

EXHIBIT B

GENERAL PLAN CONSISTENCY FINDINGS OF FACT FOR THE ADOPTION OF THE COUNTY OF MERCED UNIVERSITY COMMUNITY PLAN

The following findings address the consistency of the “Proposed Action,” as defined below, with the Merced County General Plan (“General Plan”). Because the Proposed Action consists of amendments to the General Plan, these findings address whether the amendments made by the proposed action will create inconsistencies with those parts of the General Plan that will remain unchanged. In other words, these findings address the potential for “internal inconsistency” within the General Plan.

Having considered the University Community Plan (“UCP”) and the County of Merced University Community Plan Environmental Impact Report, the Board of Supervisors (“Board”) finds the Proposed Action to be consistent with the General Plan, as described in detail below.

I. THE PROPOSED ACTION

The Proposed Action involves the following amendments to the General Plan:

- Modification of the University Community Specific Urban Development Plan (SUDP) configuration and boundary from the current approximately 10,300-acre area to an approximately 3,043-acre area, which includes the UC Merced Long Range Development Plan campus development footprint (910 acres) and lands owned by the University Community Limited Liability Company (LLC) and Hunt Farms (2,133 acres);
- Changing the land use designation within the University Community SUDP from “Agriculture” to “UC Merced” and “Multiple Use Urban Development;”
- Adoption of the University Community Plan; and
- Various amendments to the text of the General Plan incorporating the amended UCP SUDP and University Community Plan and making them consistent with the General Plan.

The proposed action does not involve the *creation* of an SUDP for the University and University Community. That action (along with the addition of Goal 11 to the Land Use Chapter – accommodation of the tenth UC campus) was taken by the Board in 1997, soon after the Regents’ selection of the Lake Yosemite site for the 10th UC campus, and prior to the process of planning for UC Merced. The proposed action involves a change in the area of the SUDP and the approval of a plan for development within that SUDP. The change in SUDP area was necessitated by the determination that development of the University Community within the previously existing SUDP could lead to impacts on

sensitive wetlands and biological resources. The proposed changes would substantially avoid those impacts.

II. FINDING OF CONSISTENCY WITH THE GENERAL PURPOSES OF THE MERCED COUNTY GENERAL PLAN

Broadly speaking, the intent of the Merced County General Plan is to ensure an efficient, orderly pattern of development, to ensure that development occurs without overuse or unwise conversion of County resources, and to maintain the quality of life within the County.

The Board finds that adoption of the proposed amendments to the General Plan is consistent with those broad purposes. These changes will ensure that development induced by UC Merced occurs in an orderly, carefully-planned fashion, and in a manner that supports the associated and contiguous campus. Impacts to agricultural lands, open space resources, water resources, and other environmental resources will be avoided, limited, or mitigated, or some combination of all three, and the University Community will develop as a convenient, efficient, integrated, and highly sustainable and livable community. Development of a contiguous University Community is essential to the success of UC Merced, with resultant benefits for the economy of the County.

III. SPECIFIC FINDINGS OF CONSISTENCY WITH THE MERCED COUNTY GENERAL PLAN

The following findings address the consistency of the proposed action with individual goals, objectives, and policies of the County's General Plan. For many General Plan goals, objectives, and policies, the absence of conflict is self-evident, and therefore not all specific provisions of the General Plan are addressed in these findings. Instead, these findings address only those General Plan goals, objectives, and policies with which the possibility of conflict might be perceived to exist, or those pre-existing General Plan provisions that specifically pertain to UC Merced and adjacent development.

A. Land Use Chapter

1. Urban Centered Concept

The Land Use Chapter emphasizes an "Urban Centered Concept" policy for land use planning. This general policy focuses urban development within or adjacent to already-urbanized areas where services are readily available. Under this urban centered concept,

- growth occurs in an orderly and logical manner;
- land is utilized efficiently;
- agricultural operations are not eliminated prematurely;
- the County's planning efforts are complementary with those of the cities; and
- urban development occurs where adequate services are available.

The Board finds that the proposed change is consistent with the Urban Centered Concept for reasons including but not limited to the following:

- the UCP contains detailed and specific plans for logical and orderly growth;
- through plans for orderly growth, efficient densities, and limitations upon the overall University Community footprint, the UCP plan avoids excessive use of lands;
- the UCP includes specific requirements and programs that will avoid unnecessary or premature elimination of agricultural activities or loss of biological resources and open spaces, and will mitigate the impacts of conversions of agricultural lands and open space when they do occur;
- the City of Merced was actively involved in concept planning for the University Community and development of the UCP (through active participation on the Community Plan Advisory Committee), and the UCP was designed to complement, and not compete with, the City's plans; and
- the UCP contains detailed plans for the orderly development and extension of service infrastructure, and ensures that development will not outpace the availability of services, nor adversely affect the level of service to existing residents.

In addition, the Board finds that the development of currently non-urban land is consistent with the Urban Centered Concept because it will allow the County and University to develop a well-planned, integrated, contained urban community in a manner that would not be possible if the University Community were developed within an existing urban area. The County's existing urban areas have not planned for and do not have the capacity to absorb a community of this scale, and over the life of the project (buildout alone is expected to take more than 40 years), the orderly, high-density, adequately-served development made possible by master-planning a new site will be more consistent with the Urban Centered Concept than piecemeal, dispersed, and partially low-density development within existing urban areas.

2. Land Use Chapter Goal 1

a. General Findings of Consistency

Land Use Chapter Goal 1 implements the Urban Centered Concept by setting forth a series of objectives and policies designed to ensure "a land use pattern which enhances the integrity of both urban and agricultural areas." These objectives and policies seek to ensure that existing urban boundaries are not expanded unless agricultural impacts are minimized and existing urban areas cannot accommodate planned development; that adequate public services are available for or required as part of new development; that such services are not provided at the expense of existing development; that planned development does not cause hazards to public health and safety; and that planned development brings overall economic and housing benefits to the County.

The Board finds that the proposed action is consistent with Goal 1 of the Land Use Chapter. The Board finds that while development of UC Merced and the University Community will convert agricultural lands to urban use, the new growth generated by UC Merced cannot be accommodated in an orderly fashion within existing non-agricultural areas. In particular, the area of the City of Merced and unincorporated lands lying west of the proposed University Community site is characterized by a large number of parcels, separate ownerships, and partially developed rural residential centers with development patterns inconsistent with the higher densities needed for the University Community to accommodate the growth generated by the campus. These inconsistent development patterns, and the large number of property owners that would need to be involved in any development, would make development of the University Community within this area impracticable and infeasible. Additionally, portions of this area are exposed to the Lake Yosemite dam inundation area.

The Board finds that most lands within the UCP area represent marginal farmlands on the edge of Merced's eastern rangelands and generally compare unfavorably in terms of agricultural soil quality with farmlands to the south and southeast of the UCP area and other portions of the County rich in high quality farmland. The Board also finds that UCP policies requiring specific plans prior to development within the University Community, and requiring mitigation of agricultural land conversions when such plans are approved or as part of a County/City mitigation program, will ensure that no more agricultural land is converted than is necessary, that such conversion will occur no sooner than necessary, and that, when it occurs, conversion of Important Farmland in the UCP area results in protection of similar resources elsewhere in the region. The Board also finds that UCP policies will ensure protection of surrounding agricultural uses. Specifically, policies in the UCP mandate enforcement of the County's Right-to-Farm ordinance; maintenance of an open space buffer zone at the edge of the University Community; and either participation in a County/City program developed to mitigate the loss of agricultural lands or, if such programs are not developed, full mitigation of agricultural land conversions with the approval of individual specific plans for development within the University Community. In general, the Board finds that these policies, together with the Williamson Act program now available to landowners in Merced County, will ensure a proper balance between conversion of agricultural land, where needed to fulfill clear needs associated with accommodating growth induced by UC Merced, and protection of agricultural activity where conversion is not necessary.

The Board also finds that adequate services are and will be made available for development of the University Community. The UCP encourages development of on-site water and sewer systems, while allowing for connections to local municipal systems, as necessary for primary or backup service. Policies in the UCP assure adequate construction and financing of other service infrastructure, including transportation, energy, communications, solid waste, schools, libraries, cultural facilities, police and fire services, health care and social programs, services for youth and seniors, and parks and recreation facilities.

The Board finds that the proposed change will cause no hazards to public health and safety. Additionally, the Board finds that development of UC Merced will bring substantial economic benefits to the County. Likewise, by supporting the development of UC Merced and providing accommodation for growth induced by UC Merced, development of the University Community will bring substantial economic benefits to Merced County.

b. Consideration of SUDP Expansion Criteria

Goal 1, Policy 2 states that “[e]xpansion of an existing urban boundary into areas designated for rural land uses shall be allowed only where deemed appropriate based on careful consideration of potential agricultural impacts, onsite limitations for development, public service availability, and impacts on open space or conservation values.” In accordance with that goal, Policy 2 establishes criteria to be considered during review of general plan amendment applications to expand SUDP boundaries. The proposed action is not actually an expansion of an SUDP; instead, the overall size of the SUDP will shrink substantially. Nevertheless, because the proposed action involves inclusion of actively farmed agricultural lands within an SUDP, the Board has considered the SUDP expansion consistency criteria.

The Board must consider all of the criteria, but does not need to find consistency with each and every criterion in order to allow an SUDP expansion. Instead, the intent of the criteria is to ensure that urban boundary changes are properly evaluated, with due consideration given to the effects of the changes on agricultural resources, open space values, and public health and safety, and to ensure that changes are not made without considering the possible availability of sufficient land within existing urban areas.

The Board finds that the proposed action is consistent with Goal 1, Policy 2 in that it provides a policy framework for efficient, dense, and thoughtfully-phased long-term urban development within a fixed growth boundary. The specific benefits that support this modification are discussed in detail throughout these findings, and are summarized again below:

- The UCP will provide for the development of an integrated community of housing, business, commercial, cultural, civic, and open space uses and infrastructure systems necessary to support the successful development and growth of the UC Merced campus.
- The UCP will expand housing opportunities for residents within the County of Merced, including those residents attracted to the County by the UC Merced campus. A variety of housing types will be possible within the UCP, which will accommodate a range of economic levels, age groups, and housing choices over the long-term development and operation of UC Merced.
- The UCP will expand employment opportunities for residents within the County of Merced, including opportunities created by the indirect employment-related growth associated with the UC Merced campus. The UCP will generate

numerous construction jobs as the plan area is developed, and will generate permanent employment opportunities associated with the commercial and research park uses within the UCP.

- The UCP will plan for the growth generated by UC Merced in a manner consistent with the County's Urban Centered Concept. The growth projected to be generated by the full development of UC Merced is accommodated through a comprehensive long term plan. The residential densities directed by the UCP are greater overall than in other incorporated or unincorporated urban areas within the County. The UCP includes buffer and notice policies designed to ensure compatibility with nearby agricultural operations and mitigation policies designed to reduce the impact of conversion of agricultural lands.
- Location of the UCP adjacent to UC Merced will meet a critical need of the University by providing housing opportunities adjacent to the campus, thus allowing students, faculty, staff and other UC Merced-related populations to walk, bicycle, or use local shuttle systems from their houses to the campus, commercial services, jobs, entertainment, cultural activities, recreation, and similar activities. These benefits will minimize transportation and air quality effects of the proposed UC Merced campus-related population.

The Board provides the following findings with respect to each individual criterion set forth in Policy 2 of Goal 1.

1. Soil: Is the soil suitable for agriculture according to the soil class? In general, unique or higher quality soil as identified on the Important Farmland Map of the state Mapping and Monitoring Program, unless verifiable evidence is provided identifying a diminished soil capacity.

As described in detail in Section 4.2 of the DEIR, the UCP area contains some soils suitable for agriculture, including Farmland Map and Monitoring Program mapped Important Farmlands. The soils in the UCP area are generally less than prime quality, and are used for irrigated pasture or crops that can be produced on marginal quality farmland. The farmlands on the site also contain generally lower quality soils than farmlands immediately south and southeast of the proposed Project.

2. Parcel size: Is the present parcel a sufficient size for economic agricultural use? (In general, 20 acres or larger.)

The UCP area contains parcels that are of sufficient size to support economic agricultural use. The northern portion of the UCP area, Flying "M" Ranch, contains approximately 550 acres of irrigated pasture and the southern portion of the UCP area, Hunt Farms, contains approximately 1,100 acres of cultivated cropland.

3. Use: Is the land presently used, or has it been recently used, for agriculture? In general, for irrigated crop or intensive livestock production within the past three years?

The UCP area is presently used for agriculture. The northern portion of the UCP area is used for cattle grazing, and the southern portion of the site is used for irrigated crops.

4. Compatibility: Will a nonagricultural use create conflicts as to compatibility with adjacent agricultural uses?

The UCP would allow non-agricultural uses to be developed adjacent to intensive agricultural uses to the south and southeast. A buffer along the southern and eastern edges of the University Community area, as required by Agricultural Policy A 3.1, would reduce potential incompatibilities between future University Community residents and existing agricultural uses. Existing physical barriers also will provide buffers between agricultural and urban uses. A major canal along the eastern boundary of the University Community will separate development from areas used for grazing and growing of row crops, and Yosemite Avenue, on the southern boundary of the University Community, will provide a physical barrier between the community and agricultural uses.

5. Services: Have provisions been made to provide adequate levels of public services to satisfy the demands generated by the proposed development?

The UCP includes Policies IW 2.1 and IE 1.1, and an Implementation Plan, to ensure the provision of adequate and timely services. Furthermore, because any future development would require the preparation of a sub-area specific plan, the County would evaluate each specific plan to ensure the availability of adequate services. Moreover, infrastructure in the UCP area is sized to accommodate the demand that UC Merced will generate for transportation and utility services.

6. Limitation: Will an individual waste disposal system contaminate the surface or groundwater table?

The UCP includes Policies IW 8.3 and 8.4, which ensure, respectively, that a wastewater collection and treatment system (or systems) is designed and constructed to protect groundwater and surface water from contamination by wastewater, and that wastewater treatment achieves standards for intended reuse or discharge. Therefore, the proposed UCP would not include a waste disposal system that would contaminate any surface or groundwater supplies.

7. Safety: Will intensive use present hazards to public health, welfare, and safety, as identified in the Safety Chapter of the General Plan?

The University Community will not be located within a flood-prone area, dam inundation area, or area of unstable soils, or in the vicinity of any known geologic faults. Specific policies within the UCP will ensure adequate protection from wildland fires for University Community residents. Development of the University Community therefore will not pose a hazard to public health, welfare, or safety.

8. Natural Resources: Will urban use impact significant open space and/or conservation values as identified in the Open Space/Conservation Chapter (VI) of the General Plan?

The UCP would convert the lands within the UCP area to urban uses. Development within the University Community would result in some habitat loss for non-listed and state- and federally-listed species. However, the potential loss of biological resources in the proposed expansion area would be substantially less than other areas of the existing SUDP, based upon extensive biological surveys prepared for the University Community. Further, policies of the UCP and the UCP Implementation Plan require that habitat loss and other adverse effects to biological resources are mitigated to a less-than-significant level through the preparation and implementation of Habitat Mitigation Plans with each sub-area specific plan. The Habitat Mitigation Plans must achieve “no net loss of wetland function and values” and full mitigation of impacts to grassland habitats and associated special status species.

9. Land Vacancy: Is there an adequate supply of available vacant land within the existing urban boundary to accommodate reasonably anticipated or historic growth needs over the next ten (10) years?

Because of constraints on development in the existing SUDP area due to the presence of biological resources, there would not be adequate space within the existing SUDP boundary to accommodate the University Community. While some level of redevelopment of existing land uses could occur, it would be impracticable to integrate redeveloped areas with the Campus development while providing adequate residential, commercial, and public/quasi-public facilities for the growth induced by the buildout of the campus. Furthermore, the growth generated by UC Merced, over the long term, cannot be accommodated within the existing boundaries of other incorporated or unincorporated SUDPs.

10. Consistency: Is the proposal consistent with the goals and policies of the Community Specific Plan if one has been adopted for the community or area?

There is currently no specific plan that has been adopted for the University Community SUDP. The proposed UCP includes policies that require the preparation of specific plans consistent with the policies in the UCP and the County General Plan.

3. Land Use Chapter Goal 2

The second goal of the Land Use Chapter is “a high quality living environment within unincorporated communities.” The University Community is planned to be an unincorporated community, and several policies under this goal would apply to the UCP. Specifically, Policies 6 and 7 require a full range of urban designations within the SUDPs, and Policy 8 encourages reserving land for future urban development based on growth projections and public services availability.

The Board finds that the proposed change implements these policies. The Community Development Chapter of the UCP includes policies for a full range of land uses, ensuring a complete and balanced community. The implementation plan directs that each phase of development within the University Community must be preceded by, and based upon, specific plans. The planning processes associated with those specific plans will ensure that land is reserved for future growth, and that growth is continually evaluated throughout development of the University Community.

4. Land Use Chapter Goal 7

Goal 7 of the Land Use Chapter is the “conservation of productive agricultural and other valuable open space lands.” Pursuant to this goal, Policy 1 allows agriculture-to-urban conversions only “where a clear and immediate need can be demonstrated based on anticipated growth and the availability of public services and facilities.” Policy 2 states that urban uses should be directed to less valuable agricultural land. The aims of Goal 7 are similar to those of Land Use Chapter Goal 1, and the Board’s finding of consistency with Goal 1 also supports the consistency finding below.

The Board finds that the proposed action is consistent with Goal 7. Development of the University Community will involve conversion of agricultural land to urban uses, but development of UC Merced creates a clear and immediate need for conversion of the lands that will become the University Community. Substantial development will be needed to accommodate growth induced by buildout of UC Merced, and the UCP’s University Community site is the only practicable and feasible location for efficiently accommodating that growth, and meeting the University’s needs and planning goals. Only the UCP’s University Community site can providing an exemplary interface between campus and community, enabling development of community projects to support the needs of the campus population, minimizing air pollution and traffic impacts, and maximizing transportation on foot and bicycle. The Board also finds that because of both infrastructure needs and other land use constraints, including habitats that support rare and endangered species, UC Merced and the University Community cannot be developed on less valuable agricultural lands. The Board finds that the UCP policies described above with reference to Land Use Chapter Goal 1 will ensure that agriculture conversions occur only as necessary, and will avoid conflict and incompatibility with surrounding lands that remain in agricultural use. The UCP also requires that agricultural land conversions be mitigated either through participation in countywide mitigation programs or, if no such programs are developed, through mitigation measures tied to each specific plan approval for development within the University Community. The Board finds that those mitigation measures will further reduce the impact of agricultural land conversions.

5. Land Use Chapter Goal 11

Goal 11 of the Land Use Chapter seeks to “accommodate the tenth University of California Campus and orderly development of adjacent land uses through a comprehensive planning process.”

The Board finds that the proposed action implements Goal 11. The University Community would accommodate the UC Merced Campus by providing a carefully planned and directly adjacent community to support growth induced by UC Merced. The University Community Plan is a product of the comprehensive planning process mandated by Goal 11.

B. Circulation Chapter

The Circulation Chapter of the General Plan is designed to ensure orderly and efficient transportation, energy, and water service infrastructure. In general, the Board finds that adoption of the UCP is consistent with the Circulation Chapter of the General Plan. By focusing development in a limited area in close proximity to UC Merced, the UCP will ensure minimal demands on the County's transportation infrastructure. By providing for orderly, planned development, the UCP will ensure that infrastructure development can be properly planned and financed to serve development.

1. Circulation Chapter Goals 1 and 2

Goals 1 and 2 of the Circulation Chapter seek to ensure the adequacy of County transportation facilities. Goal 1 seeks "a Road system which provides free movement of vehicles throughout the County," and Goal 2 seeks "a circulation system which provides for a variety of transportation modes for the safe and efficient movement of people and goods throughout the County."

The Board finds that the proposed action will uphold both of these goals. UC Merced and the University Community will result in additional traffic impact transportation infrastructure, but the location and design of the University Community will ensure that such increases are minimal and can be accommodated by transportation planners. Situating the University Community adjacent to UC Merced will reduce the length of trips made by University Community residents and will afford residents the option of using walking, bicycling, or public transit. Numerous UCP policies also ensure that such alternate modes of transit will be accommodated, and UCP policies also will ensure that adequate infrastructure is available for automobile trips.

2. Circulation Chapter Goals 3 and 4

Goals 3 and 4 of the Circulation Chapter seek to ensure the availability of adequate energy, information, and water service infrastructure.

The Board finds that the proposed action is consistent with Goals 3 and 4. By locating the University Community in close proximity to the University, by providing for carefully planned development, and by limiting the development footprint as much as possible, the UCP will ensure that infrastructure services can be efficiently provided. In addition, numerous UCP policies ensure that adequate infrastructure services will be available to support development. The Board also finds that specific UCP policies

requiring on-site water delivery and treatment facilities will ensure that sufficient water supply and treatment infrastructure will be available to support development within the University Community.

C. Housing Chapter

The General Plan Housing Chapter includes several goals. First, it seeks to ensure the availability of a sufficient amount of housing for Merced County residents. Second, it seeks to preserve existing housing within the County. Third, it seeks to ensure that both existing and new housing provide an adequate range of housing types.

The Board finds that the proposed action is consistent with those goals. While these General Plan amendments constituting the proposed action do not represent the final step toward developing new housing, and housing instead will be developed in accordance with later specific plans, approval of the UCP represents a significant step toward the development of a substantial amount of new housing in Merced County. Additionally, the Board finds that UCP policies will ensure a diversity of housing types, including substantial amounts of low- and moderate-income housing.

D. Noise Chapter

The General Plan's Noise Chapter has two goals: first, that "all citizens of the County [be] free from the harmful effects of excessive noise," and second, that "noise generating land uses and facilities important to the economic health of the County are not adversely affected by incompatible land uses."

The Board finds that the proposed action is consistent with these goals. Development of the UCP will create increased traffic and other noise sources, and will also create new noise-sensitive areas, but the Board finds that numerous UCP policies will ensure that noise created by the University Community will remain at levels below or consistent with the goals of the General Plan. Similarly, noise sources currently exist in proximity to parts of the UCP site, but the Board finds that the UCP land use policies designed to avoid conflicts between agricultural and urban uses also will avoid both noise impacts to University Community residents and the need for noise limitations on economically important land uses and facilities.

E. Open Space and Conservation Chapter

The Open Space and Conservation Chapter of the County's General Plan provides for protection and conservation of the County's natural resources. In general, the Board finds that the proposed action is consistent with the protective goals of the Open Space and Conservation Chapter. The UCP will relocate the original site of the University Community, moving it from a site with sensitive natural resources to a site with reduced potential for resource impacts. In addition, by containing development within a compact area, and by ensuring that development does not occur prior to need, and by requiring mitigation of all habitat loss, the UCP will ensure that the resource impacts of University

Community development associated with development of UC Merced are minimized. UCP conservation and mitigation policies also will ensure that the proposed action will cause no net loss of wetlands and will not negatively impact rare, threatened, or endangered species habitat. Finally, the Board finds that the general theme of sustainability, which permeates the UCP, is consistent with the protective goals of the General Plan's Open Space and Conservation Chapter.

1. Open Space and Conservation Chapter Goal 1

Goal 1 of the Open Space and Conservation Chapter is that “habitats which support rare, endangered, or threatened species are not substantially degraded.”

The Board finds that the proposed action is consistent with this goal. By altering the SUDP boundary for UC Merced and the University Community, the UCP will ensure that development takes place away from the biologically sensitive areas originally slated for development, and will avoid the potential for effects upon wetlands within and adjacent to the areas originally planned for development. In addition, the County and University, in consultation with state and federal agencies, have developed many policies that will be implemented through Habitat Mitigation Plans to avoid or mitigate impacts on biological resources. The Board finds that these policies will ensure compliance with the General Plan requirement that the proposed action not substantially degrade rare, threatened, or endangered species habitat.

2. Open Space and Conservation Chapter Goal 2

Goal 2 of the Open Space and Conservation Chapter is that “soil, water, mineral, energy, historical, and air resources are properly managed.” Several objectives, some of which are relevant to the UCP, further articulate this policy. In particular, Objective 2.B states that “surface and ground water resources are to be protected from contamination, evaporation and inefficient use;” and Objective 2.F. states as a goal “air quality which meets or exceeds local and regional air quality management goals.”

The Board finds that the proposed action is consistent with Open Space and Conservation Chapter Goal 2 and with the objectives set forth under that goal. In particular, several policies in the UCP ensure protection and careful management of water resources, including the protection of local groundwater resources from contamination. The UCP also contains several water conservation policies designed to ensure careful and efficient use of water. Additionally, as described in detail in the environmental impact report for the UCP, the UCP will be located in an area with available groundwater resources, and water supply infrastructure for the University Community will be developed and operated in a manner consistent with local groundwater management plans. The Board finds that these provisions will protect against contamination or inefficient use of water.

The Board also finds that adoption of the UCP is consistent with Goal 2's air quality objective. While all new development creates air emissions, by containing development induced by UC Merced within a limited area in close proximity to the campus, the UCP

will minimize vehicle trips and maximize the potential for lower-emissions modes of transport, including bicycling and walking, thus reducing overall transportation-related emissions. In addition, accommodating development within the University Community rather than at dispersed and diverse smaller developments will enforce the numerous UCP policies designed to minimize air quality impacts from the University Community. Those uniform mandates include, among others, policies encouraging energy conservation, construction policies designed to minimize particulate matter emissions, and a policy encouraging use of alternative fuel vehicle fleets.

3. Open Space and Conservation Chapter Goal 3

Goal 3 of the Open Space and Conservation Chapter seeks the protection of “open space for recreation, aesthetics and protection from hazards.” Objectives under this goal seek to ensure that scenic areas, parks, and other open spaces are protected. Many of the policies embodied by the open space goal and its subsidiary objectives overlap with the goals of the Land Use Chapter.

The Board finds that the proposed action is consistent with Goal 3 of the Open Space and Conservation Chapter. The UCP contains policies that ensure that the development within the University Community will have adequate recreational resources, as well as policies in the Area Plan portion of the UCP that protect the integrity of Lake Yosemite Regional Park as a key regional recreational resource even with the development of UC Merced and the UCP in the immediate vicinity of the Park. The UCP contains policies prescribing specific steps for the establishment of a planning framework to identify resources to support recreation in eastern Merced County. The UCP addresses issues of aesthetics through viewshed policies that protect long-range views of the Sierra Nevada and protect against nighttime light effects of urban development. Finally, the Public Safety policies of the UCP ensure that the University Community will minimize the potential for hazards related to hazardous materials, geologic and soil conditions, flooding, and wildland fires.

F. Agriculture Chapter

The final Chapter of the General Plan provides protection for agriculture. It seeks to ensure that agricultural activities remain viable, to avoid conversion of agricultural lands unless a clear necessity exists, and to protect agricultural land uses from conflict with non-agricultural uses. Many of the policies set forth in the Agriculture Chapter of the General Plan are also embodied in the goals of the Land Use Chapter, and the Board’s findings of consistency with the Agriculture Chapter draw upon many of the same facts as its finding of consistency with the Land Use Chapter.

The Board finds that the proposed action is consistent with the Agriculture Chapter of the General Plan. The proposed action will involve some conversion of agricultural lands to urban uses, but it will do so in response to a clear need for contiguous development of community uses to support UC Merced. In addition, it will limit such conversions to a discrete area that is of demonstrably poorer quality for agricultural production than large

portions of the County (to the south, east and west of the UCP area and the City of Merced) that are central to the vitality of the local agricultural economy, will ensure that conversions occur no earlier and no more extensively than is necessary, and will require that conversions be mitigated, to the extent feasible, either through participation in a County/City mitigation program or, if no such program is developed, through mitigation measures tied to each specific plan approval. In addition, policies in the UCP provide for an open space buffer at the edges of the University Community, and specific plans for development within the University Community are to locate and regulate development so as to ensure minimization of conflicts between urban and adjacent agricultural uses. Surrounding agricultural uses will be further protected by the County's Williamson Act program, a UCP policy of enforcement of the County's Right-to-Farm ordinance, and a UCP policy requiring the inclusion of buffers along urban/agricultural edges. The Board finds that these policies will ensure that development of the University Community does not conflict with the Agriculture Chapter's goals of maintaining the strength of Merced County's agricultural economy.