

4.23 PHASE 1 CAMPUS

This section addresses comments received on the analysis presented in the Draft EIR (Volume 2) for the development of the Phase 1 Campus. Many of the comments regarding the Phase 1 Campus impact analysis overlap with comments about impacts from the development of the full campus under the proposed LRDP. Therefore, cross references to responses in previous sections of this Final EIR are included in the discussions below where appropriate.

4.23.A Buffer

Comment FA1-34 requested clarification of how the 250-foot buffer between the Phase 1 Campus and the nearest downgradient wetlands would be constructed, what amenities (if any) would be included in the buffer zone, and how the buffer zone would avoid indirect impacts to sensitive wildlife or its habitat. Mitigation Measure 3.4-5 in Volume 2 of the Draft EIR requires that the Phase 1 Campus avoid adverse changes to existing hydrologic conditions that could result in increases, decreases, or elimination of flows sustaining vernal pools and swales to the south and east of the Phase 1 Campus boundary. The Phase 1 Campus boundary initially was based on an approximately 250-foot buffer separating campus development from vernal pools and swales to the south and east. In accordance with Mitigation Measure 3.4-5, the location of the southern and eastern Phase 1 boundary has been revised in the Final EIR to be outside of the watershed of existing vernal pools and swales to create a buffer between the Phase 1 Campus development and wetlands resources. As required by Mitigation Measure 3.4-5, the Phase 1 boundary is located to assure that no significant adverse changes occur in the biological functioning of the vernal pools and swales outside of that boundary, including downgradient wetlands. No fill activities are proposed within existing vernal pools and wetlands as part of Phase 1. Thus, because all Phase 1 Campus construction will occur within the Phase 1 boundary and outside of the watersheds of existing vernal pools, swales, and other wetland resources, Phase 1 development will not impact downgradient wetlands.

To further assure that Phase 1 development does not impact downgradient wetlands, the buffer zone between the Phase 1 Campus boundary and existing vernal pool watersheds will be monitored and managed during Phase 1 construction. Moreover, no trails or other amenities would be constructed in the buffer zone as part of Phase 1 development, and public access would be discouraged through implementation of Mitigation Measures 4.4-7(b) and (c) in Volume 1 of the Draft EIR, which require the use of interpretive signs, fencing, and public education. In accordance with Mitigation Measure 4.4-7(d), storm drainage would be directed toward the center of the Phase 1 Campus (toward the existing on-site pond on the golf course) or discharged to Fairfield Canal. Stormwater from the site would not be discharged outside of the Phase 1 boundary into the buffer zone or on to lands to the south and east of the Phase 1 Campus. Other avoidance measures that were listed under Mitigation Measure 4.4-7 in the Draft EIR, as revised by this Final EIR, would also be implemented in the buffer zone for the Phase 1 Campus to minimize indirect impacts to areas adjacent to the Campus. In response to comments received regarding indirect impacts of the campus at full development, see Section 4.8.C.6 in this Final EIR. Sections 4.8.C.7 and 4.8.C.8 of this Final EIR discuss potential indirect effects associated with noise, light, and air pollution, respectively, and Section 4.8.D.8 addresses mitigation measures for indirect effects applicable to the buffer zone.

The University will develop and implement a Phase 1 Construction Mitigation Plan, which will include construction mitigation measures to avoid take of listed species during Phase 1 construction, as described below.

4.23.B Construction Impacts

Comments FA1-17 and FA1-35 request clarification of the total acreage of the Phase 1 Campus and ask whether construction-related impacts to biological resources resulting from noise and light were evaluated in the Draft EIR. The total acreage of the Phase 1 Campus is approximately 96 acres. Unfortunately, a typographical error on page 4.3-21 of Volume 1 misstated the Phase 1 Campus as 103 acres. As explained in Section 3 of this Final EIR, the revised acreage of the Phase 1 Campus is about 110 acres.

To further assure that Phase 1 construction will not result in significant impacts to biological resources, the University will develop and implement a Phase 1 Construction Mitigation Plan. The purpose of the Phase 1 Construction Mitigation Plan is to include construction mitigation measures to avoid take of listed species during Phase 1 construction. The following measures will be included in the Phase 1 Construction Mitigation Plan:

- *Preconstruction Surveys.* The University will implement preconstruction surveys in habitats suitable for listed species within and adjacent to construction areas. These surveys are intended to augment previous surveys and will follow established protocols. Results of preconstruction surveys will be incorporated into the Phase 1 Construction Mitigation Plan.
- *Monitoring and Reporting.* The University will designate environmental monitors who will be responsible for implementing construction mitigation measures and reporting the status of contractors' compliance with mitigation requirements. The monitors will report directly to the University Environmental Manager. Monitoring reports will be filed with the Environmental Manager according to schedules determined based on potential for threats to listed species and other environmental resources as established in the Phase 1 Construction Mitigation Plan.
- *Incorporation of Species Protection Obligations into Contracts.* All contracts between the University and contractors, between construction management firms, and subcontractors will include restrictions on disturbance of listed species and habitats. Specific penalties for violations will be specified, including warnings, removal of individual violators from the project, termination of contracts and payment of damages.
- *Training Program.* Prior to initiating Phase 1 construction, all construction personnel will receive training described in the Phase 1 Construction Mitigation Plan. The purpose of the training program is to educate construction personnel of the sensitive nature of the areas adjacent to the Campus and their obligations to protect sensitive resources.
- *Incorporation of BMPs.* Standard construction BMPs will be identified in the Phase 1 Construction Mitigation Plan, incorporated into construction designs and plans and specifications, and required of contractors during construction.
- *Construction Fencing.* Prior to construction, temporary fencing will be installed along the boundaries of the portion within the Phase 1 area under construction to prevent construction vehicles from straying beyond the Phase 1 boundary.
- *Kit Fox Preconstruction Surveys.* Kit fox preconstruction surveys will be included in the Phase 1 Construction Mitigation Plan and implemented in accordance with Mitigation Measure 4.4-6 and in the context of overall kit fox preconstruction survey guidelines that also require spotlighting and photo stations. If the species is not found during these surveys and examination of dens does not show evidence of use, dens will be eliminated.

- *Invasive Species Control.* To ensure that seeds from invasive species are not transported into the Phase 1 area by construction equipment, the Phase 1 Construction Mitigation Plan will require that all equipment be washed at designated wash stations to ensure that they are clean and generally free of seeds before entering the Campus.

With respect to construction-related noise and lighting impacts, although indirect impacts resulting from development of the Campus, including Phase 1 Campus development, were analyzed in the Draft EIR, potential impacts related to noise and light were not specifically evaluated. In response to comments, the University further evaluated indirect effects resulting from noise and light impacts to wildlife. This analysis, presented in Section 4.8.C.8 of this Final EIR, shows that light and noise impacts would not be significant in areas outside of the Main Campus, including the Phase 1 Campus. This Final EIR includes minimization measures to further reduce the less-than-significant light impacts.

4.23.C Impact to Merced River from Aggregate Removal

See Response 4.8.C.12 for a discussion of the demand for aggregate from development of the Campus, including the Phase 1 Campus, and of potential impacts to the Merced River, associated riparian habitat and/or biological resources resulting from the provision of aggregate for the new Campus.

4.23.D Housing

Comment FA1-36 requested clarification regarding faculty housing for the Phase 1 Campus. Although the University is planning to provide faculty housing for the campus at full development of the Main Campus, no faculty housing would be constructed before 2007-2008. Therefore, Figure 2 in Volume 2 of the Draft EIR has been corrected to eliminate faculty housing from the map legend. See Volume 2, Section 7 of this Final EIR.

See Section 4.15.B, Housing Effects, for a discussion of the likely effect of Phase 1 Campus on housing resources in the region.

4.23.E Phase 1 Traffic

See Section 4.18, Traffic, for a discussion of Phase 1 Campus traffic and transportation issues.