any Project-specific significant and unavoidable impacts that will result from development of the Recycling Yard Project. In addition, the Initial Study, found that the Recycling Yard Project will not contribute incrementally to any significant and unavoidable cumulative impacts associated with implementation of the LRDP.

B. Potentially Significant Impacts Reduced to Less-Than-Significant Impacts Through Mitigation

The Initial Study identified significant and potentially significant impacts associated with the Recycling Yard Project Phase 1 that would be reduced to less-than-significant levels by the continued implementation of previously adopted LRDP mitigation measures or by the implementation of new, Project-specific mitigation measures. The Project fits within the level of development anticipated in the LRDP EIR and would contribute incrementally to the impacts listed below, as identified in the LRDP EIR. For these reasons, the University finds that the analyses in the LRDP EIR and in the Initial Study demonstrate that the Project's impacts listed below will be less than significant with the continued implementation of applicable mitigation measures or the implementation of new, Project-specific mitigation measures. The University has for the sake of brevity simply listed the impacts and LRDP EIR mitigation measures here. For a detailed description of these impacts and mitigation measures, please see the text of the LRDP EIR or the Initial Study prepared for this Project. For new, Project-specific mitigation measures, the University has briefly described the relevant impact and mitigation measure below; the University refers readers to the Initial Study for greater detail.

- a. The visual character of the Recycling Yard would be industrial, which could result in an adverse impact to the visual character and quality of the area. This impact would be addressed by LRDP EIR Mitigation AES-3A, LRDP EIR Mitigation AES-3B, LRDP EIR Mitigation AES-5A, LRDP EIR Mitigation AES-5C, and LRDP EIR Mitigation AES-5F. The Initial Study determined that the Material Recovery Facility Building proposed as part of Phase 2 would be more massive than anticipated for the site in the LRDP EIR, which would result in a potentially significant impact on scenic vistas and scenic resources. Recycling Yard Mitigation AES-1 would reduce this impact to a less-than-significant level by ensuring that the building materials blend with the surrounding landscape and the profile of

the building against the trees is reduced. As the Material Recovery Facility would not be constructed as part of the Recycling Yard Project Phase 1, Recycling Yard Mitigation AES-1 is not required for Phase 1 of this Project. [Initial Study pages 37 to 39]

- b.** Development under the 2005 LRDP could create new sources of substantial light or glare on campus that could adversely affect daytime or nighttime views in the area: LRDP Impact AES-6 (addressed by LRDP Mitigation Measures AES-6A through AES-6E).
- c.** The Initial Study identified odors associated with the proposed composting operation as a potentially significant impact of the Recycling Yard Project. This impact would be addressed by Recycling Yard Mitigation Measure AIR-1, which requires development and implementation of an odor mitigation plan. As the Recycling Yard Project Phase 1 would not develop a composting facility, this mitigation measure is not required for Phase 1 of this Project. [Initial Study page 50]
- d.** Development under the 2005 LRDP could result in a substantial adverse effect on breeding or important movement habitat for California red-legged frog; direct impacts to California red-legged frog populations; or indirect impacts on the species from downstream hydrological changes in the Moore Creek watershed: LRDP Impact BIO-9 (addressed by LRDP Mitigation Measure BIO-9 and Recycling Yard Mitigation Measure BIO-1).
- e.** Development under the 2005 LRDP could result in a substantial adverse impact associated with the loss of potential San Francisco dusky-footed woodrat nests: LRDP Impact BIO-14 (addressed by LRDP EIR Mitigation BIO-14).
- f.** Project construction could disturb nests of American badger: Project-specific impact (addressed by Recycling Yard Mitigation BIO-2).
- g.** Development under the 2005 LRDP could result in the loss or abandonment of active nests for special-status raptors: LRDP Impact BIO-11 (addressed by LRDP Mitigation BIO-11).
- h.** Project construction could kill or injure over-wintering burrowing owls: LRDP Impact BIO-12: (addressed by LRDP Mitigations BIO-12A and BIO-12B).
- i.** Implementation of the 2005 LRDP could damage or destroy an archaeological resource as the result of grading, excavation, ground disturbance or other project development: LRDP Impact CULT-1: (addressed by LRDP Mitigations CULT-1A through CULT-1H).
- j.** Development under the 2005 LRDP could result in storm water runoff during construction, which could substantially degrade water quality: LRDP Impact HYD-2 (addressed by LRDP Mitigation HYD-2B).
- k.** Campus development under the 2005 LRDP would alter drainage patterns and increase the rate or amount of surface runoff, which could result in substantial erosion on or off site: (addressed by LRDP Mitigations HYD-3C and HYD-3D). The LRDP EIR determined that this impact would be significant and unavoidable because it is uncertain whether the Campus

will be successful in avoiding or minimizing an increase in the volume of site runoff for all future projects to the extent necessary to prevent substantial erosion. However, as documented in the Initial Study, the Recycling Yard Project would implement LRDP Mitigation Measures HYD-3C and HYD-3D by directing runoff to vegetated storm water treatment areas, and infiltrating treated runoff on the site or in adjacent meadow areas, and would not result in erosion or siltation. The Project impact would be less than significant. [Initial Study pages 72 to 75]

- l.** As documented in the Initial Study (page 76), the proposed recycling yard is not consistent with the LRDP land use designations for the Project site. A minor LRDP amendment to change the land use designation of 3.7 acres of the site from *Protected Landscape* and *Site Research and Support* to *Campus Support* is required. The development of the Recycling Yard Project which would be enabled by this land use designation change could result in potentially significant visual impacts and the development of facilities which could generate noise and odors which would be incompatible with the adjacent residential and academic uses. These impacts would be reduced to a less-than-significant level with implementation of LRDP EIR Mitigation AES-3A, LRDP EIR Mitigation AES-3B, LRDP EIR Mitigation AES-5A, LRDP EIR Mitigation AES-5C, LRDP EIR Mitigation AES-5F, LRDP EIR Mitigation Measure NOIS-1 and Recycling Yard Mitigation Measures AQ-1 and NOISE-1 through NOISE-3. Phase 1 of the Recycling Yard Project would not result in potentially significant operational noise impacts and would not generate odors. Therefore, Recycling Yard Mitigation Measures AQ-1, NOISE-1 and NOISE-2 are not required for Phase 1.
- m.** Construction of campus facilities pursuant to the 2005 LRDP could expose nearby sensitive receptors to excessive airborne noise: LRDP Impact NOIS-1 (addressed by LRDP EIR Mitigation Measure NOIS-1). The LRDP EIR determined that this impact would be significant and unavoidable because there could potentially be some construction sites on campus where, even with the recommended mitigation, the noise levels would not be reduced to levels below the thresholds because of the proximity of existing facilities. As documented in the Initial Study, noise levels from construction of the Recycling Yard Project, including Phase 1, would exceed the applicable significance threshold at a nearby residential receptor even with implementation of LRDP EIR Mitigation Measure NOIS-1. This impact would be reduced to a less-than-significant level with implementation of Recycling Yard Mitigation Measure NOISE-3, which requires construction of a temporary noise barrier between the construction site and the residential receptor. [Initial Study pages 87 to 89]
- n.** The Initial Study determined that operational noise associated with the Phase 2 composting operation and recyclables sort line would result in noise levels exceeding the applicable significance threshold at nearby residential receptors. This impact would be reduced to a less-than-significant level with implementation of Recycling Yard Mitigation

Measures NOISE-1 and NOISE-2, which require construction of one or more noise barriers and siting of the noisiest equipment at a specified distance from the residential receptors. The Recycling Yard Project Phase 1 would not develop facilities for composting operations or the sort line. Therefore, Recycling Yard Mitigation Measures NOISE-1 and NOISE-2 are not required for Phase 1. [*Initial Study pages 82 to 86*]

- o. The Initial Study determined that, if construction of the Great Meadow Bike Path Project does not take place as planned, the Recycling Yard Project Phase 2 could exacerbate an existing safety hazard. Implementation of Recycling Yard Mitigation TRA-1 would reduce the potentially significant impact to a less-than-significant level by ensuring that the Bike Path Project is completed before Phase 2 of the Recycling Yard Project. Recycling Yard Mitigation TRA-1 explicitly applies to construction of Phase 2 of the Recycling Yard Project and therefore is not applicable to Phase 1. [*Initial Study page 94*]. The Bike Path project was approved in April 2015 and construction is planned for summer 2016.
- p. The large tractor-trailer trucks that pick up paper from the campus could create a hazard to other vehicles and cyclists on Campus roads. This impact would be reduced to a less-than-significant level with implementation of Recycling Yard Mitigation TRA-2, which requires that a flagger assist any truck with a trailer travelling to and from the Recycling Yard. Paper sorting operations would be accommodated by the Material Recovery Facility which would be constructed as part of the Recycling Yard Project Phase 2. Therefore, this impact would not occur as a result of development of Phase 1, and Recycling Yard Mitigation TRA-2 is not applicable to Phase 1. [*Initial Study page 94*]

C. Environmental Resources Areas with Less-than-Significant or No Impacts

The Initial Study identified the following environmental resources areas in which the Recycling Yard Project Phase 1 would have less-than-significant adverse impacts or no adverse impacts. The University finds that, because CEQA requires mitigation measures only for potentially significant impacts, no mitigation is necessary for these environmental resource areas.

- a. **Agricultural and Forestry Resources:** Implementation of the Project would not convert farmland to non-agricultural uses, would not conflict with existing zoning for agricultural use or a Williamson Act contract, and would not involve other changes to the environment that could result in the conversion of farmland to non-agricultural uses. There is no timberland on the site and no commercial tree species would be removed. [*Initial Study pages 40 to 41*]
- b. **Air Quality:** Implementation of the Project would not conflict with or obstruct implementation of the applicable air quality plan, violate any air quality standard or contribute substantially to an existing or projected air quality violation, result in a cumulatively considerable net increase of any

- criteria pollutant, or expose sensitive receptors to substantial pollutant concentrations [*Initial Study pages 40 to 41*]
- c. **Geology, Soils, and Seismicity:** Implementation of the Project would not expose people or structures to substantial risks or other adverse effects involving seismic hazards, landslides, or expansive soils; or result in substantial soil erosion or the loss of topsoil. [*Initial Study pages 58 to 61*]
 - d. **Greenhouse Gas Emissions:** The Project would not generate greenhouse gas emissions that may have a significant effect on the environment or conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases [*Initial Study pages 65 to 68*]
 - e. **Hazards and Hazardous Materials:** The Project would not create a significant hazard through transport, use, or disposal of hazardous materials or the release of hazardous materials into the environment; emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; be located on a hazardous materials site; be located near a private or public airport or air strip; impair implementation of or physically interfere with an emergency response plan or emergency evacuation plan; or expose people or structures to a significant risk involving wildland fires [*Initial Study pages 65 to 70*]
 - f. **Mineral Resources:** The Project would not result in the loss of availability of mineral resources. [*Initial Study page 77*]
 - g. **Population and Housing:** The Project would not induce population growth, displace existing housing or people, or create demand for housing. [*Initial Study page 90*]
 - h. **Public Services:** The Project would not create demand for public services which could result in adverse physical impacts associated with provision of new or physically altered governmental facilities. [*Initial Study page 91*]
 - i. **Recreation:** The Project would not increase demand for recreational facilities, does not include recreational facilities, and would not require the construction or expansion of recreational facilities. [*Initial Study page 92*]
 - j. **Traffic, Circulation and Parking:** The Project would not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system; conflict with an applicable congestion management program; result in a change in air traffic patterns; or result in inadequate emergency access. [*Initial Study pages 93-95*]
 - k. **Utilities and Service Systems:** The Project would not create new demand for utilities and therefore does not have the potential to resulting significant impacts related to utilities. [*Initial Study pages 96-97*]

III. ADDITIONAL INFORMATION

A. Incorporation by Reference

These Findings incorporate by reference in their entirety the text of the Initial Study and Mitigated Negative Declaration for the Recycling Yard and Great Meadow Bike Path Projects; the LRDP; the LRDP EIR; the LRDP Mitigation Monitoring and Reporting Program; and the Findings and Statement of Overriding Considerations adopted by the University in connection with its approval of the LRDP. Without limitation, this incorporation is intended to elaborate on the scope and nature of mitigation measures, Project-specific and cumulative impacts, the basis for determining the significance of impacts, and the reasons for approving the Project.

B. Mitigation Monitoring and Reporting Program

Pursuant to Code of Regulation, title 14, section 15097, the University is adopting (concurrently with these findings) a Project-specific Mitigation Monitoring and Reporting Program (“MMRP”) for the mitigation measures that the University has made a condition of Phase 1 Project approval, as well as any revisions to the Project that the University has required, in order to mitigate or avoid significant effects on the environment. The Project-specific MMRP includes details of the timing and responsibilities for completing the identified mitigation measures. In addition, the Project incorporates all applicable mitigation measures contained in the LRDP EIR Mitigation Monitoring and Reporting Program. All relevant LRDP EIR mitigation measures identified in the Initial Study and MND will be monitored through the LRDP EIR’s Mitigation Monitoring and Reporting Program, adopted by the University in connection with its approval of the LRDP.

C. Record of Proceedings

Various documents and other materials constitute the record of proceedings upon which the University bases its findings and decisions contained herein. Documents related to this project and the record of proceedings for the LRDP’s approval are located at the offices of UC Santa Cruz Physical Planning and Construction, in Barn G on the UC Santa Cruz main campus. The custodian for these documents is UC Santa Cruz Physical Planning and Construction.

D. Adequacy of Prior Environmental Review

All of the environmental effects of the Recycling Yard Project have been adequately addressed in prior environmental documentation and: (1) have been mitigated or avoided, (2) or have been examined at a sufficient level of detail in the prior environmental documentation 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 Project.

The Project is consistent with the LRDP, and the LRDP EIR and Initial Study adequately address the regional or area-wide cumulative impacts of the Project. These Findings reaffirm all of the findings for the LRDP EIR certification and LRDP approval.

IV. APPROVAL

The University hereby takes the following actions:

- A. The University determines that the MND adequately analyzes the potential environmental impacts of the Recycling Yard Project Phase 1.
- B. The University approves and incorporates into the Project all Project elements, all mitigation measures described in the Project-specific Mitigation Monitoring and Reporting Program, and all applicable LRDP EIR mitigation measures identified in these Findings and more specifically described in the Initial Study and LRDP EIR.
- C. The University adopts these Findings in their entirety, as set forth herein.
- D. Having independently reviewed and analyzed the Initial Study, as well as the Mitigated Negative Declaration and all comments received on these documents, and having adopted its Findings the University amends the UC Santa Cruz 2005 LRDP as follows:
 - Redesignate 1.6 acre of from *Protected Landscape* and 2.1 acres of *Site Research and Support* to *Campus Support*; and
- E. Approves the design of the Recycling Yard Project Phase 1.