

**CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS IN CONNECTION
WITH THE APPROVAL OF THE MINOR AMENDMENT NO. 1 TO THE UC
MERCED 2020 LONG RANGE DEVELOPMENT PLAN FOR THE
EXPERIMENTAL SMART FARM PROJECT, MERCED CAMPUS**

I. CONSIDERATION OF 2020 LRDP EIR AND ADDENDUM NO. 1

Pursuant to the California Environmental Quality Act, Public Resources Code (“PRC”) Sections 21000 et seq. and the State CEQA Guidelines, Title 14, California Code of Regulations, Sections 15000 et seq. (“CEQA Guidelines”) (collectively, “CEQA”), the Board of Regents of the University of California (the “University”), or its delegate (collectively referred to herein as the “University”), has considered the Environmental Impact Report prepared for the University of California, Merced (“UC Merced” or “Merced campus” 2020 Long Range Development Plan (“LRDP”), State Clearinghouse Number 2018041010, which was certified by the University in March of 2020 (“2020 LRDP EIR”), the 2009 LRDP Environmental Impact Statement (EIS)/Environmental Impact Report (EIR) (State Clearinghouse No. 2008041009), and the Addendum No. 1 thereto, dated October 2022 for the University’s approval of the Minor Long Range Development Plan Amendment for the Experimental Smart Farm Project (“Addendum No. 1”). The 2020 LRDP EIR, including the information contained in the Addendum No. 1, contains the environmental analysis and information necessary to support approval of the Minor Long Range Development Plan No 1. (hereafter, the “Project”), as set forth in Section III, below.

Both the 2020 LRDP SEIR and 2009 LRDP EIS/EIR (specific sections only along with related addenda) serve as Tier 1 program documents that the University may use in its environmental review of subsequent projects, such as the Experimental Smart Farm Project, consistent with Sections 15152 and 15183.5(a) of the State CEQA Guidelines. The project is generally consistent with the land uses and intensities of development identified in the 2020 LRDP and the project is within the scope of activities covered in the environmental impact evaluation in the 2020 LRDP SEIR and the 2009 LRDP EIS/EIR. However, because this project was not specifically identified in the 2020 LRDP and the 2020 LRDP SEIR, an Addendum to the 2020 LRDP SEIR was prepared, pursuant to Section 15168(c) of the State CEQA Guidelines, which states, “subsequent activities in the program must be examined in the light of the program EIR to determine whether an additional environmental document must be prepared.”

Pursuant to the CEQA (Public Resources Code Sections 21000 et seq.), and the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 et seq.), the University has considered the 2020 LRDP SEIR, the 2009 LRDP EIS/EIR, and the Addendum for the proposed Experimental Smart Farm.

The 2020 LRDP SEIR, 2009 LRDP EIS/EIR, and the Addendum contain the environmental analysis and information necessary to support approval of the project, and it reflects the independent judgment and analysis of the University. These Findings are hereby adopted by the University as required by Public Resources Code Sections 21081, 21081.5, 21081.6, and 21166, and State CEQA Guidelines Sections 15091, 15092, 15162, 15164, and 15168 in conjunction with the approval of the project.

II. FINDINGS

A. PROJECT DESCRIPTION

A minor LRDP Amendment (LRDP Amendment No. 1) to the 2020 LRDP is proposed to amend the language of the 2020 LRDP Campus Building Reserve/Support Land (CBR/SL) and Passive Open Space (POS) land use designations to clarify that agricultural research would be allowed within existing agricultural fields in the CBR/SL and POS land use designations.

The CBR/SL land use includes areas that are likely to be developed in the future, but no specific development plans have been identified yet. The proposed minor LRDP would preserve the fundamental planning principles of the 2020 LRDP because it would clarify that agricultural research is allowed on existing agricultural fields and it will not preclude future development of the areas. The campus would be able to have a productive use in an area that is not anticipated for more development for several years. A portion of this land has historically been used for row crops and the amendment will explicitly allow for agricultural research to occur within these areas.

The POS land use "...designates large, landscaped, and natural spaces within the campus boundaries that can be used for passive recreation such as walking, biking, and observation of nature. It also incorporates the campus storm water management systems, including lakes and detention areas, as well as irrigation canals that transect the campus." The POS land use contains areas that have historically been used for row crops and irrigated pasture, features which are still a part of the landscape within the POS areas. Development of agricultural research projects will include plans for ensuring that opportunities for trails and connections between the POS land use and the rest of the campus is not precluded. A small percentage of the POS land use is currently agricultural fields. The use of these existing agricultural fields for agricultural research projects will not impact the 2020 LRDP objectives for open space.

B. ADEQUACY OF PRIOR ENVIRONMENTAL REVIEWS

All of the environmental effects of implementation of the 2020 LRDP, as reflected in the Findings adopted by the University March 2020, were adequately addressed in the certified 2020 LRDP SEIR and 2009 LRDP EIS/EIR 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 LRDP; 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 impacts.

These Findings summarize, rely upon, and incorporate the 2020 LRDP SEIR, the 2009 LRDP EIS/EIR and Findings to evaluate whether the project's impacts are adequately addressed by the previous analyses, pursuant to Section 15168(c) of the State CEQA Guidelines.

The project is within the scope of impacts identified in the 2020 LRDP SEIR and 2009 LRDP EIS/EIR and does not implicate any of the conditions set forth in CEQA Section 21166 or State CEQA Guidelines Section 15162, requiring the preparation of a subsequent or supplemental EIR to the 2020 LRDP SEIR. With the implementation of relevant certified 2020 LRDP SEIR mitigation measures, the project will not result in any new significant environmental impacts, will not increase the severity of significant impacts previously identified in the 2020 LRDP SEIR and 2009 LRDP EIS/EIR, and will not cause any environmental effects not previously examined in the 2020 LRDP SEIR and 2009 LRDP EIS/EIR. There have not been any substantial changes in the project or in the circumstances under which the project will be implemented that would require revisions to the existing 2020 LRDP SEIR and 2009 LRDP EIS/EIR. All significant impacts to which the project will contribute have been addressed in the 2020 LRDP SEIR, the 2009 LRDP EIS/EIR, and the 2020 LRDP Findings and Statement of Overriding Considerations adopted by the University in connection with its approval of the 2020 LRDP. No new significant environmental impacts have been identified in connection with the project that were not considered in the 2020 LRDP SEIR and the 2009 LRDP EIS/EIR. The project does not otherwise provide an opportunity to eliminate or substantially reduce any of the significant and unavoidable impacts of implementing the 2020 LRDP.

For the reasons described above, the University hereby finds that preparation of this Addendum to the 2020 LRDP SEIR to analyze the environmental consequences of implementing the project is appropriate under CEQA. In accordance with CEQA, the University hereby finds that none of the circumstances described in Section 15162(a) of the State CEQA Guidelines are present, and no further environmental review or documentation is required for the project.

C. INCORPORATION BY REFERENCE

These Findings incorporate by reference in their entirety the text of the 2020 LRDP SEIR and 2009 LRDP EIS/EIR prepared for the project and the Findings adopted in support of the 2020 LRDP previously adopted by the University. Without limitation, this incorporation is intended to elaborate on the scope and nature of the project, its potential environmental impacts, and the basis for determining the significance of the project's impacts.

D. 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 project, which incorporates relevant and previously adopted 2020 LRDP SEIR mitigation measures and/or continuing best practices that will be monitored pursuant to the existing 2020 LRDP SEIR Mitigation Monitoring and Reporting Program (MMRP) previously adopted by the University in connection with its approvals of the 2020 LRDP. No new project-specific mitigation measures are required as part of the project.

E. RECORD OF PROCEEDINGS

Various documents and other materials constitute the record of proceedings upon which the University bases its findings and decision contained herein. These documents and materials are located at UC Merced Downtown Campus Center at 655 W 18th Street in Merced, California.

III. SUMMARY

Based on the foregoing Findings and the information contained in the record of proceedings, the University has made one or more of the following Findings with respect to the significant environmental impacts of the project:

- 1) The project will not increase the severity of significant environmental impacts previously identified in the 2020 LRDP SEIR.
- 2) All 2020 LRDP SEIR mitigation measures relevant to the project, as identified in the Addendum, are made a condition of approval of the project's approval.
- 3) All potentially significant effects on the environment due to the implementation of the project have been eliminated or substantially lessened where feasible through 2020 LRDP SEIR mitigation measures identified in the Addendum and adopted in connection with the Regents' approval of the 2020 LRDP. No project-specific mitigation measures are required.
- 4) The project will not result in environmental effects that were not adequately examined in the University's 2020 LRDP SEIR.
- 5) All remaining significant impacts on the environment caused by implementation of the 2020 LRDP found to be unavoidable, remain acceptable due to the reasons set forth in the 2020 LRDP SEIR Findings and Statement of Overriding Considerations adopted by the University in connection with its approval of the 2020 LRDP, as referenced and reaffirmed herein.