I. CONSIDERATION OF THE SUBSEQUENT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

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 (“Regents”) of the University of California (the “University”), or its delegate (collectively referred to herein as the “University”), has considered the Subsequent Initial Study/Mitigated Negative Declaration (IS/MND) prepared for the University of California, Irvine (“UC Irvine” or “Irvine campus”) Mesa Court Residence Hall Expansion, State Clearinghouse Number 2023010535, which was adopted by the University in March 2023, and the Addendum No. 1 thereto, dated May 2024, for the University’s design approval of the Mesa Court Community Center Expansion Project.

The IS/MND, including the information contained in the Addendum No. 1, contains the environmental analysis and information necessary to support approval of the Mesa Court Community Center Expansion Project (hereafter, the “Project”), as set forth in Section III, below.

II. FINDINGS

A. PROJECT DESCRIPTION

The University of California, Irvine (UCI) prepared the Mesa Court Residence Hall Expansion IS/MND, which was adopted by the Regents on March 16, 2023 along with the design of the project. The IS/MND analyzed the partial demolition of the existing Lot 5 to construct a student housing tower located within the existing Mesa Court student housing community. The tower would consist of a multi-story building up to six stories in height (75 feet in height) and would house approximately 450 beds within quadruple occupancy rooms. The development would also include common areas throughout the building, including study areas, collective hubs with kitchens, and laundry facilities. Site work and development would include clearing of the existing parking lot; site grading; connection to campus utility and drainage systems; construction of the tower, pathways, ramps, sidewalks, and outdoor gathering spaces with wireless connectivity; and installation of site lighting and landscape improvements.

UCI is also proposing to remodel and expand the existing 7,442 gross-square-foot (GSF) Mesa Court Community Center. The Mesa Court Community Center Expansion would renovate the existing community center and construct an additional approximately 9,000 assignable square feet (ASF) and approximately 13,000 GSF of expansion space for a total building size of approximately 20,442 GSF. Uses would include a dining hall; group study, office, and building support space; a multipurpose room; and restrooms in support of the existing students living in the Mesa Court
student housing community. Both project sites are located approximately 300 feet from each other within the existing Mesa Court student housing community, which provides first-year housing for the campus community.

Planning for the Project is guided by the UC Irvine 2007 LRDP. The 2007 LRDP designates the Project site as Student Housing, which allows for student housing and associated uses, including food service, meeting space, and recreation facilities. The Project would expand the existing Mesa Court Community Center, which is consistent with the land use designation for the Project site. Therefore, it has been determined that the Project is consistent with the land use categories in the 2007 LRDP.

B. ENVIRONMENTAL REVIEW PROCESS

The University prepared a Subsequent Initial Study/Mitigated Negative Declaration for the Project in accordance with CEQA (Public Resources Code § 21000 et seq.), the CEQA Guidelines and the University of California Procedures for the Implementation of CEQA. The Mesa Court Residence Hall Expansion IS/MND, in accordance with CEQA Guidelines § 15152, is tiered from the 2007 UCI LRDP EIR (SCH# 2006071024).

As a tiered document, the Subsequent Initial Study for the Project relied on the 2007 UCI LRDP EIR for: (1) a discussion of general background and setting information for environmental topic areas; (2) issues that were evaluated in sufficient detail in the 2007 UCI LRDP EIR and do not require additional analysis; (3) issues related to growth on the campus as a whole; and (4) cumulative impacts. The Project is consistent with the 2007 UCI LRDP and with the development assumptions of the 2007 UCI LRDP EIR, and tiering is thus proper under Public Resources Code §§ 21080.09 and 21094 and CEQA Guidelines §§ 15081.5(b)(2) and 15152. The 2007 UCI LRDP EIR is available for review online at https://planningandsustainability.uci.edu/ or in person at UCI Campus Planning and Sustainability, 120 Theory, Suite 100, Irvine, CA 92617 by calling (949) 824-8692. These Findings incorporate by reference in their entirety the text of the IS/MND prepared for the Project.

The purpose of the IS/MND was to evaluate the Project’s potential environmental effects with respect to the existing analysis in the 2007 UCI LRDP EIR in order to determine what level of initial environmental review, if any, would be appropriate. The IS/MND analyzed the potential environmental effects of implementation of the Mesa Court Residence Hall Expansion with regard to the following environmental topic areas: aesthetics, agriculture and forestry resources, air quality, biological resources, cultural resources, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation, tribal cultural resources, utilities and service systems, and wildfire.

Based on the analysis in the IS/MND, it was determined that, for all resource areas, the Project would not result in any significant environmental effects that cannot be mitigated to less than significant levels. The new environmental effects not examined in the 2007 LRDP EIR were identified, but any new potentially significant effects can be mitigated to a less than significant level with implementation of LRDP EIR mitigation measures and new project-specific mitigation.
The key milestones associated with preparation of the IS/MND are set forth and described below:

The Draft IS/MND was submitted to the Office of Planning and Research’s State Clearinghouse and circulated for a 30-day public review period beginning on January 26, 2023 through February 24, 2023 (SCH# 2023010535). The Notice of Intent to Adopt a Mitigated Negative Declaration was sent to various federal, State, and local agencies, as well as interested individuals and organizations; published on the UCI Campus Planning and Sustainability website; and was published in the Orange County Register on January 26, 2023. Comment letters were received from the Orange County Transportation Authority dated February 21, 2023, City of Irvine dated February 22, 2023, and Irvine Ranch Water District dated February 23, 2023. The Orange County Transportation Authority requested to remove reference to a permanently discontinued bus line. Route 213. The City of Irvine requested additional information regarding existing capacity, buildout capacity, and LRDP assumptions; minor text changes and clarifications; and status of fire services in the IS/MND and transportation study appendix. The Irvine Ranch Water District requested the IS/MND reference the updated 2020 Urban Water Management Plan, continued consultation regarding connection of water-related services, and the use of recycled water for landscaping. None of the comments received identified a new significant impact not previously analyzed in the Draft IS/MND. No significant changes or amendments to the IS/MND resulted from public comments and recirculation of the document was not warranted. All comments received and the University’s subsequent responses are included in the Final IS/MND. The Final IS/MND was posted to the Campus Planning and Sustainability website and responses to comments were sent to the agencies via e-mail on March 2, 2023.

Addendum No. 1 analyzes the environmental effects of the Project in relation to the environmental analysis in the IS/MND with regard to the following environmental topic areas: aesthetics, agriculture and forestry resources, air quality, biological resources, cultural resources, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation, tribal cultural resources, utilities and service systems, and wildfire. It also identifies mitigation measures adopted as part of the IS/MND relevant to the Project that have been incorporated into and must be implemented as part of the Project. All mitigation measures in the IS/MND relevant to the Project, as well as all components of the Project described in Addendum No. 1, are included in the Approval and are made conditions of the Project.

C. ADDITIONAL FINDINGS

1. Incorporation by Reference

These Findings incorporate by reference in their entirety the text of Addendum No. 1 prepared for the Project, the IS/MND, the 2007 LRDP EIR, and the Findings adopted in support of the IS/MND previously certified and/or adopted by the University.

2. Mitigation Monitoring

The University adopted a Mitigation Monitoring and Reporting Program (“MMRP”) in connection with the adoption of the IS/MND. The MMRP includes mitigation measures applicable
to the Mesa Court Community Center Expansion and designates responsibility and anticipated timing to ensure the implementation of adopted mitigation measures within the jurisdiction of UC Irvine.

The following mitigation measures were identified in the MMRP and are hereby incorporated into the Mesa Court Community Center Expansion:

<table>
<thead>
<tr>
<th>Environmental Issue Area</th>
<th>Mitigation Measure</th>
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| Aesthetics               | • LRDP EIR Aes-2A: Prior to project design approval for future projects that implement the 2007 LRDP, UCI shall ensure that the projects include design features to minimize glare impacts. These design features shall include use of non-reflective exterior surfaces and low-reflectance glass (e.g., double or triple glazing glass, high technology glass, low-E glass, or equivalent materials with low reflectivity) on all project surfaces that could produce glare.  
• LRDP EIR Aes-2B: Prior to approval of construction documents for future projects that implement the 2007 LRDP, UCI shall approve an exterior lighting plan for each project. In accordance with UCI’s Campus Standards and Design Criteria for outdoor lighting, the plan shall include, but not be limited to, the following design features: Full-cutoff lighting fixtures to direct lighting to the specific location intended for illumination (e.g., roads, walkways, or recreation fields) and to minimize stray light spillover into adjacent residential areas, sensitive biological habitat, and other light-sensitive receptors; appropriate intensity of lighting to provide campus safety and security while minimizing light pollution and energy consumption; and shielding direct lighting within parking areas, parking structures, or roadways away from adjacent residential areas, sensitive biological habitat, and other light-sensitive receptors through site configuration, grading, lighting design, or barriers such as earthen berms, walls, or landscaping. |
| Air Quality              | • LRDP EIR Air-2B: Prior to initiating on-site construction for future projects that implement the 2007 LRDP, UCI shall ensure that the project construction contract includes a construction emissions mitigation plan, including measures compliant with SCAQMD Rule 403 (Fugitive Dust), to be implemented and supervised by the on-site construction supervisor, which shall include, but not be limited to, the following BMPs:  
i. During grading and site preparation activities, exposed soil areas shall be stabilized via frequent watering, nontoxic chemical |
stabilization, or equivalent measures at a rate to be determined by the on-site construction supervisor.

ii. During windy days when fugitive dust can be observed leaving the construction site, additional applications of water shall be required at a rate to be determined by the onsite construction supervisor.

iii. Disturbed areas designated for landscaping shall be prepared as soon as possible after completion of construction activities.

iv. Areas of the construction site that will remain inactive for three months or longer following clearing, grubbing and/or grading shall receive appropriate BMP treatments (e.g., revegetation, mulching, covering with tarps, etc.) to prevent fugitive dust generation.

v. All exposed soil or material stockpiles that will not be used within 3 days shall be enclosed, covered, or watered twice daily, or shall be stabilized with approved nontoxic chemical soil binders at a rate to be determined by the on-site construction supervisor.

vi. Unpaved access roads shall be stabilized via frequent watering, nontoxic chemical stabilization, temporary paving, or equivalent measures at a rate to be determined by the on-site construction supervisor.

vii. Trucks transporting materials to and from the site shall allow for at least two feet of freeboard (i.e., minimum vertical distance between the top of the load and the top of the trailer). Alternatively, trucks transporting materials shall be covered.

viii. Speed limit signs at 15 mph or less shall be installed on all unpaved roads within construction sites.

ix. Where visible soil material is tracked onto adjacent public paved roads, the paved roads shall be swept and debris shall be returned to the construction site or transported off site for disposal.

x. Wheel washers, dirt knock-off grates/mats, or equivalent measures shall be installed within the construction site where vehicles exit unpaved roads onto paved roads.

xi. Diesel powered construction equipment shall be maintained in accordance with manufacturer's requirements, and shall be retrofitted with diesel particulate filters where available and practicable.

xii. Heavy duty diesel trucks and gasoline powered equipment shall be turned off if idling is anticipated to last for more than 5 minutes.
xiii. Where feasible, the construction contractor shall use alternatively fueled construction equipment, such as electric or natural gas-powered equipment or biofuel.

xiv. Heavy construction equipment shall use low NOx diesel fuel to the extent that it is readily available at the time of construction.

xv. To the extent feasible, construction activities shall rely on the campus’s existing electricity infrastructure rather than electrical generators powered by internal combustion engines.

xvi. The construction contractor shall develop a construction traffic management plan that includes the following:

- Scheduling heavy-duty truck deliveries to avoid peak traffic periods
- Consolidating truck deliveries

xvii. Where possible, the construction contractor shall provide a lunch shuttle or on-site lunch service for construction workers.

xviii. The construction contractor shall, to the extent possible, use pre-coated architectural materials that do not require painting. Water-based or low VOC coatings shall be used that are compliant with SCAQMD Rule 1113. Spray equipment with high transfer efficiency, such as the high volume-low pressure spray method, or manual coatings application shall be used to reduce VOC emissions to the extent possible.

xix. Project constructions plans and specifications will include a requirement to define and implement a work program that would limit the emissions of reactive organic gases (ROG’s) during the application of architectural coatings to the extent necessary to keep total daily ROG’s for each project to below 75 pounds per day, or the current SCAQMD threshold, throughout that period of construction activity to the extent feasible. The specific program may include any combination of restrictions on the types of paints and coatings, application methods, and the amount of surface area coated as determined by the contractor.

xx. The construction contractor shall maintain signage along the construction perimeter with the name and telephone number of the individual in charge of implementing the construction emissions mitigation plan, and with the telephone number of the SCAQMD's complaint line. The contractor's representative shall maintain a log
of any public complaints and corrective actions taken to resolve complaints.

### Biological Resources

- **LRDP EIR Bio-2B**: Prior to initiating on-site construction for future projects that implement the 2007 LRDP and that involve land clearing, grading, or similar land development activities adjacent to habitat areas identified as suitable for sensitive wildlife species, UCI shall retain a qualified biologist to conduct a sensitive wildlife survey of the respective areas within 150 feet of the approved limits of disturbance. If sensitive wildlife species are detected from the survey, then UCI shall approve contractor specifications that include measures to reduce indirect construction and postconstruction impacts to the identified species, to the maximum extent feasible. These measures shall include, but are not limited to, the following:

  i. A pre-construction meeting shall be held to ensure that construction crews are informed of the sensitive wildlife and habitats in the vicinity of the construction site. Prior to commencement of clearing or grading activities, a biologist (or other qualified person) shall supervise the installation of temporary construction fencing along the approved limits of disturbance to discourage errant intrusions into the identified sensitive wildlife habitats by construction vehicles or personnel. All construction access and circulation shall be limited to designated construction zones. This fencing shall be removed upon completion of construction activities.

  ii. If suitable habitat for raptors or protected bird species is present and raptors or protected bird species are observed in the vicinity, the preconstruction surveys for active nests shall be performed within 30 calendar days prior to commencement of clearing or grading activities during the breeding season for raptors and protected bird species (generally February 1 through August 31) at locations where suitable nesting habitat exists within 500 feet of the approved limits of disturbance. Construction activities within 500 feet of active raptor nests (300 feet for protected bird species) shall be monitored by the biologist and modified as directed by the biologist until the biologist determines that the nest is no longer active. Construction activity may encroach into the 500-foot buffer area only at the discretion of the biologist.

  iii. Refer to mitigation measure Noi-2A for noise abatement measures during construction.

  iv. Storm water treatment and erosion control measures or facilities shall be maintained in a manner that avoids the discharge of polluted runoff and erosion impacts to the identified sensitive plants.
v. Refer to mitigation measure Air-2B for dust control measures during construction.

vi. Night lighting shall be avoided during construction. Any necessary lighting shall be shielded to minimize temporary lighting of the surrounding habitat.

vii. A biological monitor shall be present on-site on at least a weekly basis during rough grading to ensure that the fenced construction limits are not exceeded.

viii. Permanent lighting adjacent to natural habitat areas shall be selectively placed, shielded, and directed to minimize impacts to sensitive wildlife.

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<tr>
<th>Cultural Resources</th>
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<td>• LRDP EIR Cul-1C: Prior to land clearing, grading, or similar land development activities for future projects that implement the 2007 LRDP in areas of identified archaeological sensitivity, UCI shall retain a qualified archaeologist (and, if necessary, a culturally affiliated Native American) to monitor these activities. In the event of an unexpected archaeological discovery during grading, the on-site construction supervisor shall redirect work away from the location of the archaeological find. A qualified archaeologist shall oversee the evaluation and recovery of archaeological resources, in accordance with the procedures listed below, after which the on-site construction supervisor shall be notified and shall direct work to continue in the location of the archaeological find. A record of monitoring activity shall be submitted to UCI each month and at the end of monitoring. If an archaeological discovery is determined to be significant, the archaeologist shall prepare and implement a data recovery plan. The plan shall include, but not be limited to, the following measures: Perform appropriate technical analyses; file resulting reports with South Coast Information Center; and provide the recovered materials to an appropriate repository for curation, in consultation with a culturally-affiliated Native American.</td>
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<th>Geology and Soils</th>
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<td>• LRDP EIR Cul-4A: Prior to grading or excavation for future projects that implement the 2007 LRDP and would excavate sedimentary rock material other than topsoil, UCI shall retain a qualified paleontology to monitor these activities. In the event fossils are discovered during grading, the on-site construction supervisor shall be notified and shall redirect work away from the location of the discovery. The recommendations of the paleontologist shall be implemented with respect to the evaluation and recovery of fossils, in accordance with mitigation measures Cul-4B and Cul-4C, after</td>
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which the on-site construction supervisor shall be notified and shall direct work to continue in the location of the fossil discovery. A record of monitoring activity shall be submitted to UCI each month and at the end of monitoring.

- LRDP EIR Cul-4B: If the fossils are determined to be significant, then mitigation measure Cul-4C shall be implemented.
- LRDP EIR Cul-4C: For significant fossils as determined by mitigation measure Cul-4B, the paleontologist shall prepare and implement a data recovery plan. The plan shall include, but not be limited to, the following measures: The paleontologist shall ensure that all significant fossils collected are cleaned, identified, catalogued, and permanently curated with an appropriate institution with a research interest in the materials (which may include UCI); the paleontologist shall ensure that specialty studies are completed, as appropriate, for any significant fossil collected; and the paleontologist shall ensure that curation of fossils are completed in consultation with UCI. A letter of acceptance from the curation institution shall be submitted to UCI.

**Hydrology and Water Quality**

- LRDP EIR Hyd-1A: As early as possible in the planning process of future projects that implement the 2007 LRDP and would result in land disturbance of 1 acre or greater, and for all development projects occurring on the North Campus in the watershed of the San Joaquin Freshwater Marsh, a qualified engineer shall complete a drainage study. Design features and other recommendations from the drainage study shall be incorporated into project development plans and construction documents. Design features shall be consistent with UCI’s Storm Water Management Program, shall be operational at the time of project occupancy, and shall be maintained by UCI. At a minimum, all drainage studies required by this mitigation measure shall include, but not be limited to, the following design features: Site design that controls runoff discharge volumes and durations shall be utilized, where applicable and feasible, to maintain or reduce the peak runoff for the 10-year, 6-hour storm event in the post-development condition compared to the pre-development condition, or as defined by current water quality regulatory requirements. Measures that control runoff discharge volumes and durations shall be utilized, where applicable and feasible, on manufactured slopes and newly-graded drainage channels, such as energy dissipaters, revegetation (e.g., hydrosedeeding and/or plantings), and slope/channel stabilizers.
- LRDP EIR Hyd-2A: Prior to initiating on-site construction for future projects that implement the 2007 LRDP, UCI shall approve an erosion control plan for project construction. The plan shall include, but not be limited to, the following applicable measures to protect downstream areas from sediment and other pollutants during site grading and construction: Proper storage, use, and disposal of
construction materials; removal of sediment from surface runoff before it leaves the site through the use of silt fences, gravel bags, fiber rolls or other similar measures around the site perimeter; protection of storm drain inlets on-site or downstream of the construction site through the use of gravel bags, fiber rolls, filtration inserts, or other similar measures; stabilization of cleared or graded slopes through the use of plastic sheeting, geotextile fabric, jute matting, tackifiers, hydro-mulching, revegetation (e.g., hydroseeding and/or plantings), or other similar measures; protection or stabilization of stockpiled soils through the use of tarping, plastic sheeting, tackifiers, or other similar measures; prevention of sediment tracked or otherwise transported onto adjacent roadways through use of gravel strips or wash facilities at exit areas (or equivalent measures); removal of sediment tracked or otherwise transported onto adjacent roadways through periodic street sweeping; and maintenance of the above-listed sediment control, storm drain inlet protection, slope/stockpile stabilization measures.

- LRDP EIR Hyd-2B: Prior to project design approval for future projects that implement the 2007 LRDP and would result in land disturbance of 1 acre or more, the UCI shall ensure that the projects include the design features listed below, or their equivalent, in addition to those listed in mitigation measure Hyd-1A. Equivalent design features may be applied consistent with applicable MS4 permits (UCI’s Storm Water Management Plan) at that time. All applicable design features shall be incorporated into project development plans and construction documents; shall be operational at the time of project occupancy; and shall be maintained by UCI: All new storm drain inlets and catch basins within the project site shall be marked with prohibitive language and/or graphical icons to discourage illegal dumping per UCI standards; outdoor areas for storage of materials that may contribute pollutants to the storm water conveyance system shall be covered and protected by secondary containment; permanent trash container areas shall be enclosed to prevent off-site transport of trash, or drainage from open trash container areas shall be directed to the sanitary sewer system, and at least one treatment control is required for new parking areas or structures, or for any other new uses identified by UCI as having the potential to generate substantial pollutants. Treatment controls include, but are not limited to, detention basins, infiltration basins, wet ponds or wetlands, bio-swales, filtration devices/inserts at storm drain inlets, hydrodynamic separator systems, increased use of street sweepers, pervious pavement, native California plants and vegetation to minimize water usage, and climate controlled irrigation systems to minimize overflow. Treatment controls shall incorporate volumetric
or flow-based design standards to mitigate (infiltrate, filter, or treat) storm water runoff, as appropriate.

| Noise          | LRDP EIR Noi-2A: Prior to initiating on-site construction for future projects that implement the 2007 LRDP, UCI shall approve contractor specifications that include measures to reduce construction/demolition noise to the maximum extent feasible. These measures shall include, but are not limited to, the following:

i. Noise-generating construction activities occurring Monday through Friday shall be limited to the hours of 7:00 am to 7:00 pm, except during summer, winter, or spring break at which construction may occur at the times approved by UCI.

ii. Noise-generating construction activities occurring on weekends in the vicinity of (can be heard from) off-campus land uses shall be limited to the hours of 9:00 am to 6:00 pm on Saturdays, with no construction occurring on Sundays or holidays. iii. Noise-generating construction activities occurring on weekends in the vicinity of (can be heard from) on-campus residential housing shall be limited to the hours of 9:00 am to 6:00 pm on Saturdays, with no construction on Sundays or holidays. However, as determined by UCI, if on-campus residential housing is unoccupied (during summer, winter, or spring break, for example), or would otherwise be unaffected by construction noise, construction may occur at any time.

iii. Construction equipment shall be properly outfitted and maintained with manufacturer recommended noise reduction devices to minimize construction-generated noise.

iv. Stationary construction noise sources such as generators, pumps or compressors shall be located at least 100 feet from noise-sensitive land uses (i.e., campus housing, classrooms, libraries, and clinical facilities), as feasible.

v. Laydown and construction vehicle staging areas shall be located at least 100 feet from noise-sensitive land uses (i.e., campus housing, classrooms, libraries, and clinical facilities), as feasible.

vi. All neighboring land uses that would be subject to construction noise shall be informed at least two weeks prior to the start of each construction project, except in an emergency situation.

vii. Loud construction activity such as jackhammering, concrete sawing, asphalt removal, pile driving, and largescale grading operations occurring within 600 feet of a residence, or an academic building.
shall not be scheduled during any finals week of classes. A finals schedule shall be provided to the construction contractor.

- LRDP EIR Noi-4A: Prior to initiating on-site construction for future projects that implement the 2007 LRDP and are located within 100 feet of vibration-sensitive uses (i.e., buildings containing vibration sensitive instruments or operations, or buildings that are considered vibration sensitive due to their age, construction type and/or fragile condition), UCI shall approve a construction vibration mitigation program as part of the contractor specifications that includes measures to reduce vibration resulting from construction activities to the maximum extent practicable. The program shall include measures to establish baseline vibration conditions, vibration monitoring, work methods or equipment necessary to reduce vibration, and a pre-construction notification process for impacted building occupants (six-month and one-month interval prior to construction).

If pile driving is proposed, building occupants within 600 feet of the piledriving site shall be notified of construction at six-month and one-month intervals prior to the start of construction.

| Tribal Cultural Resources | Project-specific TCR-1: If subsurface deposits believed to be cultural or human in origin, or tribal cultural resources, are discovered during construction all work shall halt within a 50-foot radius of the discovery, the Construction Manager shall immediately notify UCI Physical and Environmental Planning and Design and Construction Services. The Construction Manager shall also immediately coordinate with the tribal monitor and an archaeologist meeting the Secretary of the Interior’s Professional Qualification Standards for archaeology and subject to approval by UCI to evaluate the significance of the find and develop appropriate management recommendations. All management recommendations shall be provided to UCI in writing for UCI’s review and approval. If recommended by the qualified professional and consulting tribes, and approved by UCI, this may include modification of the no-work radius.

The professional archaeologist must make a determination, based on professional judgement and supported by substantial evidence, within one business day of being notified, as to whether or not the find represents a cultural resource or has the potential to be a tribal cultural resource. The subsequent actions will be determined by the type of discovery, as described below. These include: 1) a work... |
pause that, upon further investigation, is not actually a discovery and the work pause was simply needed in order to allow for closer examination of soil (a “false alarm”); 2) a work pause and subsequent action for discoveries that are clearly not related to tribal cultural resources, such as can and bottle dumps, artifacts of European origin, and remnants of built environment features; and 3) a work pause and subsequent action for discoveries that are likely related to tribal cultural resources, such as midden soil, bedrock mortars, groundstone, or other similar expressions.

Whenever there is question as to whether or not the discovery represents a tribal resource, culturally affiliated tribes shall be consulted in making the determination. The following processes shall apply, depending on the nature of the find, subject to the review and approval of UCI:

Response to False Alarms: If the professional archaeologist in consultation with the tribal representative determines that the find is negative for any cultural indicators, then work may resume immediately upon notice to proceed from UCI’s representative. No further notifications or tribal consultation is necessary, because the discovery is not a cultural resource of any kind. The professional archaeologist shall provide written documentation of this finding to UCI.

Response to Non-Tribal Discoveries: If at the time of discovery a professional archaeologist and tribal representative determines that the find represents a non-tribal cultural resource from any time period or cultural affiliation, UCI shall be notified immediately, to consult on a finding of eligibility and implementation of appropriate treatment measures.

Response to Tribal Discoveries: If the find represents a tribal or potentially tribal cultural resource that does not include human remains, the tribe and UCI shall be notified. UCI will consult with the tribe on a finding of eligibility and implement appropriate treatment measures, if the find is determined to be either a Historical Resource under CEQA, as defined in Section 15064.5(a) of the CEQA Guidelines, or a Tribal Cultural Resource, as defined in Section 21074 of the Public Resources Code. Preservation in place is the preferred treatment, if feasible. Work shall not resume within a 50-foot radius until UCI, through consultation as appropriate, determines that the site either: 1) is not a Historical Resource under CEQA, as defined in Section 15064.5(a) of the CEQA Guidelines; or 2) not a Tribal Cultural Resource, as defined in Section 21074 of the
Public Resources Code; or 3) that the treatment measures have been completed to its satisfaction.

Response to Human Remains: If the find includes human remains, or remains that are potentially human, the construction supervisor or on-site archaeologist shall ensure reasonable protection measures are taken to protect the discovery from disturbance (AB 2641) and shall notify UCI and the Orange County Coroner (per § 7050.5 of the Health and Safety Code). The provisions of § 7050.5 of the California Health and Safety Code, § 5097.98 of the California Public Resources Code, and Assembly Bill 2641 shall be implemented. If the Coroner determines the remains are Native American and not the result of a crime scene, the Coroner will notify the Native American Heritage Commission (NAHC), which then will designate a Native American Most Likely Descendant (MLD) for the Project (§ 5097.98 of the Public Resources Code). The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. Public Resources Code § 5097.94 provides structure for mediation through the NAHC if necessary. If no agreement is reached, UCI shall rebury the remains in a respectful manner where they will not be further disturbed (§ 5097.98 of the Public Resources Code). This will also include either recording the site with the NAHC or the appropriate Information Center; using an open space or conservation zoning designation or easement; or recording a reinternment document with the Orange County Clerk’s Office (AB 2641). Work shall not resume within the no-work radius until UCI, through consultation as appropriate, determines that the treatment measures have been completed to its satisfaction.

3. Record of Proceedings

Various documents and other materials constitute the record of proceedings upon which the University bases its findings and decision contained herein. Because of the complexity of the issues addressed in connection with the review of the Project, these documents and materials are located in various offices of the UC Irvine campus, the Office of Campus Planning and Sustainability, and/or offices of consultants retained by the University to assist with the development and analysis of the Project. The custodian for these documents and materials is the Office of Campus Planning and Sustainability, located at 120 Theory, Suite 100, Irvine, CA 92617.
III. APPROVALS

The University hereby takes the following actions:

A. Adopt the CEQA Findings for the Mesa Court Community Center Expansion Project having considered the Mesa Court Residence Hall Expansion IS/MND, as well as Addendum No. 1 to the IS/MND for the Mesa Court Community Center Expansion Project.

B. Make a condition of approval, the implementation of applicable mitigation measures within the responsibility and jurisdiction of UC Irvine as identified in the Mitigation Monitoring and Reporting Program adopted in connection with the IS/MND.

C. Approve the design of the Mesa Court Community Center Expansion Project, Irvine, based on the information contained herein.