

4.20 CUMULATIVE IMPACTS

4.20.A Potential Other Future Projects

This response addresses comments O22-53, O25-11, O26-27, and O28-40, as well as other similar comments, which raise questions regarding the range of potential future projects included in the EIR's discussion of cumulative impacts. In summary, these comments focus on whether the Draft EIR's analysis of each cumulative impact appropriately addressed projects other than the University Community and Campus Parkway that may contribute to cumulative impacts; whether the cumulative impacts analysis should discuss the effects of economic growth in the region that might result indirectly from the project; and whether future development of the Campus Land Reserve, Campus Natural Reserve, and other portions of the VST property should have been assumed in the analysis and treated as a cumulative impact.

Cumulative impacts are discussed in Section 4.0 of the Draft EIR under each resource topic. For each resource topic the discussion and analysis first examines the cumulative impacts anticipated from development of the UC Merced Campus together with the proposed University Community and the Campus Parkway. This discussion is then followed by a discussion of other cumulative impacts within the broader context of other future development within the relevant geographic area. Thus, the Draft EIR expressly considers cumulative impacts that might result from development in the area beyond University Community Plan and the Campus Parkway projects. The analysis varies by resource topic depending upon relevant factors such as the nature of each environmental resource being examined, the relevant geographic for the affected resource, the foreseeability of impacts to the resource as a result of probable future development, and the availability of data forecasting impacts of such future development.

Several comments assert that the EIR's analysis of cumulative impacts should have provided additional information and analysis of "reasonably foreseeable" growth, which the commenters argue might be associated with the project. To the extent that these comments request information about growth that may occur in the region associated with the development and operation of UC Merced, the Draft EIR's discussion of growth inducement (Section 6) provides a discussion and analysis of growth-inducing impacts; responses to comments about growth inducing impacts are contained in Section 4.22 of this Final EIR. As the discussion of growth inducement further explains, while the CEQA Guidelines indicate that an EIR should discuss the ways a project may induce growth, they do not provide for an analysis of the environmental impacts of such secondary development. This is because, absent information about the location, nature, and scope of the particular residential, commercial, industrial, and other facilities that might be developed in response to population and job growth, the specific environmental impacts of that development cannot be forecasted with any accuracy.

It bears noting, however, that in the case of UC Merced, the County has planned and sized the University Community to provide sufficient space to satisfy most of the increment of off-campus demand for housing, retail and other urban services, office, and research and development space needs estimated to result directly and indirectly from UC Merced. As noted above, the cumulative effects of developing the land proposed for the University Community is examined in the EIR. As a result, the EIR does include an analysis of the cumulative effects of development of the community, growth that would be induced by UC Merced. As the EIR's discussion of

growth-inducing impacts further explains, it is estimated that UC Merced will also induce some number of jobs in the regional economy that would ultimately require development of additional land beyond the amount of land proposed for development in the University Community. To the extent the cumulative impacts of such future development in the region can be assessed, it is included in the EIR's discussion of the expected cumulative impacts of other future development by resource topic.

Other commenters request an analysis of the specific environmental impacts of tertiary development which they assert can be associated with the UC Merced project, such as the impacts of obtaining raw materials needed for new development. Assessment of the specific impacts of obtaining raw materials for long-term cumulative development would, however, require undue speculation since the type and quantity of materials that might be needed for long-term development in the County cannot be reliably estimated but, more importantly, the location from which those materials might be obtained cannot be predicted. (With respect to the specific comments regarding use of aggregate from the Merced River to construct the UC Merced project, see the discussion in Section 4.8.C).

Some of the comments raising questions about the EIR's cumulative impacts analysis suggest that the EIR should have assumed that the Campus Land Reserve, the Campus Natural Reserve, and the balance of the VST property will be developed, and that the EIR should have examined the cumulative impacts of such assumed development. However, under the CEQA Guidelines, an EIR's cumulative impacts analysis considers the proposed project's contribution to cumulative impacts along with the contributions of past, present, and probable future projects producing related or cumulative impacts. Under CEQA Guidelines 15130(b)(1)(B)(2):

probable future projects may be limited to those projects requiring an agency approval for an application which has been received at the time the notice of preparation is released, unless abandoned by the applicant; projects included in an adopted capital improvements program, general plan, regional transportation plan or other similar plan; projects included in a summary of projections of projects (or development areas designated) in a general plan or similar plan; projects anticipated as later phase[s] of a previously approved project (e.g., a subdivision); or those public agency projects for which money has been budgeted.

No development is planned for the Campus Land Reserve. It is being reserved for possible future needs that are presently unknown and unforeseeable (Draft EIR, Section 2.6.2). (Also see discussion in Section 4.4.A, above.) As such, the possibility of future use or development within the Campus Land Reserve (if any) does not fall within the definition of a "probable future project" set forth above and, therefore, is not considered as part of the cumulative impacts analysis. Moreover, given the unknown and unforeseeable nature of any future use or development of the Campus Land Reserve, any attempt to identify its contribution to cumulative impacts at this time would be wholly speculative.

As the Draft EIR explains, the Campus Natural Reserve will be set aside and maintained permanently in an undeveloped state as part of the UC Natural Reserve System (Draft EIR, Section 2.6.3). Similarly, the University has agreed and is in the process of acquiring the remaining portions of the VST property to the north and east (about 5,000 acres) and protecting it from development in perpetuity with conservation easements. As a result, no development on

the Campus Natural Reserve or the remaining portions of the VST property is foreseeable nor is any “probable future project” to be examined in a cumulative impacts analysis under CEQA.

4.20.B Scope of EIR’s Cumulative Impacts Analysis

This response addresses comments SA10-9, SA13-8, O28-94, and O31-2, as well as other related comments questioning the scope of the EIR’s cumulative impacts analysis and the range of other projects considered in connection with the cumulative impacts analysis. The specific issues raised in these comments about the EIR’s analysis of biological resources impacts are also addressed in Section 4.8 of this Final EIR.

The cumulative biological resources impacts of the UC Merced, University Community, and Campus Parkway projects are analyzed in Section 4.4.3.4 of the Draft EIR under Impact 4.4-11. The Draft EIR identifies the cumulative loss of jurisdictional wetlands and annual grassland habitat that would likely result from approval of all three projects and concludes that the proposed project’s contribution to these cumulative impacts will be mitigated to a less-than-significant level by implementation of mitigation measures identified in the Draft EIR. While identification of mitigation for the other projects’ contribution to these cumulative impacts is not required by CEQA, the Draft EIR explains that the contributions of the University Community and Campus Parkway to cumulative biological resource impacts will be similarly mitigated, as required under state and federal law and as enforced by the appropriate agencies.

One commenter suggests that the Draft EIR did not properly find cumulative impacts to special-status species. However, the Draft EIR (Impact 4.4-11) describes the possibility of cumulative impacts on special-status species. The analysis concludes that the project’s contribution to cumulative impacts on this habitat, and correspondingly on the special-status species that occupy the habitat, will be mitigated to a less-than-significant level by implementation of the mitigation measures identified in the Draft EIR. For a further discussion of mitigation for biological impacts, see Section 4.8 of this Final EIR.

One of the comments asserts that the EIR’s analysis of cumulative impacts should have gone beyond an assessment of the cumulative impacts of foreseeable projects, and should have looked more generally at the ongoing impacts of human activities in the region. In fact, the EIR’s resource-based discussion of cumulative impacts does examine broader long-term impact trends within the relevant geographical area to the extent that meaningful information on the subject is available. Such a resource-based approach avoids the potential problem of understating cumulative impacts when they are examined by type of project that may contribute to the impact rather than by affected resource.

Several comments note that the EIR’s analysis of cumulative impacts (particularly the analysis of biological impacts) should include an analysis of the impacts of constructing the infrastructure improvements necessary to support the UC Merced project. The impacts of constructing such facilities has been included in the analysis. Off-site construction of electrical, water, wastewater, telecommunications, and natural gas lines required for the project have been fully examined. As is explained in the discussion of Impacts 4.4-9 and 4.4-10 in the Draft EIR, adverse impacts due to construction of off-site construction of such infrastructure to serve the Campus are not expected due to the placement of such infrastructure in existing and planned rights-of-way and implementation of the mitigation measures described therein.