

# UCLA 2008 NORTHWEST HOUSING INFILL PROJECT & LONG RANGE DEVELOPMENT PLAN AMENDMENT FINAL ENVIRONMENTAL IMPACT REPORT

## VOLUME 2

RESPONSES TO COMMENTS  
CLARIFICATIONS AND REVISIONS  
MITIGATION MONITORING PLAN

SCH No. 2008051121

Prepared for	University of California, Los Angeles 1060 Veteran Avenue Los Angeles, California 90095-1365
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Prepared by	BonTerra Consulting 151 Kalmus Drive, Suite E-200 Costa Mesa, California 92626
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March 2009

**VOLUME 2**

**FINAL ENVIRONMENTAL IMPACT REPORT**  
**SCH No. 2008051121**

University of California, Los Angeles  
2008 Northwest Housing Infill Project and  
Long Range Development Plan Amendment

Responses to Comments  
Clarifications and Revisions to the Draft EIR  
Mitigation Monitoring and Reporting Program

*Prepared for:*  
University of California, Los Angeles  
1060 Veteran Avenue  
Los Angeles, CA 90095-1365

*Prepared by:*  
BonTerra Consulting  
151 Kalmus Drive, Suite 200  
Costa Mesa, CA 92626

**MARCH 2009**

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## SECTION 1.0 INTRODUCTION

### 1.1 CEQA REQUIREMENTS

Under the California Environmental Quality Act (CEQA) and UC Procedures for Implementing CEQA, the Lead Agency must prepare and certify a Final Environmental Impact Report (Final EIR) for projects within the University's discretionary approval authority. The contents of a Final EIR are specified in Section 15132 of the CEQA Guidelines, which states that:

The Final EIR shall consist of:

- (a) The Draft EIR or a revision of the Draft.
- (b) Comments and recommendations received on the Draft EIR either verbatim or in summary.
- (c) A list of persons, organizations, and public agencies commenting on the Draft EIR.
- (d) The responses of the Lead Agency to significant environmental points raised in the review and consultation process.
- (e) Any other information added by the Lead Agency.

This document, in its entirety (Volumes 1 and 2), constitutes the Final EIR for the 2008 Northwest Housing Infill Project (NHIP) and Long Range Development Plan (LRDP) Amendment (collectively referred to as "the proposed Project"). A Final EIR is defined by Section 15362(b) of the CEQA Guidelines as "...containing the information contained in the draft EIR; comments, either verbatim or in summary, received in the review process; a list of persons commenting; and the response of the Lead Agency to the comments received."

This Final EIR is composed of:

- |                 |   |
|-----------------|---|
| <b>Volume 1</b> | <b>2008 NHIP and LRDP Amendment Draft EIR (Draft EIR) and Technical Appendices.</b> This volume describes the existing environmental setting on the UCLA campus, and in the vicinity of the campus; analyzes potential impacts on resources due to implementation of the 2008 NHIP and the remaining development allocation of the 2002 LRDP, as amended; identifies mitigation measures that could avoid or reduce the magnitude of significant impacts; evaluates cumulative impacts that would be caused by the project in combination with other future projects or growth that could occur in the region; analyzes growth-inducing impacts; and provides a full evaluation of the alternatives to the proposed Project that could eliminate, reduce, or avoid project-related impacts. Refer to the Table of Contents of Volume 1 for a complete list of appendix titles. Text revisions due to corrections of errors, or resulting from comments received on the Draft EIR, are included in Section 3 (Volume 2) of this Final EIR. |
| <b>Volume 2</b> | <b>List of Commenters, Responses to Comments, Clarifications and Revisions to the Draft EIR and the Mitigation Monitoring Plan.</b> This volume (as further described below) contains an explanation of the format and content of the Final EIR; a complete list of all persons, organizations, and public agencies that commented on the Draft EIR; copies of the comment letters; a summary of comments provided at the public hearing; the Lead Agency's responses to all comments; all clarification and  |

revisions to the Draft EIR (including technical appendices) requiring text changes; and the Mitigation Monitoring Plan (MMP).

The Lead Agency must provide each agency that commented on the Draft EIR with a copy of the proposed response at least ten days before certifying the Final EIR. In addition, the Lead Agency may also provide an opportunity for members of the public to review the Final EIR prior to certification, though this is not a requirement of CEQA.

## **1.2 USE OF THE FINAL EIR**

The Final EIR will serve as the environmental document that informs The Regents consideration of the campus' request for approval of the proposed project. After completing the Final EIR, and before approving the project, the Lead Agency must make the following three certifications, as required by Section 15090 of the CEQA Guidelines:

- The Final EIR has been completed in compliance with CEQA;
- The Final EIR was presented to the decision-making body of the Lead Agency and the decision-making body reviewed and considered the information in the Final EIR prior to approving the project;
- The Final EIR reflects the Lead Agency's independent judgment and analysis.

As required by Section 15091 of the *CEQA Guidelines*, no public agency shall approve or carry out a project for which an EIR has been certified that identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings (Findings of Fact) for each of those significant effects, accompanied by a brief explanation of the rationale for each finding supported by substantial evidence in the record. The possible findings are:

- (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
- (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- (3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

Additionally, pursuant to Section 15093(b) of the CEQA Guidelines, when a Lead Agency approves a project that would result in significant unavoidable impacts that are disclosed in the Final EIR, the agency must state in writing its reasons for supporting the approved action. This Statement of Overriding Considerations is supported by substantial information in the record, which includes this Final EIR. Since the proposed Project would result in significant unavoidable impacts, The Regents would be required to adopt a Statement of Overriding Considerations if it approves the proposed Project.

These certifications, the Findings of Fact, and the Statement of Overriding Considerations are included in a separate Findings document. Both the Final EIR and the Findings are submitted to

The Regents for consideration prior to making a decision on whether to approve the proposed Project.

### **1.3 PUBLIC REVIEW PROCESS**

Prior to beginning the CEQA process, the campus held a Community Leaders Meeting on April 29, 2008 during which the proposed 2008 NHIP and LRDP Amendment were presented and discussed with leaders of the neighboring homeowner associations and other individuals. On May 28, 2008, UCLA issued a Notice of Preparation (NOP) and Initial Study for the 2008 NHIP and LRDP Amendment Draft EIR for a 30-day public review period. As discussed in Section 2.3.1, Scoping Process, of the Draft EIR, comments on the NOP were received from the California Department of Transportation, the City of Los Angeles Bureau of Sanitation, and two individuals. A summary of written comments received in response to the NOP is provided in each technical section in the Draft EIR, as applicable.

A Community Information and EIR Scoping Meeting for the proposed Project was also held on June 10, 2008 during the NOP review period to solicit input from interested agencies, individuals, and organizations regarding the range of actions, alternatives, mitigation measures, and significant effects to be analyzed in the EIR. This meeting provided a forum for interested parties to submit comments on the project and on issues that should be analyzed in the EIR. Approximately nine community members attended the meeting. Section 2.3.1, Scoping Process, of the Draft EIR, summarizes the comments received at the Community and EIR Scoping Meeting.

CEQA requires that a Draft EIR have a review period lasting at least 45 days but no longer than 60 days for projects that have been submitted to the State Clearinghouse for review by State agencies (CEQA Guidelines, Section 15105[a]). The Draft EIR for the 2008 NHIP and LRDP Amendment was issued on December 5, 2008, and circulated for public review and comment for a 45-day period scheduled to end on January 19, 2009. Because January 19, 2009, was a holiday, comments were accepted through January 20, 2009.

UCLA used several methods to solicit comments on the Draft EIR. A Notice of Availability (NOA) along with a CD containing the Draft EIR and technical appendices was mailed to various agencies and organizations and to individuals that had previously requested such notice. The NOA was mailed to homeowners associations (HOAs) and individual community members from the surrounding neighborhoods and was published in the *Los Angeles Times* (December 5) and *Daily Bruin* (December 8). Additionally, copies of the Draft EIR were available for review at two on-campus libraries and three off-campus libraries. The Draft EIR was also available on UCLA's website and at the UCLA Capital Programs Facility, which is located at 1060 Veteran Avenue, Third Floor, on the UCLA campus, and was submitted to the State Clearinghouse for distribution to and review by State agencies

A public hearing was held on January 6, 2009, on the UCLA campus during which the public was given the opportunity to provide comments on the Draft EIR. Three people presented verbal comments on the proposed Project and the Draft EIR during the public hearing. Comments received at the public hearing are presented in 2.2, along with responses to these comments.

## 1.4 LIST OF COMMENTERS

During the public review period, UCLA Capital Programs received nine written comment letters on the Draft EIR and the proposed Project. Following is a comprehensive list of agencies and individuals that submitted written comments and provided verbal comments by speaking at the public hearing. Responses to all comments received are provided in Section 2, Responses to Comments.

<b>Comment Letters</b>	<b>Date Received</b>
------------------------	----------------------

### **State Agencies**

- |   |                   |
|---|-------------------|
| 1 Governor's Office of Planning and Research          | January 21, 2009  |
| 2 California Department of Transportation, District 7 | December 29, 2008 |

### **Local Agencies**

- |  |                 |
|--|-----------------|
| 3 City of Los Angeles Department of Public Works<br>Bureau of Sanitation | January 6, 2009 |
|--|-----------------|

### **Organizations**

- |   |                  |
|---|------------------|
| 4 UCLA Watch (represented by Alvin Milder)<br>Letter to Mark G. Yudof, UC President | January 15, 2009 |
| 5 UCLA Watch (represented by Alvin Milder)<br>Letter to UCLA Capital Programs       | January 19, 2009 |

### **Individuals**

- |   |                  |
|---|------------------|
| 6 Milder, Alvin (email to UCLA Chancellor)    | January 21, 2009 |
| 7 Milder, Alvin (email to UCLA Chancellor)    | January 21, 2009 |
| 8 Stern, Roxanne (email to Capital Programs)  | January 18, 2009 |
| 9 Veith, Wolfgang (email to Capital Programs) | January 19, 2009 |

### **January 6, 2009 Public Hearing Commenters**

Wolfgang Veith, Individual  
Carole Magnuson, Vice President of the Westwood Hills Property Owners Association  
Alvin Milder, Individual

## 1.5 CLARIFICATIONS AND REVISIONS TO THE DRAFT EIR

Clarification and revisions to the text of the Draft EIR have been made in Section 3 (Volume 2) of this Final EIR, with ~~striketrough~~ text for deletions and underlined text for additions. The text as drafted in Section 3 supersedes and replaces the original Draft EIR text, and is contained in Volume 1.



## **1.6 MITIGATION MONITORING AND REPORTING PROGRAM**

The University will adopt a MMRP for the proposed Project, as required for compliance with Sections 21081(a) and 21081.6 of the *California Public Resources Code*. The proposed MMRP is included in its entirety in Section 4 (Volume 2) of this Final EIR. All mitigation measures included in the 2008 NHIP and LRDP Amendment Final EIR for the proposed Project would be monitored by the appropriate campus entity, and reported on an annual basis.

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## **SECTION 2.0    RESPONSES TO COMMENTS**

### **2.1    COMMENT LETTERS RECEIVED**

This section of the Final EIR contains all comments (written or provided at the January 6, 2009 public hearing) received on the Draft EIR during the public review period, as well as the University's responses to these comments. Consistent with Section 15088 of the CEQA Guidelines, comments that raise significant environmental issues are provided with responses. Reasoned, factual responses have been provided to all substantive Draft EIR comments received. Detailed responses have been provided where a comment raises a specific issue; however, a general response has been provided where the comment is relatively general. Where a comment does not raise a significant environmental issue or where it expresses the subjective opinion of the commenter, the comment is noted, but no response is provided. Comments that have been noted or that are outside the scope of CEQA review will be forwarded for consideration to the decision-makers as part of the campus' request for project approval. All comments will be considered by the University when making a decision on the project.

The complete text of the written and verbal comments—and the University of California's response to those comments—is presented in this chapter. This section is formatted so that the respective comment letters are followed immediately by the corresponding responses. The comment number provided in the right margin of the letter corresponds to the responses provided. A summary the public hearing comments, followed by responses, is also provided.

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ARNOLD SCHWARZENEGGER  
GOVERNOR

STATE OF CALIFORNIA  
GOVERNOR'S OFFICE of PLANNING AND RESEARCH  
STATE CLEARINGHOUSE AND PLANNING UNIT



CYNTHIA BRYANT  
DIRECTOR

January 21, 2009

Tova Lelah  
University of California, Los Angeles  
1060 Verteran Avenue, CPB  
Los Angeles, CA 90095

Subject: 2008 Northwest Housing Infill Project and LRDP Amendment  
SCH#: 2008051121

Dear Tova Lelah:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on January 20, 2009, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

A handwritten signature in black ink that reads "Terry Roberts".

Terry Roberts  
Director, State Clearinghouse

Enclosures  
cc: Resources Agency

**Document Details Report  
State Clearinghouse Data Base**

**SCH#** 2008051121  
**Project Title** 2008 Northwest Housing Infill Project and LRDP Amendment  
**Lead Agency** University of California, Los Angeles

---

**Type** EIR    Draft EIR

**Description** UCLA proposesto develop additional undergraduate student housing consisting of 1,525 dormitory beds, dining, and support space totaling 550,000 gross square feet (gsf) in four buildings on three infill sites within the Northwest zone of the campus. The 2008 Northwest Housing Infill Project (NHIP) requires an Amendment to the 2002 Long Range Development Plan (LRDP). The LRDP, as amended, would provide an additional 550,00 gsf entitlement in the Northwest zone to accommodate the 2008 NHIP. Because the 2008 NHIP has an estimated completion date of 2013, and the LRDP has a planning horizon of 2010, the DEIR will account for an extended LRDP planning horizon from 2010 to 2013, but will not modify ti the previously adopted campus-wide vehicle trip generation and parking limits established in the 2002 LRDP.

---

**Lead Agency Contact**

**Name** Tova Lelah  
**Agency** University of California, Los Angeles  
**Phone** 310-206-5482 **Fax**  
**email**  
**Address** 1060 Verteran Avenue, CPB  
**City** Los Angeles **State** CA **Zip** 90095

---

**Project Location**

**County** Los Angeles  
**City**  
**Region**  
**Lat / Long** 34° 04' 14" N / 118° 27' 07" W  
**Cross Streets** Gayley Avenue and Veteran Avenue  
**Parcel No.**  
**Township** 1S **Range** 15w **Section** **Base**

---

**Proximity to:**

**Highways** I-405 & 10  
**Airports** Los Angeles International  
**Railways**  
**Waterways**  
**Schools** Marymount High  
**Land Use** University of California - Los Angeles Campus/Student Housing

---

**Project Issues** Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Geologic/Seismic; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Growth Inducing; Landuse; Cumulative Effects; Aesthetic/Visual

---

**Reviewing Agencies** Resources Agency; Department of Conservation; Department of Fish and Game, Region 5; Department of Parks and Recreation; Department of Water Resources; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 7; Department of Housing and Community Development; Regional Water Quality Control Board, Region 4; Department of Toxic Substances Control; Native American Heritage Commission

---

**Date Received** 12/05/2008 **Start of Review** 12/05/2008 **End of Review** 01/20/2009

Note: Blanks in data fields result from insufficient information provided by lead agency.

**DEPARTMENT OF TRANSPORTATION**  
DISTRICT 7, REGIONAL PLANNING  
IGR/CEQA BRANCH  
100 MAIN STREET  
LOS ANGELES, CA 90012-3606  
PHONE (213) 897-3747  
FAX (213) 897-1337



*Flex your power!  
Be energy efficient!*

December 29, 2008

Ms. Tova Lelah - Capital Programs  
University of California - Los Angeles  
1060 Veteran Avenue  
Los Angeles CA 90095-1365

UCLA Long Range Development Plan Amendment  
Draft Environmental Impact Report  
SCH No. 2008051121 IGR/CEQA No. 081225/EK  
Vicinity LOS / 405 / 29 - 35

Dear Ms. Lelah:

We have received the Draft Environmental Impact Report for the Plan Amendment referenced at above right. Development of more undergraduate student housing in the northwest of the campus is proposed. For the California State Department of Transportation (Department), we have the following comments.

We appreciate the acknowledgement of our comments related to the NOP stage of this environmental review (p.4.13-1). We note the anticipation of no effect on freeway off-ramps queuing from the project under consideration and the expressed intention to evaluate queuing potential from future projects (p.4.13-49). We are pleased to receive word of the current successes in campus transportation demand management and of management interest in considering further improvement that might become available in the future (pp.4.13-44, 45).

The project is stated to have less than a 150 trips per hour County CMP criterion impact on State facilities (p.4.13-54), and therefore no significant impacts. We note that the project would make relatively small additions to freeways congestion, especially in comparison to cumulative effects of nearby other development projects (listing, pp. 4-6 through 4-12). Given the current congestion on nearby I-10 and I-405, however, cumulative impacts from projects in the vicinity that add less than the CMP criterion might have significant effects, at least by prolonging the periods of time during which conditions like Level of Service F would exist. We ask that in any case UCLA support and participate in regional efforts to improve the regional process of addressing cumulative traffic impacts. For reference on mitigation of cumulative impacts, we note that the Department can accept fair share contributions towards pre-established or future improvements in its facilities.

Ms. Tova Lelah  
December 29, 2008  
Page 2 of 2 pages

If you have any questions regarding our comments, please refer to our internal IGR/CEQA Record Number 081212/EK. Also please do not hesitate to contact our review coordinator Edwin Kampmann at (213) 897-1346 or to contact me at (213) 897-6696. Our E-mail addresses are [edwin\\_kampman@dot.ca.gov](mailto:edwin_kampman@dot.ca.gov) and [elmer\\_alvarez@dot.ca.gov](mailto:elmer_alvarez@dot.ca.gov) .

Sincerely,

*Original signed by - -*

Elmer Alvarez  
IGR/CEQA Program Manager

cc: Scott Morgan, State Clearinghouse



## **Response to Comment Letter 1**

**Governor's Office of Planning and Research, State Clearinghouse and Planning Unit  
January 21, 2009**

1. This letter provides acknowledgement that the State Clearinghouse transmitted the Draft EIR to State agencies; no response is required. The comment letter from the California Department of Transportation (Caltrans) was attached. This letter was submitted directly to UCLA and is included in this document as Comment Letter 2.

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**DEPARTMENT OF TRANSPORTATION**  
 DISTRICT 7, REGIONAL PLANNING  
 IGR/CEQA BRANCH  
 100 MAIN STREET  
 LOS ANGELES, CA 90012-3606  
 PHONE (213) 897-3747  
 FAX (213) 897-1337



*Flex your power!  
 Be energy efficient!*

December 29, 2008

Ms. Tova Lelah - Capital Programs  
 University of California - Los Angeles  
 1060 Veteran Avenue  
 Los Angeles CA 90095-1365

UCLA Long Range Development Plan Amendment  
 Draft Environmental Impact Report  
 SCH No. 2008051121 IGR/CEQA No. 081225/EK  
 Vicinity LOS / 405 / 29 - 35

Dear Ms. Lelah:

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We appreciate the acknowledgement of our comments related to the NOP stage of this environmental review (p.4.13-1). We note the anticipation of no effect on freeway off-ramps queuing from the project under consideration and the expressed intention to evaluate queuing potential from future projects (p.4.13-49). We are pleased to receive word of the current successes in campus transportation demand management and of management interest in considering further improvement that might become available in the future (pp.4.13-44, 45).

1

The project is stated to have less than a 150 trips per hour County CMP criterion impact on State facilities (p.4.13-54), and therefore no significant impacts. We note that the project would make relatively small additions to freeways congestion, especially in comparison to cumulative effects of nearby other development projects (listing, pp. 4-6 through 4-12). Given the current congestion on nearby I-10 and I-405, however, cumulative impacts from projects in the vicinity that add less than the CMP criterion might have significant effects, at least by prolonging the periods of time during which conditions like Level of Service F would exist. We ask that in any case UCLA support and participate in regional efforts to improve the regional process of addressing cumulative traffic impacts. For reference on mitigation of cumulative impacts, we note that the Department can accept fair share contributions towards pre-established or future improvements in its facilities.

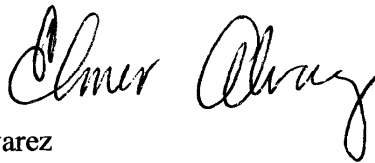
2

3

Ms. Tova Lelah  
December 29, 2008  
Page 2 of 2 pages

If you have any questions regarding our comments, please refer to our internal IGR/CEQA Record Number 081212/EK. Also please do not hesitate to contact our review coordinator Edwin Kampmann at (213) 897-1346 or to contact me at (213) 897-6696. Our E-mail addresses are [edwin\\_kampman@dot.ca.gov](mailto:edwin_kampman@dot.ca.gov) and [elmer\\_alvarez@dot.ca.gov](mailto:elmer_alvarez@dot.ca.gov).

Sincerely,

A handwritten signature in black ink, appearing to read 'Elmer Alvarez', written in a cursive style.

Elmer Alvarez  
IGR/CEQA Program Manager

cc: Scott Morgan, State Clearinghouse

## **Response to Comment Letter 2**

### **California Department of Transportation (Caltrans), District 7 December 29, 2008**

1. This commenter provides acknowledgement that UCLA addressed the Notice of Preparation comments provided by Caltrans and is not a direct comment on the content or adequacy of the Draft EIR. No response is required.
2. While acknowledging that the proposed Project would not result in significant cumulative traffic impacts, the commenter requests that UCLA support and participate in improving the regional process of addressing cumulative traffic impacts. The campus has, for many years, participated in discussions related to transportation improvements with local, regional and State agencies, and will continue to do so in the future in order to seek solutions that reduce campus-related vehicle trips and associated impacts. A detailed discussion of current strategies used by the campus to reduce vehicle trips is provided in Section 4.13.1, Environmental Setting, under "Alternative Transportation". This section also describes current programs in which UCLA participates with respective transportation agencies.
3. Although the proposed Project does not result in significant impacts to freeway facilities and thus no mitigation is required, the commenter notes that Caltrans can accept fair share contribution towards pre-established or future improvements in its facilities. This is not a direct comment on the content or adequacy of the Draft EIR and no response is required. However, in the event UCLA determines in a CEQA document that its project(s) contribute to a significant off-campus impact, the University will consider, along with other impact reducing measures, a fair share payment as a means of mitigating its proportional contribution to the impact. With respect to the proposed 2008 NHIP there is a net reduction in traffic (refer to page 4.13-34 of the Draft EIR); no project or cumulative long-term operational traffic impacts would occur, and mitigation is not required.

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CAPITAL PROGRAMS  
ROUTING SHEET

Name \_\_\_\_\_ To \_\_\_\_\_

Document Date: 1 / 6 / 2009

## ADMINISTRATIVE VICE CHANCELLOR

Olsen	SO	
Cormier	WHC	

Project Name: \_\_\_\_\_

Project Number: \_\_\_\_\_

## CAMPUS CAPITAL PROGRAMS

Santon	SGS	
--------	-----	--

To: T. LELAH

From:

BRENT LORSCHIEDER  
CITY OF LOS ANGELES  
WASTEWATER ENGINEERING  
SERVICES DIV., BUREAU OF  
SANITATION

## CAMPUS ARCHITECT/DESIGN SERVICES

Averill	JA	
Habte-Mariam	DH	
Cameron	LC	
Rahman	SR	

Comments:

FINAL RESPONSE:

UCLA 2008 NHIP &amp; LRDP- NOTICE OF COMPLETION DRAFT EIR

## ENGINEERING SERVICES

MacDougall	JRM	✓
Almonte	RA	
Hutton	HH	

## PROJECT MANAGEMENT SERVICES

FitzGerald	KF	
Enholm	RKE	
Grant-Martin	MGM	
Heggen	ETH	
Tollenaere	ST	
Townsend	PT	

## CAMPUS CONSTRUCTION SERVICES

LaVanne	TL	
Ayers	MA	
Baker, D.	DB	

## INSPECTION

Barbour	JB	
Cochran	LC	
Kozdrey	MK	
Morrison	SM	
Rice	RR	

## OTHER


## HEALTH SCIENCES CAPITAL PROJECTS

Hendrickson	PEH	
Voltz	MV	
Lee	AL	
Spataru	AMS	
Hash	LH	
Hernandez	AH	
Aroyan	AA	
Yeganeh	LY	
D'Amico	JAD	
Pierce	GP	
Denton	MD	
Naoum	MN	

Letter: ✓

Report: \_\_\_\_\_

Other: \_\_\_\_\_

## CAPITAL FINANCE &amp; STRATEGY

COLEMAN	WC	
LELAH	TL	✓
GODSEY	LG	
DUDMAN	TD	✓
Gray	DG	
Faroky	SF	
Barajas	TB	
Dale	DD	

## CONTRACT SERVICES

Baker, K.		
-----------	--	--

UCLA  
CAPITAL PROGRAMS  
2009 JAN 14 PM 2:40

# CITY OF LOS ANGELES

CALIFORNIA



ANTONIO R. VILLARAIGOSA  
MAYOR

January 6, 2009

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ALEXANDER E. HELOU  
ASSISTANT DIRECTORS

WASTEWATER ENGINEERING SERVICES DIV.  
2714 MEDIA CENTER DRIVE  
LOS ANGELES, CA 90065  
FAX: (323) 342-6210 OR 6211

Tova Lelah, Assistant Director  
Campus and Environmental Planning  
UCLA Capital Programs  
1060 Veteran Avenue  
Los Angeles, CA 90095-1365

Dear Ms. Lelah:

## **FINAL RESPONSE: UCLA 2008 NHIP and LRDP – Notice of Completion Draft EIR**

This is in response to your December 5, 2008 letter requesting wastewater service information for the proposed project. The Bureau of Sanitation, Wastewater Engineering Services Division (WESD), has conducted a preliminary evaluation of the potential impacts to the wastewater system for the proposed project.

### **Projected Wastewater Discharges for the Proposed Project:**

Type Description	Average Daily Flow per Type Description (GPD/UNIT)	Proposed No. of Units	Average Daily Flow (GPD)
<b><i>Existing</i></b>			
Office	150 GPD/1000 SQ.FT	10,000 SQ.FT	(1,500)
<b><i>Proposed</i></b>			
Dormitory	75 GPD/STU	1,525 STU	114,375
Residential (2BR)	160 GPD/DU	8 DU	1,280
Residential (3BR)	200 GPD/DU	2 DU	400
Restaurant	30 GPD/SEAT	750 SEAT	22,500
Multi-Purpose Room	150 GPD/1000 SQ.FT	20,000 SQ.FT	3,000
Gymnasium	250 GPD/1000 SQ.FT	3,700 SQ.FT	925
Housing Maintenance	20 GPD/1000 SQ.FT	16,000 SQ.FT	320
<b>Total</b>			<b>141,300</b>

### **SEWER AVAILABILITY**

File 6 SC.CC  
 2009 JAN 14 PM 2:10  
 UCLA CAPITAL PROGRAMS

1





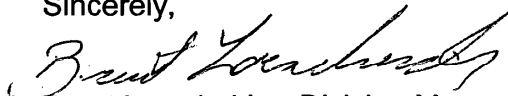
The sewer infrastructure in the vicinity of the proposed project includes an existing 8-inch that flows into a 12-inch and then into an 18-inch line on Gayley Ave. The 18-inch line then splits into an 18-inch pipe and a 10-inch pipe on Gayley Ave. The 18-inch pipe flows into an 18-inch pipe on Kelton Ave. and continues to a 24-inch line on Ohio Ave. The 10-inch line on Gayley Ave feeds into a 24-inch and a 30-inch line on Gayley Ave. before discharging into a 39-inch line on Wilshire Blvd.

Based on the available gauging information, the current flow levels (d/D) in the 8-inch, 21-inch, 30-inch, and 33-inch line on Rochester Ave., are approximately 63%, 32%, 31% and 35% full, respectively. The design capacities at d/D of 50% for the 8-inch line is 743,090 gallons per day, for 10-inch line on Gayley Ave. is 415,790 gallons per day, for the 12-inch line is 1.65 million gallons per day, for the 18-inch line on Gayle Ave. is 2.18 million gallons per day, for the 18-inch line on Kelton Ave. is 3.15 million gallons per day, for the 24-inch line on Ohio Ave. is 4.29 million gallons per day, for the 24-inch line on Gayle Ave. is 5.55 million gallons per day, for the 30-inch line on Gayle Ave. is 10.29 million gallons per day, and for the 39-inch line on Wilshire Blvd. is 15.27 million gallons per day.

Based on the estimated flows, it appears the sewer system might be able to accommodate the total flow for your proposed project. Further detailed gauging and evaluation may be needed as part of the permit process to identify a sewer connection point. If the local sewer line, the 8-inch lines, to the 39-inch sewer line, has insufficient capacity then the developer will be required to build a secondary line to the nearest larger sewer line with sufficient capacity. A final approval for sewer capacity and connection permit will be determined at that time. Ultimately, this sewage flow will be conveyed to the Hyperion Treatment Plant, which has sufficient capacity for the project.

If you have any questions, please call Abdul Danishwar of my staff at (323) 342-6220.

Sincerely,



Brent Lorscheider, Division Manager  
Wastewater Engineering Services Division  
Bureau of Sanitation

### **Response to Comment Letter 3**

**City of Los Angeles, Department of Public Works, Bureau of Sanitation**  
**January 6, 2009**

1. This comment estimates the wastewater discharge for the proposed 2008 NHIP by using the City's generation factors. It should be noted, however, that the sewage generation estimated by the City is higher than the lead agency, UCLA, estimated for the proposed project based on sewage generation factors derived by UCLA from historical campus sewage generation data. Accordingly, the sewage generation factors in the Draft EIR more accurately reflect the campus' average daily flows (refer to Section 4.14.3 of the Draft EIR).
2. This comment provides information regarding the existing infrastructure in the vicinity of the proposed 2008 NHIP. This is not a direct comment on the content or adequacy of the Draft EIR and no response is required.
3. The comment notes that there appears to be sufficient capacity in the existing sewer lines to accommodate the project (based on the City's wastewater generation factors which are higher than identified in the Draft EIR – see response to comment 1, above) and that this will be confirmed during the permit process. As noted in Section 3.7 of the Draft EIR, the City of Los Angeles is a Responsible Agency for the project and UCLA will be required to obtain any necessary permits prior to implementation of the proposed 2008 NHIP.

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**From:** alvin milder [mailto:alvinm134@yahoo.com]

**Sent:** Thursday, January 15, 2009 4:12 PM

**To:** u - governor@governor.ca.gov

**Cc:** corey\_jackson@boxer.senate.gov; Jonathan@MilderLawOffice.com; letters@latimes.com; lisa.pinto@mail.gov; u - mayor@lacity.org; trevor\_daley@feinstein.senate.gov; u-jack u - Weiss; u - zev@labcos.org; chancellor@ucla.edu; Brannon, Eleanor Felicia (Govt & Cmnty); f - Sandy Brown; wolfgangveith@hotmail.com; longcore@urbanwildlands.org; senateoffice@senate.ucla.edu; u - Daily Bruin; u - Daily Bruin; steve.lopez@latimes.com; david.lazarus@latimes.com; ssukaton@media.ucla.edu; Lelah, Tova

**Subject:** Fw: UCLA's EIRs for (1) its 2002 Long Range Development Plan Amendment (the 2002 LRDP) and (2) its Northwest Housing Infill Project (NHIP) 2008

--- On Thu, 1/15/09, alvin milder <alvinm134@yahoo.com> wrote:

From: alvin milder <alvinm134@yahoo.com>

Subject: UCLA's EIRs for (1) its 2002 Long Range Development Plan Amendment (the 2002 LRDP) and (2) its Northwest Housing Infill Project (NHIP) 2008

To: President@UCOP.edu

Cc: Regents@ucop.edu

Date: Thursday, January 15, 2009, 11:58 AM

## UCLA WATCH

A Coalition of Homeowner Associations  
and Neighbors of UCLA

134 Greenfield Ave., Los Angeles, CA 90049

Tel: 310.472.6799, Fax: 310.472.5652

January 15, 2009

Mark G. Yudof, President  
University of California  
1111 Franklin St., 12th Floor  
Oakland, CA 94607

President@UCOP.edu

**Re UCLA's EIRs for (1) its 2002 Long Range Development Plan Amendment (the 2002 LRDP) and (2) its Northwest Housing Infill Project (NHIP) 2008**

Dear Sir:

On behalf of the concerned citizens, faculty, students and community organizations representing thousands of UCLA's neighbors, UCLA Watch respectfully requests that the public be granted an additional 45 days so that it may have an opportunity to meet with UCLA's

planners and to review and prepare responses to these two massive documents.

The University of California CEQA Handbook at Chapter 4.1 provides that: **“The goal of fully informing the public of the effects of development is at the heart of CEQA. Public involvement in the CEQA process aims to ensure that the public has a voice in the decision-making process - specifically, that public concerns about environmental issues and the potential effect of development on the physical environment are addressed prior to project approval.**

**“The process of interacting with . . . the public can often be as important as the technical content of the environmental document. The public involvement process can enhance both the quality and credibility of the document, if conducted properly. It can also avoid costly project delays that result from political or bureaucratic processes.**

**“CEQA requires certain public involvement actions and encourages others.”** (Emphasis added.)

The UC CEQA Handbook states (at Chapter 4.2):**“Public involvement programs focus on a positive process for achieving decisions on project issues. It recognizes that each party involved has a different set of values and priorities. Although these concepts are familiar to many of us, the timing of the process is not. Using a well thought out public involvement program . . . is fast becoming an antidote to failed or stalled environmental initiatives, projects, and processes.**

...

**“In public involvement, it is the quality of the communication that is most important. This generally consists of making a sincere effort to listen to, and understand, community concerns, and to make every attempt possible to develop a creative solution that is acceptable to the community and meets the academic, program, and fiscal objectives of the campus. The establishment of project alternatives and mitigation measures, and seeking an acceptable middle ground is often the key aspect of this process. Even if consensus on the project cannot be found, the scope of the environmental document can be improved so that the report responds to community concerns, and is more legally defensible.”**

(Emphasis added.)

Among the methods suggested in the UC CEQA Handbook for achieving the important goal of public involvement is meeting with community groups. The Handbook provides that **“During the meeting, the Campus explains the project, answers questions, and receives input. . . . It is important that the Campus and its consultants be receptive to the public and its suggestions at these community meetings.”** (Emphasis added.)

Other methods suggested in the UC CEQA Handbook for achieving public involvement include public workshops; citizen advisory committees; and a campus/community task force.

The essential issue is that the public be given a full and adequate opportunity to meet with the campus planners regarding these projects. The public has not been afforded this opportunity nor has the public been afforded adequate time to review and respond to these EIRs.

The UC Handbook also cautions against scheduling the review period during finals or over holidays to ensure that the faculty, students and the public have an adequate opportunity to

2

3

comment. UCLA could not have picked a worse time to schedule a review period for an EIR.

As noted by one commentator: “the public review period includes four national holidays, an extended closure of UCLA offices and libraries, two days of Thanksgiving, 12 days of Christmas, 8 days of Hanukah, two days of New Years, and a public hearing scheduled on the second day of winter session classes:” - and the 600+page EIRs and 1000+page appendix is available in print only in libraries (and as noted , several were closed over the winter break; if you need to read the document off hours you must read it online. And the public can not submit comments by e-mail. (Even the Regents will accept communication by email.) However, comments to these EIRs must be submitted in writing by January 19th (also a holiday). The review period also includes the finals for the fall quarter!! The arrogance of UCLA’s Capital Program department knows no bounds. (Unfortunately, its conduct is consistent with prior EIRs.)

3 cont.

Not only do the requirements of the UC CEQA Handbook require that the review period be extended so that the faculty, students and public have an adequate opportunity to review and respond but also that the public have an opportunity to meet with UCLA’s planners and that the planners make **“a sincere effort to listen to, and understand community concerns, and to make every attempt possible to develop a creative solution that is acceptable to the community . . . .”** (Emphasis added.)

Furthermore, UCLA’s 1990 LRDP states that “[a]n important goal of [UCLA’s] long range development planning is a harmonious relationship between the campus and the community.” And it provides, as does the 2002 LRDP, that in the interest of good neighborliness and conscientious planning that the campus will maintain an ongoing exchange of ideas and information to pursue mutually acceptable resolution of the issues. We have asked UCLA many times to live up to its promises, but its representatives have refused.

The Chancellor has also made a commitment to consult with the community, but his Capital Program bureaucrats refuse to keep this promise.

4

The community’s request is not difficult to fulfill – some additional time to meet with the UCLA’s planners to discuss the projects and to comment in writing so that the Regents have the benefit of the input of the faculty, students and the public. After all, these two projects will have significant impacts on the campus and the community for many years to come. UCLA has been working on these projects for years; fair play demands that the faculty, students and public be given due process as provided in the UC CEQA Handbook and that UCLA live up to its many promises.

To add insult to injury, UCLA is pushing these project forward during one of the worst financial crisis in the State’s history’s Just this morning, the newspaper reports that the Regents had to cut freshman enrollment at the University in response to the State’s budget crisis; UCLA has to cut class sizes for the same reason. As noted in the Daily Bruin:

“California is facing a \$41 billion budget deficit, and the governor’s budget proposals are unrealistic: K-12 schools will cut \$5 billion over the next 18 months, with \$2 billion cut by June. In the midst of a recession, the state will borrow \$4.7 billion from the private sector. California is tied with Louisiana for the lowest credit rating in the 50 states, and Standard & Poor is anticipating a further downgrade.” This same Bruin columnist also states, “I’ve only been here a

5

year, and I'm already sick of fee increases."

5 cont.

Is it any wonder that UCLA's politburo is so anxious to expedite these projects and stifle any opposition – because of the timing and secretive nature, there were only three commentators at the "public" meeting, no students, no faculty, and the much touted new campus "environmental Czar" was not even invited to this environmental hearing – somehow, with the University in such dire straits, these bureaucrats have managed to get their hands on \$400,000,000 to \$500,000,000 for these new dorms; and this even before they have been approved; and at the same time that they are advertising the availability of space in the dorms they already. [N.B.: It is very rare for UCLA to bring any project in on time and on budget; see, e.g., the new hospital, the Weyburn/Veteran dorms, and the DeNeve dorms, to name only a few.]

6

These hundreds of millions of dollars can certainly be put to better uses by the University and by the State. (Certainly better than adding to the visual blight of the city; as noted in "A guide to Architecture in Los Angeles & Southern California," discussing the very area for this project: ". . . it is very difficult to discover anything positive to say about the UCLA campus. . . . To the west on the hillside above the athletic field is a group of . . . dormitories . . . which mars this side of the campus and the adjacent residential district.. . .")

7

Please give the students, faculty and UCLA's neighbors an opportunity to participate in this process.

And please use these millions and millions and millions of dollars to help the many who are being laid-off; the K – 12 students; the UC , Cal State and Community College students reduce fees; aid to those with medical problems and to the many others that need the help.

Sincerely,

Alvin Milder  
Chair, UCLA Watch

cc:

Regents, University of California  
Honorable Arnold Schwarzenegger  
Honorable Karen Bass  
Honorable Zev Yaroslavsky  
Honorable Mayor Antonio Villaraigosa  
Honorable Jack Weiss  
UCLA, Chancellor Gene Block  
Brentwood Glen Homeowners Association  
Brentwood Homeowners Association

Friends of Westwood  
Holmby-Westwood Property Owners Association  
North Westwood Village Residents Association  
Residents of Beverly Glen  
Roscomare Valley Homeowners Association  
Save the Village  
Westside Community Planning Council  
Westwood Homeowners Association  
Westwood Hills Property Owners Association  
UCLA Daily Bruin  
Los Angeles Times  
Steve Lopez  
David Lazarus





1111 Franklin Street  
Oakland, California 94607-5200  
Phone: (510) 987-9074  
Fax: (510) 987-9086  
<http://www.ucop.edu>  
January 26, 2009

Mr. Alvin Milder, Chair  
UCLA WATCH  
134 Greenfield Avenue  
Los Angeles, California 90049

Dear Mr. Milder:

Thank you for your January 15, 2009 letter pertaining to UCLA's Draft Environmental Impact Report (EIR) for the proposed Northwest Housing Infill Project and associated Long Range Development Plan (LRDP) Amendment (SCH#2008151121). Given the decentralized nature of the UC system, the authority to decide whether to extend a public review period for a project beyond the length of time required by the California Environmental Quality Act (CEQA) is a campus-level decision.

Since your letter was submitted during the public review period for this Draft EIR, extended from December 5, 2008 through January 20, 2009, I have referred your letter to the campus for response in the Final EIR, in accordance with the CEQA.

The University appreciates your participation in this process.

Sincerely,

/s/ Mark G. Yudof

Mark G. Yudof  
President

cc. Chancellor Block  
Executive Vice President Lapp  
Vice President Lenz  
Principal Planner Lelah  
bcc: Associate Vice President Bocchicchio  
Interim Director Strem

## **Response to Comment Letter 4**

### **UCLA Watch (letter to Mark G. Yudof, President, University of California) January 15, 2009**

President Yudof responded to this letter acknowledging that it would be considered a comment on the Draft EIR and would be responded to in the Final EIR. The responses to comments follow.

1. Under CEQA and the State CEQA Guidelines, the normal public review and comment period for a draft EIR is 45 days when it is submitted to the State Clearinghouse for review (refer to *California Public Resources Code*, Section 21091[a] and CEQA Guidelines, Section 15205[d]). The Draft EIR was submitted to the State Clearinghouse on December 5, 2008, and the public comment period extended through January 20, 2009, a period of 46 calendar days, which is in compliance with the requirements of CEQA. The commenter requested an additional 45-day public review period in order to review “two” documents, but in fact there is only one environmental impact report for the proposed 2008 NHIP and LRDP Amendment. State CEQA Guidelines provide that public review of a Draft EIR should not be longer than 60 days except in unusual circumstances (CEQA Guidelines, Section 15105(a)). UCLA has afforded the public adequate opportunities to comment on the Draft EIR; a further extension of the review period is neither required nor warranted. Please also refer to Response to Comment Letter 4, comment 2 below which outlines the opportunities provided for public comment and participation.
2. This comment quotes the *UC CEQA Handbook*, and states that the public has not been given a full and adequate opportunity to meet with campus planners regarding the project. On May 28, 2008, UCLA issued a Notice of Preparation (NOP) and Initial Study for the 2008 NHIP and LRDP Amendment Draft EIR for a 30-day public review period. The distribution list for the NOP included the commenter.

A Community Information and EIR Scoping Meeting for the proposed Project was also held on June 10, 2008, to solicit input from interested agencies, individuals, and organizations regarding the range of actions, alternatives, mitigation measures, and significant effects to be analyzed in the EIR. This meeting provided a forum for interested parties to submit comments on the project and on issues that should be analyzed in the EIR. The commenter attended this meeting and provided comments, which were incorporated into the Draft EIR (refer to Section 2.3.1 of the Draft EIR for more information regarding the scoping process).

During the public review period, the Draft EIR was distributed to public agencies through the State of California, Office of Planning and Research. UCLA also directly distributed the document to affected individuals, agencies, and organizations and those who requested a copy. Copies of the Draft EIR were also available for review at two on-campus libraries and three off-campus libraries. In addition, the Draft EIR was available for public review on UCLA’s website and during normal business hours at the UCLA Capital Programs Building.

Although not required by CEQA, the *Amended University Procedures for Implementation of the California Environmental Quality Act* (Section 2.3.10) require a public hearing during the public review period for a Draft EIR. Therefore, a public hearing was held on January 6, 2009, on the UCLA campus, during which the public was given the

opportunity to provide comments on the Draft EIR. Three people, including the commenter, presented verbal comments on the 2008 NHIP and LRDP Amendment Draft EIR and the merits of the proposed Project during the public hearing. These comments are responded to in this Final EIR (refer to Section 2.2).

Notice of the public hearing was provided with the Draft EIR Notice of Availability (NOA, refer to Section 1.3 of this document, which describes the distribution of the NOA). The public hearing was held in the evening to make the meeting available to those who work a standard schedule and to those students and faculty who are generally in class during the day. The hearing was not scheduled during any exam period. The hearing was scheduled later in the Draft EIR public review period to allow commenters time to review the Draft EIR prior to attending the hearing, while still allowing approximately two weeks for comments to be submitted after the hearing.

The campus periodically conducts Community Leader Information Meetings with leaders of the HOAs in the vicinity of the campus and interested individuals. These meetings are intended to provide information on proposed upcoming projects and events and to obtain community input on those proposals. The proposed 2008 NHIP was presented at a Community Leader Information Meeting that occurred on April 29, 2008, and the rationale for the proposed amendment to the 2002 LRDP was also discussed. The commenter attended this meeting. Additionally, faculty, students and staff participated in the conceptual planning for this project through their participation in the development of the *UCLA Student Housing Master Plan 2007–2017*.

The commenter also states that the public has not been given enough time to review the Draft EIR. Refer to Response to Comment Letter 4, comment 1 above for a discussion of the length and timing of the public review period for the Draft EIR. The University has fulfilled the requirements under CEQA and the *UC CEQA Handbook* to meet with the public.

3. The Draft EIR has been prepared and made available for public review and comment in compliance with CEQA. The Regents adopted the state CEQA Guidelines and all future state guideline changes on March 17, 1989 (*UC CEQA Handbook Appendix A*). Thus, the State guidelines are UC's guidelines and every time the State updates the CEQA guidelines, those automatically become UC's guidelines. The *UC CEQA Handbook* provides a general framework for implementing CEQA throughout the UC system and by its own terms does not set mandatory requirements. The 2008 NHIP and LRDP Amendment Draft EIR public review period was based on a number of factors, including, but not limited to: the timing of completion of the Draft EIR; the scheduling requirements for the Board of Regents meeting; and, most importantly, schedule requirements for the proposed 2008 NHIP to ensure that the much needed undergraduate housing could be completed for occupancy in the fall of the 2012–2013 academic year, if approved. It should also be noted that CEQA does not prohibit or even discourage the distribution of Draft EIRs when a public holiday would occur during the public comment period. As a practical matter, this would be virtually impossible, as almost every 45-day period within the twelve-month calendar would encompass a designated public holiday. Nor does the *UC CEQA Handbook* preclude distribution during holidays and finals. Refer to Response to Comment Letter 4, comments 1 and 2, above, for a discussion of the public review period and meetings on the project.
4. This comment addresses the need for an extended public review period for the Draft EIR and coordination with the public. The commenter is referred to responses to Response to Comment Letter 4, comments 1, 2, and 3, above, which address these issues. It

should also be noted that at a Community Leader Meeting conducted on October 24, 2007, the campus presented the need for additional undergraduate student housing as embodied in the *Student Housing Master Plan (SHMP) 2007–2017*. The SHMP identifies a continued unmet demand for undergraduate housing (refer to Section 3.2 of the Draft EIR, Housing Program Description and Need for the Project). The commenter was invited but was not able to attend the October 24, 2007 meeting, however, the President of the Westwood Hills Homeowner Association and other neighborhood associations were present at that meeting.

5. UCLA Housing operates within the UC System as an Auxiliary Enterprise. As such, housing is “precluded” from receiving any money from the State of California. This special operating status requires Housing Administrators to establish rates that ensure that the campus is generating sufficient gross revenues to pay all operating expenses, service annual debt, and maintain sufficient reserves to ensure that the housing program will be sustained as a long-term financially viable asset, in accordance with University policy.

The budget for the proposed 2008 NHIP (should the project be approved) was approved by The Regents at its September 2008 meeting. The total projected cost of \$375,000,000 was approved for budget purposes with \$371,040,000 to be funded from external financing and \$3,960,000 from UCLA Housing Net Revenue Fund Reserves (which funding is fully contingent on later approval of the proposed 2008 NHIP and the accompanying environmental document). External financing would be provided by the UC Treasures Office through a tax-exempt bond sale. Funds from the bond sale can only be used to cover the costs of constructing the 2008 NHIP (if approved). Housing reserves can only be used: (1) as equity for new projects, once approved, or (2) as major maintenance funding for the existing housing portfolio. The financing for the proposed 2008 NHIP is unrelated to the financing needed to address current deficiencies in the State budget. It is important to note that, as discussed in Section 3.5.2 of the Draft EIR, the proposed 2008 NHIP will create new long term jobs for 151 people, primarily in the area of housekeeping, food service, and maintenance. Additionally, the construction phase of the proposed 2008 NHIP will provide hundreds of needed, well-paying jobs to members of the local community who earn a living in the various union trades.

6. Please refer to response to Response to Comment Letter 4, comment 2, above, which addresses the opportunities for public participation in the 2008 NHIP and LRDP Amendment Draft EIR process. Further, please refer to Response to Comment Letter 4, comment 5, above, which explains that the majority of the financing for the proposed 2008 NHIP comes from tax exempt bond sales which would not occur until after the project is approved. To approve a budget for a project does not commit the University actually to spend the money, in part because University procedures prohibit spending money for construction (as opposed to preliminary funding for planning and feasibility purposes, which is allowed) of a capital project before the project’s CEQA document and design have been approved. See, *UCOP Facilities Manual*, Volume 2, Chapter 5 (Environmental Issues)<sup>1</sup>, indicating that CEQA compliance is a necessary prerequisite to bidding and construction of a project. Thus, although The Regents approved the budget for the proposed 2008 NHIP in September 2008, it did not approve or authorize the expenditure of those funds for construction of the project.

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<sup>1</sup> University of California, Office of the President (UCOP).1996 (February 13, last update). Chapter 5: Environmental Issues. *Facilities Manual*. Volume 2: Planning. Oakland, CA: UCOP. <http://www.ucop.edu/facil/fmc/facilman/volume2/ch5.html>.

With respect to the demand for housing, as noted in Section 3.2 of the Draft EIR, in 2008 there was an unmet demand of housing inventory for undergraduate students of approximately 1,305 beds, and it is anticipated that this demand will increase to 2,281 beds by 2012–2013. In order to meet the continuing demand for on-campus housing for undergraduate students with guaranteed housing, the campus has converted some double-occupancy rooms to triple-occupancy rooms. The campus does not advertise that there is available space in on-campus undergraduate housing.

7. The commenter's request that money for the proposed 2008 NHIP be used for alternate purposes is not a comment on the content or adequacy of the Draft EIR and no response is required. The commenter is referred to Response to Comment Letter 4, comment 2 regarding the Draft EIR public review process.

**From:** alvin milder [mailto:alvinm134@yahoo.com]  
**Sent:** Monday, January 19, 2009 4:32 PM  
**To:** chancellor@ucla.edu  
**Subject:** Fw: Subject: UCLA's EIR for (1) its 2002 Long Range Development Plan Amendment (the 2002 LRDP) and (2) its Northwest Housing Infill Project (NHIP) 2008 [the "EIR"]

--- On **Mon, 1/19/09**, **alvin milder** <alvinm134@yahoo.com> wrote:  
From: alvin milder <alvinm134@yahoo.com>  
Subject: Subject: UCLA's EIR for (1) its 2002 Long Range Development Plan Amendment (the 2002 LRDP) and (2) its Northwest Housing Infill Project (NHIP) 2008 [the "EIR"]  
To: TLelah@capnet.ucla.edu  
Date: Monday, January 19, 2009, 4:20 PM

## **UCLA WATCH**

A Coalition of Homeowner Associations  
and Neighbors of UCLA  
134 Greenfield Ave, Los Angeles, CA 90049  
Tel: 310.472.6799, Fax: 310.472.5652

Jan. 19, 2009

Campus Environmental Planning  
UCLA Capital Programs  
1060 Veteran Ave.  
Los Angeles, CA 90095-1365

ATTN: Tova Lelah  
Assistant Director  
TLelah@capnet.ucla.edu

**Subject: UCLA's EIR for (1) its 2002 Long Range Development Plan Amendment (the 2002 LRDP) and (2) its Northwest Housing Infill Project (NHIP) 2008 [the "EIR"]**

As noted at the Jan. 6<sup>th</sup> meeting regarding these Projects, the EIR's deficiencies are so numerous

and egregious that the EIR must be amended to include the many unconscionable omissions, both substantive and procedural.

1 cont.

E.g.: As stated in my Jan 15<sup>th</sup> letter to UC President Mark Yudof sent on behalf of the concerned citizens, faculty, students and community organizations representing thousands of UCLA's neighbors, UCLA Watch respectfully requests that the public be granted an additional 45 days so that it may have an opportunity to meet with UCLA's planners and to review and prepare responses to these two massive documents. (A copy of said January 15, 2009 letter was sent to UCLA and is hereby incorporated herein by this reference.)

2

Will UCLA grant the requested additional 45 days?

The University of California CEQA Handbook at Chapter 4.1 provides that: **"The goal of fully informing the public of the effects of development is at the heart of CEQA. Public involvement in the CEQA process aims to ensure that the public has a voice in the decision-making process - specifically, that public concerns about environmental issues and the potential effect of development on the physical environment are addressed prior to project approval.**

**"The process of interacting with . . . the public can often be as important as the technical content of the environmental document. The public involvement process can enhance both the quality and credibility of the document, if conducted properly. It can also avoid costly project delays that result from political or bureaucratic processes.**

**"CEQA requires certain public involvement actions and encourages others."** (Emphasis added.)

Why does UCLA reject the public's involvement?

3

The UC CEQA Handbook also states (at Chapter 4.2): **"Public involvement programs focus on a positive process for achieving decisions on project issues. It recognizes that each party involved has a different set of values and priorities. Although these concepts are familiar to many of us, the timing of the process is not. Using a well thought out public involvement program . . . is fast becoming an antidote to failed or stalled environmental initiatives, projects, and processes.**

...

**"In public involvement, it is the quality of the communication that is most important. This generally consists of making a sincere effort to listen to, and understand, community concerns, and to make every attempt possible to develop a creative solution that is acceptable to the community and meets the academic, program, and fiscal objectives of the campus. The establishment of project alternatives and mitigation measures, and seeking an acceptable middle ground is often the key aspect of this process. Even if consensus on the project cannot be found, the scope of the environmental document can be improved so that the report responds to community concerns, and is more legally defensible."**

(Emphasis added.)

Among the methods suggested in the UC CEQA Handbook for achieving the important goal of

public involvement is meeting with community groups. The Handbook provides that **“During the meeting, the Campus explains the project, answers questions, and receives input. . . . It is important that the Campus and its consultants be receptive to the public and its suggestions at these community meetings.”** (Emphasis added.)

Other methods suggested in the UC CEQA Handbook for achieving public involvement include public workshops; citizen advisory committees; and a campus/community task force.

3 cont.

**The essential issue is that the public be given a full and adequate opportunity to meet with the campus planners regarding these Projects.** The public has not been afforded this opportunity nor has the public been afforded adequate time to review and respond to this EIR.

What was UCLA’s “public involvement program” for these Projects?

Did UCLA attempt to seek an “acceptable middle ground” with the public?

If so, what was the “acceptable middle ground” it sought?

What members of the public did UCLA meet with on this Project? Where did it meet? When?

4

**The UC Handbook also cautions against scheduling the review period during finals or over holidays to ensure that the faculty, students and the public have an adequate opportunity to comment.** UCLA could not have picked a worse time to schedule a review period for an EIR.

As noted by one commentator: “The public review period includes four national holidays, an extended closure of UCLA offices and libraries, two days of Thanksgiving, 12 days of Christmas, 8 days of Hanukah, two days of New Years, and a public hearing scheduled on the second day of winter session classes.” And the 600 | page EIR and 1000 | page appendix is only available in print in libraries (and as noted, several were closed over the winter break; if you need to read the document off hours you must read it online or pay to have it printed – UCLA charges \$200.00 for a printed copy.) The public is discouraged from submitting comments by email. (Even the Regents will accept communication by email.) And comments to this EIR must be submitted in writing by January 19th (also a holiday). **The review period for this EIR also includes the finals for the fall quarter!!** The arrogance of UCLA’s Capital Program department knows no bounds. (Unfortunately, its conduct is consistent with its prior EIRs – review periods also over holidays and Finals week.)

5

Why did UCLA pick this time-period for the student, faculty and neighbor review of the EIR?

6

What commitments has UCLA or anyone on its behalf made for these Projects?

7

Has UCLA already decided to move forward with these Projects?

What approvals has UCLA received for these Projects? If UCLA has not received approval, how was it able to assure funding of approximately \$400 million for the Project? If the amount is not approximately \$400 million, what is the amount?

8

If UCLA now claims that it does not have approximately \$400,000,000 available for this Project, how much does it have available? Where did this money come from? Where will any additional needed funds come from?



What additional approvals will UCLA need to move forward with the construction of this Project? With the financing of this Project?

9

Who at UCLA told the Housing and Residential Services that there would be four years of construction on the Hill and that events, such as the All-Hill Halloween Festival, will have to be cancelled or relocated in 2009? When was the decision made to make this announcement? How does UCLA know the EIR will be approved? [Is UCLA guilty of another *post hoc* rationalization? See, e.g., *Westwood Hills Property Owners Association vs. Regents of the University of California*, Los Angeles County Superior Court Case No. C180760; and see *Laurel Heights Improvement Association v. Regents of the University of California*, 17 Cal 3d 376 (1988).]

10

Why do the people at UCLA's Capital Program department think they are above the law?

Not only do the requirements of the UC CEQA Handbook require that the review period be extended so that the faculty, students and public have an adequate opportunity to review and respond, but also so that the public has an opportunity to meet with UCLA's planners and that the planners make **"a sincere effort to listen to, and understand community concerns, and to make every attempt possible to develop a creative solution that is acceptable to the community . . . ."** (Emphasis added.)

Furthermore, UCLA's 1990 LRDP states that "[a]n important goal of [UCLA's] long range development planning is a **harmonious relationship between the campus and the community.**" (Emphasis added.) The 1990 LRDP provides, as does the 2002 LRDP, that in the interest of good neighborliness and conscientious planning that the campus will maintain an ongoing exchange of ideas and information to pursue mutually acceptable resolution of the issues. We have asked UCLA many times to live up to its promises, but its representatives have refused.

11

Both the Regents and UCLA's Chancellor have also made commitments to consult with the community on issues such as these Projects, but the Capital Program bureaucrats refuse to keep this promise. (Why do these bureaucrats feel that they have no obligation to consult with the community?)

The community's request is not difficult to fulfill – some additional time to meet with the UCLA's planners to discuss the projects and to comment in writing so that the Regents have the benefit of the input of the faculty, students and the public. After all, these two projects will have significant adverse impacts on the campus and the community for many years to come. UCLA has been working on these projects for years; fair play demands that the faculty, students and public be given due process as provided in the UC CEQA Handbook and the CEQA Guidelines and that UCLA live up to its many promises.

Will UCLA grant the requested additional time? If not, why not? Will UCLA's planners meet with the public?

12

Will UCLA comply with the CEQA Handbook? When?  
Will UCLA comply with the UC CEQA Handbook? When?

13

How long has UCLA been working on these projects? Why were two Projects combined in one EIR? (It has made the review process almost impossible..)

14

Why won't UCLA listen to the concerns of its neighbors?  
Why does UCLA try its best to exclude student, faculty and neighbors from participation in the process?

15

What meetings has UCLA had with any of these groups regarding these Projects? Please list time, location, attendees and all matters discussed at such meetings. Did UCLA make any changes as a result of these meetings? If so, what changes?

Why does UCLA refuse to comply with the CEQA Guideline requirements that the EIR provide sufficient data to enable the public to determine the economic value of the Project?

16

What is the total cost of the project? How was this cost determined? Who determined the cost? How much money does UCLA have set aside for this Project?

To add insult to injury, UCLA is pushing these Projects forward during one of the worst financial crisis in the State's history. Because of the budget crisis the Regents have had to cut freshman enrollment at the University and UCLA has had to cut class sizes.

As noted in the Daily Bruin:

"California is facing a \$41 billion budget deficit, and the governor's budget proposals are unrealistic: K-12 schools will cut \$5 billion over the next 18 months, with \$2 billion cut by June. In the midst of a recession, the state will borrow \$4.7 billion from the private sector. California is tied with Louisiana for the lowest credit rating in the 50 states, and Standard & Poor is anticipating a further downgrade." This same Bruin columnist also states, "I've only been here a year, and I'm already sick of fee increases."

17

Who at UCLA made the judgment that it was best to use the hundreds of millions of dollars for this Project, rather than for the many more worthwhile uses: such as protecting enrollment, reducing student fees (at least to protect against more increases), providing funding for classes, preventing layoffs and salary reductions, etc.?

Is it any wonder that UCLA's politburo is so anxious to expedite these projects and stifle any opposition – because of the timing and secretive nature, there were only three commentators at the "public" meeting, no students, no faculty, and the much touted new campus "environmental Czar" was not even invited to this environmental hearing. Somehow, with the University in such dire financial straits, these bureaucrats have managed to get their hands on \$400,000,000 to \$500,000,000 of taxpayer hard earned money for these new and unnecessary dorms; and this even before they have been approved; and at the **same time UCLA is advertising the availability of space in the dorms they already have.** [N.B.: As it is very rare for UCLA to bring any project in on time and on budget; see, e.g., the new hospital, the Weyburn/Veteran

18

dorms, and the DeNeve dorms, to name only a few, will this even be enough money?]  
(Is it true, that because of the poor planning by UCLA's Capital Program planners that there is already talk of the need to increase the size of the new hospital?)

18 cont.

This EIR must be amended to include **all** plans for **all** construction and changes at UCLA, including but not limited to: any changes to the new hospital, plans for the old hospital, plans for lots 32&36, the "temporary" arts building, Pauley Pavilion, the Weyburn/Veteran dorms, -- i.e., the amendment to the LRDP must be all inclusive. The EIR must list all construction in progress and planned for or by UCLA.

19

Please list the last 20 projects completed at UCLA stating the original estimated completion time and budgeted costs, and the actual total cost and the actual completion time. (Is the new hospital "completed?")

20

Where did UCLA get the approximately 400 to 500 million dollars that it has available for this project? What authority approved of this? When was it approved (date)? How much money does UCLA have available for this Project?

21

What steps, other than advertising in the Daily Bruin, has UCLA taken to seek tenants for its dorms?

22

What has been the vacancy rate of UCLA dorms for each month of each quarter of 2006, 2007, 2008 and 2009 -- list by dorm names?

What is the dorm room rate per student per quarter -- 2006-2009? Has UCLA reduced rates at any time? Where does the cost of a room at UCLA rank compared to other public universities in the U.S.? What are the anticipated rates for the dorms that are the subject of this EIR?

An important goal of CEQA requires that an EIR serves not only to protect the environment but also **to demonstrate to the public that it is being protected**. UCLA's EIR totally fails in this area too. E.g., in the Climate change section UCLA is no better than a commercial developer who states that he will build his project in accordance with the law. Without saying what it will do UCLA simply says it will comply with the goals of the Climate Action Plan when they are finalized. [I.e., that it will build the Project in accordance with the law.]. The public has a right to know what specifically is intended. Of the many buildings constructed on campus, only one is a 'green building' (La Kretz Hall) and that is because the donor insisted that it be a 'green building.' UCLA has had many opportunities over the years to construct 'green buildings' on campus but it has refused, (The Governor's Executive Order, "*Building Better Buildings: A Blueprint for Sustainable State Facilities*," was issued in 2001, and UCLA has not yet done anything, other than La Kretz Hall, to comply with the Order.)

23

Although UCLA's students and faculty have shown a great concern for the environment, UCLA's administrators throughout the years have actually taken an anti-environment approach. Aside from announcing the formation of the usual "do-nothing" committees, the administrators actually show contempt for those trying to improve the environment. There have been some over the years who tried; see, e.g., "*In Our Backyard: Environmental Issues at UCLA, Proposals for a*

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*Change, and the Institution's Potential as a Model.*" The UCLA Urban Planning Program Comprehensive Project, 542 pp. June 1989. The report was summed up by the LA Times headline as "UCLA Identifies a Major Source of Pollution -- Itself." Unfortunately, it still is; and the professor in charge of that study was rewarded for his efforts by being fired. (That action set the tone for the campus and unfortunately UCLA's environmental indifference still persists today.)

24 cont.

Throughout the years one of the main causes of UCLA's environmental failures has been its Capital Programs department. When it was pointed out to a UCLA representative that global warming is a serious threat to our environment, and that trees provide shade and save energy costs, clean the air and help reduce the green house gases that cause global warming and have many additional beneficial effects, and that Mayor Villaraigosa has launched Million Trees LA, a plan to plant one million trees in the area, UCLA's administrators, taking their usual arrogant, smarmy approach, responded: "UCLA is not considering adoption of the Mayor's plan to plant more trees." Adoption of the Mayor's Plan is not discussed in the EIR nor are such other basic environmental issues as the benefits of banning the distribution of plastic bags and plastic water bottles on campus. Nor is there any discussion of solar panels and 'green roofs,' which are being used throughout the country, including San Francisco's new natural history museum. (See, e.g., [www.greenroofs.org](http://www.greenroofs.org)) Why aren't any of these alternatives discussed in this EIR?

25

Other issues that must be discussed in the EIR include:

The additional noise that will be caused by the increase of population on the Hill, e.g., the 'mid-night yells' and 'undie-runs';

26

The use of pedestrian pathways for vehicles, e.g., the many Facilities vehicles and the water-bottle trucks that use Bruin Walk and other paths;

27

Reduction of the degradation of inter section levels that will be caused by this Project;

28

Reduction of the oxides nitrogen emissions that will be caused by this Project;

29

How many trees will be removed because of this Project?

30

How many bushes?

31

How many parking spaces will be removed? How many added?

The EIR must also be revised:

to provide current information, specifically with regard to traffic, parking, and population. (Relying upon two-year old data is unprofessional and unacceptable especially in these difficult times.)

32

to provide full disclosure as to the costs of the Project; and

33

to explain the many discrepancies in it; particularly in the population, traffic and parking sections; e.g., in one place the EIR refers to an allocation of over 74,000 on-campus parking spaces without an adequate explanation of how this figure was determined. (If there are over 74,000 daily trips by automobile to the campus, UCLA's daily trip generation must be over 148,000 trips per day. This must be fully explained.

34

What steps will UCLA take to help the community with the significant impacts the Project will cause?

35

There are many other deficiencies in the EIR: the minimal reference to potential earthquake problems totally ignores the almost one billion dollars of claimed damage caused at UCLA by

36

the Northridge quake which was many miles from UCLA. Nor is there any discussion of the many problems that will be caused by the increased density on the Hill, e.g., evacuation problems.

36 cont.

There must be a detailed analysis of all seismic hazards on the campus, including an up-to-date detailed campus map with fault zone information. There must also be a detailed plan for disaster relief for all of the dorms and for the new hospital and trauma services for the region.

Other alternatives that must be discussed in the EIR include, but not by way of limitation: putting the new dorms near Weyburn and Veteran, or on Lot 32 or 36, or in the old hospital or closer to the Sunset Dorms, or having a greater set back from Gayley. Why aren't these alternatives explored in the EIR?

37

Why is there no discussion of taking advantage of the down real estate market and purchasing buildings in the North Village or other areas? (\$400,000,000 will go a long way.)

What are the dimensions of this Project? Would the plans for the Project's DeNeve dorms comply with the Los Angeles Building Code? What set-back from Gayley would the Code require? What would be the maximum size allowed by the Code? Is UCLA restricted in any way as to the size and/or set-back of the Project?

38

What are the architectural and landscape traditions that give the campus its unique character? How does this Project respect and reinforce these traditions?

What is the landscape plan for this Project?

Who is the landscape architect for the Project?

What architectural tradition will be included in this Project?

Who is the architect for this Project?

39

Why wouldn't this project, high-rise dorms, be better on Lot 32 or 36? This would help reduce the visual blight that UCLA is known for; as noted in *A Guide to Architecture in Los Angeles & Southern California*, discussing the very area for this project: ". . . it is very difficult to discover anything positive to say about the UCLA campus. . . To the west on the hillside above the athletic field is a group of . . . dormitories . . . which mars this side of the campus and the adjacent residential district . . .")

40

How does this Project and the University's treatment of the public, comply with the Chancellor's commitment to "community engagement?"

41

The Chancellor should take action, real action, to make UCLA an environmental model -- no more of these "show" committees with the fox in charge of the hen house. (Some actions that the Administration can take: plant trees, especially along Bruin Walk in the DeNeve dorms area; make sure that all new buildings are 'green buildings'; provide for more solar panels; implement the 'green roof' concept; quit paving over the small amount of green space left on campus; use paper bags not plastic in the student store and at the book fair; prohibit the sale of plastic water bottles on campus and much more. How many water-bottle trucks enter UCLA on an average day? What routes do they take?) UCLA should welcome suggestions from the faculty, students,

42

neighbors and others. The UCLA Institute of the Environment should take a hard look at the campus and so should the Chancellor's office. (Do not let the anti-environment forces fool you -- when Capital Programs wanted to get rid of the stately DAR trees on Westwood because the architect for the new hospital felt they might detract from his building, UCLA paid an arborist to say they were a safety issue and the trees were immediately dispatched before anyone could question the "finding. " Smaller and, of course, less stately trees were planted -- they are now dead or dying, a fitting entrance for those driving to the new hospital.)

42 cont.

In keeping with its public, environment and taxpayers-be-damned approach and lack of judgment, UCLA administrators are pushing for the use of hundreds and hundreds of millions of scarce dollars for these luxurious and unnecessary dormitories. These hundreds of millions of dollars can certainly be put to better uses by the University and by the State. Why not use this money to help the many who are being laid-off or are facing salary reductions; or help the UC , Cal State and Community College students reduce fees; or aid those with medical problems and the many others that need the help? Not for new dorms

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Alvin Milder  
Chair UCLA Watch

## **Response to Comment Letter 5**

### **UCLA Watch (letter to Campus Environmental Planning, UCLA Capital Programs) January 19, 2009**

It should be noted that many of the comments presented in the letter are either verbatim to or raise the same issues as the comments presented to UC President Mark G. Yudof in Comment Letter 4. To avoid repetition in responses, the commenter is referred to the applicable response to comment, as appropriate.

1. The commenter notes that the Draft EIR contains deficiencies and must be amended. No specific comments are provided; therefore, a response cannot be provided. It should be noted that other comments in this letter address specific issues and are responded to individually.
2. Please refer to Response to Comment Letter 4, comments 1, 2, 3, and 4, which address the request to extend the Draft EIR public review period.
3. Please refer to Response to Comment Letter 4, comments 2, 3, and 4, which address public involvement for the proposed 2008 NHIP and LRDP Amendment and describe the purpose and intent of UC's CEQA Handbook.
4. Please refer to Response to Comment Letter 4, comment 2, 3, and 4, which address public involvement for the proposed 2008 NHIP and LRDP Amendment. While the official public comment period ended on January 20, 2009, the campus does not intend to seek approval of the project until March 2009, during which time the public may provide the University with additional comments on the project. All comments received up to and including the date on which the project is considered by the University for approval will be presented to the decision-maker and be included as part of the official administrative record.
5. Please refer to Response to Comment Letter 4, comments 1, 2, 3, and 4, which address the 45-day public review period for the Draft EIR.
6. The 2008 NHIP and LRDP Amendment Draft EIR public review period was based on a number of factors, including, but not limited to: the timing of completion of the Draft EIR; the scheduling requirements for the Board of Regents meeting; and, most importantly, schedule requirements for the proposed 2008 NHIP to ensure that the much needed undergraduate housing could be completed for occupancy in the fall of the 2012–2013 academic year, if approved.
7. Neither the Regents nor UCLA has made any irrevocable commitment to proceed with the proposed 2008 NHIP. As noted in Response to Comment Letter 4, comment 5, the budget for the proposed 2008 NHIP was approved by the Regents at its September 2008 meeting. The total projected cost of \$375,000,000 was approved with \$371,040,000 to be funded from external financing and \$3,960,000 from UCLA Housing Net Revenue Fund Reserves. External financing would be provided by the UC Treasures Office through a tax-exempt bond sale.

The lead agency under CEQA has discretion to determine the precise time in the planning process for CEQA compliance (see CEQA Guidelines section 15004(b); *Mount Sutro Defense Comm. v. The Regents* (1978) 77 Cal.App.3d 20). Section 15352(a) of

the CEQA Guidelines further provides that “the exact date of approval of any project is a matter determined by each public agency according to its rules, regulations, and ordinances.” For its projects, UC has determined that “design approval” constitutes project “approval” within the meaning of Section 21002 and CEQA Guidelines, Section 15352. To approve a budget for a proposed project does not commit the University to actually spend the money, in part because University procedures prohibit spending money for construction (as opposed to preliminary funding for planning and feasibility purposes, which is allowed) of a capital project before the proposed project’s CEQA document and design have been approved (refer to *UCOP Facilities Manual*, Volume 2, Chapter 5 indicating that CEQA compliance is a necessary prerequisite to bidding and construction of a project).

Moreover, CEQA Section 21102 prohibits the approval of the expenditure of funds before certification of an EIR. In this case, as discussed above, although The Regents approved the budget for the proposed 2008 NHIP prior to certification of the EIR pursuant to the University’s policies, The Regents, in so doing, did not approve or authorize the expenditure of those funds. Second, the controlling case on this issue, *Mt. Sutro*, discussed the applicability of Section 21102 and found no inconsistency between The Regents’ approach to budgetary and project approvals and Section 21102. The campus intends to request EIR certification and design approval at The Regents’ March 2009 meeting.

8. Please refer to Response to Comment Letter 4, comment 5, and Response to Comment Letter 5, comment 7, which address potential funding sources for the proposed 2008 NHIP and the project approval process. Financing is contingent on later certification of the Draft EIR and design approval of the proposed 2008 NHIP.
9. Section 3.7 of the Draft EIR, Intended Uses of the EIR, identifies other project approvals from The Regents and other agencies that may be required. With respect to project financing, external financing would be provided by the UC Treasures Office through a tax-exempt bond sale (refer to Response to Comment Letter 4, comment 5).
10. The commenter is referring to a newspaper article that was published in the *Daily Bruin* on October 22, 2008. This article is attached at the end of the responses to this comment letter. As noted, the article addresses the possible cancellation of “All Hill Halloween” in October 2009 due to ongoing construction and renovation activities previously approved for Rieber Hall, also located in the Northwest Zone. This article is not related to the 2008 NHIP and LRDP Amendment and/or the associated CEQA documentation.
11. Please refer to Response to Comment Letter 4, comments 1, 2, and 3, which address the request for an extended public review period for the Draft EIR and coordination with the public, and response to comment 4, which addresses the EIR schedule for the proposed 2008 NHIP and associated LRDP Amendment.
12. As described in Response to Comment Letter 4, comments 1, 2, 3, and 4 UCLA has afforded the public adequate opportunities to comment on the Draft EIR; an extension of the review period is neither required nor warranted.
13. The 2008 NHIP and LRDP Amendment Final EIR have been prepared in compliance with the requirements of CEQA, the CEQA Guidelines, and the provisions in the *UC CEQA Handbook*. Please also refer to Response to Comment Letter 4, comment 3.



14. Refer to Response to Comment Letter 4, comment 4. The proposed 2008 NHIP, which has been in planning since August 2007, requires an amendment to the 2002 LRDP as described in Section 3.6 of the Draft EIR, Components of the Amendment to the 2002 LRDP. Accordingly, there are two key components of the proposed Project: (1) the proposed 2008 NHIP and (2) the proposed amendment to the 2002 LRDP to accommodate the 2008 NHIP. The proposed 2008 NHIP requires a project-level analysis, while the amendment to the 2002 LRDP and related buildout of the remaining development on campus must be evaluated at a program level. The approach to the analysis in the EIR is explained in Section 4 of the Draft EIR.
15. Please refer to Response to Comment Letter 4, comments 1, 2, 3, and 4, which address the public review process for the proposed Project and the Draft EIR, including the day of meetings held. Note that issues raised at the Community Information and EIR Scoping Meeting are identified in Section 2.3.1 of the Draft EIR, Scoping Process, and comments made at the January 6, 2009, Draft EIR public hearing are provided in Section 2.2 of this document.
16. CEQA and the State CEQA Guidelines do not require that an EIR provide data to enable the public to determine the economic value of a project. In addition, Section 15131(a) of the State CEQA Guidelines states, "Economic or social effects of a project shall not be treated as significant effects on the environment...the focus shall be on the physical changes".
17. Please refer to Response to Comment Letter 4, comment 5, which addresses the project budget and financing, and response to comment 16 of this Comment Letter.
18. Please refer to the following responses to comments in Comment Letter 4: 2 (addresses the opportunities for public participation in the 2008 NHIP and LRDP Amendment Draft EIR process), 5 (addresses project financing), and 6 (addresses demand for undergraduate housing on campus). Any future expansion of the new Ronald Reagan UCLA Medical Center (RRUCLAMC) would need to be evaluated pursuant to CEQA. As described in Section 3.6.2, Remaining 2002 LRDP Development Allocation-Square Footage Updates, of the Draft EIR there is approximately 1.32 million square feet of development allocation remaining on campus. This remaining development allocation, which could accommodate a future expansion of any facility on campus, including the RRUCLAMC, was evaluated at a program-level in the Draft EIR; however, project-specific analysis would be required for any future project proposed by UCLA in accordance with CEQA.
19. As discussed in Response to Comment Letter 5, comment 14, above, future development under the 2002 LRDP, as amended, has been evaluated at a program-level in the Draft EIR. Until such time as specific projects are proposed, it is not possible for UC to forecast the impacts associated therewith with more specificity than presented in the Draft EIR. Accordingly, with implementation of the proposed 2008 NHIP and associated LRDP Amendment, if approved, there would be a remaining development allocation of approximately 1.32 million gross square feet on campus. Individual projects proposed on campus in the future would be subject to project-specific environmental documentation in accordance with CEQA, and will be reviewed for their consistency with the 2002 LRDP, as amended. There are only three projects currently under construction on campus. These projects are shown on Figure 4.8-1, Surrounding Land Uses, of the Draft EIR and include the Spieker Aquatic Center, the Police Station Replacement Building, and the Life Sciences Replacement Building. Additionally, Appendix B of the

Draft EIR includes the Revised List of Buildings (Appendix B of the 2002 LRDP) and identifies the projects under construction.

20. The commenter requests information on the status and budget for previously approved and constructed projects on campus. This is not a direct comment on the content or adequacy of the Draft EIR and no response is required. However, this information can be compiled for the commenter if a formal public records request is made.
21. Please refer to Response to Comment Letter 4, comment 5, which addresses approval of the project budget and financing.
22. As discussed in Response to Comment Letter 4, comment 6, the campus does not advertise that there is available space in on-campus undergraduate housing. Rather, there is an unmet demand for this type of housing resulting in the need for the proposed 2008 NHIP, as set forth in Section 3, Project Description, of the Draft EIR. The commenter requests information on the costs for undergraduate housing on campus, and a comparison to other universities. This is not a direct comment on the content or adequacy of the Draft EIR and is unrelated to potential environmental impacts. No response is required. Although not relevant to the Draft EIR, rate comparisons to other UC Housing programs in 2008 are as follows:

	<u>Minimum</u>	<u>Maximum</u>
Berkeley:	\$10,999	\$16,364
Davis:	\$ 9,117	\$12,512
Irvine:	\$ 9,374	\$12,641
Los Angeles	\$ 9,505	\$15,310
Merced:	\$ 8,970	\$11,950
Riverside:	\$ 8,665	\$11,365
San Diego:	\$ 8,106	\$ 9,656
San Francisco:	N/A	N/A
Santa Barbara:	\$ 8,735	\$13,713
Santa Cruz:	\$ 8,253	\$13,986
System Range:	\$ 8,106	\$16,364

23. UCLA as well as all UC campuses has a demonstrated commitment to sustainability. Specifically, as discussed in Section 4.15.2.3 of the Draft EIR, the *UC Policy on Sustainable Practices and Emission Reduction Strategies* documents the University's commitment to the stewardship of the environment and to reducing the University's dependence on non-renewable energy resources. UCLA is the first campus to produce a Climate Action Plan, which is described on page 4.15-16 of the Draft EIR (Section 4.15, Climate Change). Section 4.15 (started on page 4.15-16) also describes UCLA's application of green building design standards and sustainable operation, programs to implement clean energy targets, membership in the California Climate Action Registry (CCAR), sustainable transportation practices, program to minimize University-generated waste sent to landfills, programs related to environmentally preferable purchasing practices, and a HFCs reduction program. Page 3-10 of the Draft EIR (Section 3, Project Description) identifies sustainable design features that will be implemented with the proposed 2008 NHIP. Additionally, the commenter is referred to UCLA website <http://www.sustain.ucla.edu> which provides detailed information on the UCLA sustainability programs and provides access to UCLA's Climate Action Plan.
24. This is not a direct comment on the content or adequacy of the Draft EIR and no response is required.

25. Section 4.3 of the Draft EIR, Biological Resources, addresses the loss of trees associated with the construction of the proposed 2008 NHIP and implementation of remaining buildout of the 2002 LRDP, as amended. Ongoing campus programs, practices, and procedures (PPs) addressing the protection of trees on campus are presented in PP 4.3-1(a) through PP 4.3-1(e). Additionally, MM 4.3-1(c) requires the replacement of mature trees removed at a 1:1 ratio, and MM 4.3-4 requires replacement of protected trees (as identified in the City of Los Angeles Protected Tree Ordinance) at a 2:1 ratio. Please also refer to response to comment 23 above.

The implementation of green roofs for the proposed 2008 NHIP were considered and determined to be infeasible due to the high level of maintenance and the potential for water damage/leakage. Solar hot-water panels will be installed on all four residence halls; similar to other installations on existing residence halls in the Northwest zone. Solar photovoltaic panels are continuously being assessed for their cost in relation to overall energy savings. As is discussed in Section 4.15 Climate Change (see page 4.15-16), the University has developed a Climate Action Plan that discusses energy-efficiency projects, including the campus' aspirations for installation of solar panels.

26. As discussed in 3.5.2 of the Draft EIR, the proposed 2008 NHIP would not increase the student enrollment on campus, but rather accommodates housing needs of existing enrolled students. Additionally, as noted in Section 4.11.2 of the Draft EIR, Police Services, the UC Police Department has developed a strategy to eliminate this practice of "midnight yell" and continues to be proactive in addressing similar disruptive behavior (such as the "undie run").
27. UCLA Facilities Maintenance currently uses both Bruin Walk and other UCLA paths to gain access to interior buildings on campus that do not have access via a street or roadway. This is an existing operational condition of the campus and would continue under the operation of the proposed 2008 NHIP. There would be no substantial increase in the use of those paths or added safety risk. Deliveries to the proposed 2008 NHIP would be facilitated by the three loading docks that would be located under the Sproul Complex, as discussed in Section 3, Project Description (see page 3-7 of the Draft EIR). Additionally, it should be noted that access for maintenance vehicles is provided in the design of the proposed 2008 NHIP (refer to the description of vehicular access provided in Section 3.5.2 of the Draft EIR under "Vehicular Circulation" on page 3-7).
28. Section 4.13 of the Draft EIR, Transportation/Traffic, addresses the impact on 58 study area intersections. As identified through this analysis, the proposed 2008 NHIP would decrease the amount of traffic generated because students currently commuting would live on campus. Buildout of the remaining development under the 2002 LRDP, as amended, would result in significant traffic impacts at eight intersections. There are no feasible mitigation measures available due to physical constraints; therefore, these impacts are considered significant and unavoidable. However, UCLA will continue to implement its comprehensive Transportation Demand Management Program to reduce the number of vehicle trips and amount of vehicle miles traveled.
29. Section 4.2 of the Draft EIR, Air Quality, addresses air quality impacts resulting from implementation of the proposed 2008 NHIP and LRDP Amendment. As discussed on pages 4.2-26 and 4.2-27 of the Draft EIR, the proposed 2008 NHIP would not result in significant emissions of criteria pollutants (including NOx), and may have a net reduction due to the reduction in traffic generation associated with on-campus housing. However, remaining buildout of the 2002 LRDP, as amended, would result in a direct significant

and unavoidable long-term regional air quality impact because the forecasted daily emissions of NO<sub>x</sub>, an O<sub>3</sub> precursor, would exceed the significance threshold established by the South Coast Air Quality Management District (SCAQMD). There is no available feasible mitigation to reduce this impact. However, UCLA will continue to implement its comprehensive Transportation Demand Management Program to reduce the number of vehicle trips and amount of vehicle miles traveled which would also serve to further reduce NO<sub>x</sub> emissions.

30. Section 4.3 of the Draft EIR, Biological Resources, addresses potential impacts to biological resources. Specifically, Table 4.3-1 (on page 4.3-18) identifies the type and number of trees that would be removed with implementation of the proposed 2008 NHIP. As shown in Table 4.3-1, 132 trees would be removed; of these, only one is a protected tree species. Pursuant to MM 4.3-1(c), 131 trees would be replaced at a 1:1 ratio, and pursuant to MM 4.3-4, the protected tree would be replaced at a 2:1 ratio. As discussed on page 4.3-12 of the Draft EIR, the proposed Project would result in the removal of other non-native vegetation including shrubs that could provide habitat for nesting bird species. This potential impact would be mitigated to a level considered less than significant with implementation of MM 4.3-1(a) and MM 4.3-1(b) which address construction near nesting birds. Future projects proposed on campus would be subject to project-specific CEQA documentation, and the removal of trees and other vegetation will be addressed. These projects would be subject to 2002 LRDP Final EIR PPs 4.3-1(a) through 4.3-1(e) addressing mature trees retained and protected in place, and MMs 4.3-1(a) through 4.3-1(c) discussed above.
31. The Draft EIR addresses parking starting on page 4.13-59. In summary, the proposed 2008 NHIP would result in a net decrease in parking demand (approximately 51 spaces) on campus. There would be some parking spaces along on-campus streets removed temporarily during construction; however, approximately 36 of these spaces would be replaced after construction, and no significant impacts would result (refer to page 4.13-60 of the Draft EIR). The proposed 2008 NHIP would also require the removal of approximately eight unrestricted parking spaces along Gayley Avenue, and two replacement short-term parking spaces would be provided. The loss of eight spaces represents less than one percent of the total parking supply in the North Village and would not be a significant impact. With implementation of the proposed Project (i.e., including build-out of the 2002 LRDP as amended), additional parking could be constructed up to, but not exceeding, the current parking cap of 25,169 spaces (an increase of approximately 1,095 spaces). As noted on page 4.13-60 of the Draft EIR, the 2005-2006 academic year was the first year a student parking waiting list was not needed, and the trend has continued through the 2007-08 academic year. The allowed parking increase of 1,095 spaces would be sufficient to accommodate parking demand from remaining buildout under the 2002 LRDP, as amended, and no significant parking impacts would result.
32. The traffic analysis presented in Section 4.13 of the Draft EIR is based on the most current data available at the time the analysis was prepared in 2008. Traffic counts were taken in January and February 2008 and UCLA Cordon Counts were from fall 2007. Information on the existing parking inventory was compiled based on actual parking conditions recorded in 2008.
33. Please refer to Response to Comment Letter 4, comment 5, which addresses the costs of the proposed 2008 NHIP. The portion of the comment concerning costs of other projects is not a direct comment on the content or adequacy of the Draft EIR and no response is required.

34. It appears the commenter's reference to "74,000 on campus parking spaces" is referring to information provided in Table 4.13-27 (Future 2013 On-Campus Parking Allocation with the Proposed Project) on page 4.13-61 of the Draft EIR. This number (74,295) refers to the future campus population (students, faculty and staff) and the number of permits allocated to permit groups including Quarterly Guest/Emeriti Permits, University Extension Permits, Daily Permit Sales and other spaces, not the number of parking spaces per se. However, the future projected number of parking spaces is also provided in this table (25,169 parking spaces consistent with the parking cap established in the 1990 LRDP that will remain unchanged under the proposed 2002 LRDP Amendment). Existing trip generation for the campus based on parking space by permit group is described on page 4.13-20 of the Draft EIR (refer to discussion of Campus Trip Generation Rates) and quantified in Table 4.13-7 (page 4.13-22 of the Draft EIR).
35. For each topical issue addressed in Section 4 of the Draft EIR, campus programs, practices and procedures (PPs) are identified, as applicable, and mitigation measures (MMs) are identified to reduce potentially significant impacts. The MMs and PPs are presented in their entirety in Table 1-1 (Summary of Environmental Impacts and Mitigation Program, Proposed 2008 Northwest Housing Infill Project) and Table 1-2 (Summary of Environmental Impacts and Mitigation Program, Proposed Project [2002 LRDP as Amended]).
36. Existing seismic hazards identified on campus are discussed in detail in Section 4.5 of the Draft EIR, Geology and Soils (starting on page 4.5-5). Campus seismic upgrade programs are also discussed on page 4.5-5 of the Draft EIR. Potential environmental impacts associated with seismic ground shaking and other seismic-related hazards are discussed in Section 4.3.5 of the Draft EIR (page 4.5-11). With implementation of ongoing 2002 LRDP PPs, potential impacts related to seismic hazards would be reduced to a level considered less than significant. The potential for the 2008 NHIP and remaining buildout of the 2002 LRDP, as amended, to physically interfere with an adopted emergency response plan or emergency evacuation plan is discussed in Section 4.6 of the Draft EIR, Hazards and Hazardous Materials (refer to page 4.6-25). With continued implementation of the 2002 LRDP PPs, impacts related to emergency response would be less than significant.
37. Four alternatives to the proposed Project are discussed in the Draft EIR in Section 1, Executive Summary (refer to page 1-3), and Section 6, Other CEQA Considerations (refer to page 6-8). These alternatives are as follows: Alternative A: No Project, Alternative B: Alternative Location, Alternative C: Reduced Footprint, and Alternative D: Reduced Development. In response to the alternative locations suggested by the commenter, each is addressed below.

Weyburn & Veteran: This location was not considered due to the existing Weyburn Terrace Graduate Housing project that occupies that location. Thus, there was no potential infill space to develop the proposed 2008 NHIP making this location infeasible as an alternative location.

Lot 32/36: First, to clarify, UCLA has assumed that the commenter is referring to Parking Lot 36 (Lot 36) and not to Parking Structure 32. Lot 36 is an open-surface parking lot on the corner of Veteran Avenue and Wilshire Boulevard. In the Draft EIR, Alternative B analyzes the development of the proposed 2008 NHIP on Lot 36 and, although it could accommodate the project (same beds, size, massing, and number of buildings), it failed to meet key Project Objectives. Notably, Lot 36 is located in the Southwest zone of the campus, away from the other undergraduate housing and support facilities. It thus would

not meet the Project Objective related to taking advantage of programmatic synergies with other undergraduate facilities and programs in the Northwest zone, or the Project Objective to build the undergraduate housing in the Northwest zone and improve access and circulation in that zone. This alternative also would not provide the same level of cost efficiency as the proposed 2008 NHIP. The subterranean parking structure required to replace the existing surface parking spaces would add significantly to the cost of the new housing project compared to that of the proposed Project. This additional cost, in turn, could increase the housing fees and potentially make them less affordable compared with the proposed 2008 NHIP. Finally, due to the need to replace Lot 36 below grade if the 2008 NHIP were to be constructed at that location, the potential environmental effects of this alternative would be greater than those of the proposed 2008 NHIP as analyzed in the Draft EIR. It should also be noted that the proposed 2008 NHIP would not result in significant unavoidable visual impacts that would be avoided by this alternative.

Old Hospital (CHS): Floors 2-10 of the CHS facility have been vacated following the opening of the Ronald Reagan UCLA Medical Center (RRUCLAMC) in June 2008, and the University is proposing to renovate the structure although funding remains uncertain. The renovation would include seismic and life-safety upgrades to convert the building from hospital use to a potential laboratory/classroom use for the School of Medicine, thereby enabling subsequent seismic renovation projects needed in the Center for Health Sciences (CHS). Redevelopment of the CHS as an alternative location for undergraduate housing would not meet key Project Objectives. Of primary issue would be that the CHS is located in the Health Science zone and placement of housing in this zone would negate the project's ability to take advantage of programmatic synergies with the existing undergraduate housing community, recreation, dining, and support services existing in the Northwest zone. Also, this location would not be able to continue the development of on-campus housing in the Northwest zone to maintain a supportive and cohesive student community that is well integrated with all aspects of campus life.

Closer to Sunset Dorms: In response to this suggested location, UCLA has assumed that the commenter is referring to developing the proposed 2008 NHIP in the open space of Sunset Canyon Recreation Center. Although this location would satisfy many of the Project Objectives, it would be at the cost of valuable open space dedicated to recreational opportunities for the entire campus and the neighboring campus community users. Conversely, the infill locations of the proposed 2008 NHIP take advantage of three infill sites that consist of non-recreation space adjacent to existing residence halls. Thus, this suggested alternative location was not analyzed in the Draft EIR. The Sunset Recreation Center represents one of the largest open space facilities/areas on campus and the largest publicly accessible recreational facility. This recreation area would not be considered for undergraduate student housing when other feasible locations are available in the Northwest zone, as proposed with the 2008 NHIP.

Greater Setback on Gayley: The Lower De Neve residence hall would be developed with a setback ranging from 15 to 50 feet from the back of the existing sidewalk on the north side of Gayley Avenue. The setback is comparable with the setback conditions for existing buildings along Gayley Avenue (on and off campus). The building location and associated setback was based primarily on the physical constraints of the site where existing topography limited the options for siting the structures, and also the size of the buildings that is dictated by the need to maximize bed space and still accomplish program requirements related to undergraduate housing. Further, the setbacks for both Upper and Lower De Neve have also been established in response to providing the minimum required 40-foot fire separation between buildings per City of Los Angeles Fire

Department. Due to the articulation of the buildings Lower and Upper De Neve meet or exceed the 40-foot requirement. The separation between the two buildings also alleviates privacy concerns and will enable the University to provide a landscaped courtyard and ADA-accessible ramp between the buildings, while preserving the maximum feasible setback along Gayley Avenue.

Purchase of Property Off Campus: UCLA (Real Estate Department) continuously looks for opportunities to purchase property for off-campus housing and exercises these opportunities when financially feasible and appropriate. However, as discussed in Section 5.2 of the Draft EIR, Alternative Concepts Considered and Rejected as Infeasible or for Failure to Meet Key Project Objectives, off-campus siting of proposed student housing and associated support serves was rejected because it did not meet key Project Objectives, including the essential Objective to provide on-campus undergraduate housing and associated support services to continue the development of on-campus housing in the Northwest zone to maintain a supportive and cohesive student community that is well integrated with all aspects of campus life. Off-campus housing would be physically separated from the core undergraduate housing support facilities in the Northwest zone and would not take advantage of programmatic synergies with existing on-campus undergraduate facilities and programs.

38. The proposed 2008 NHIP is described in detail in Section 3.5 of the Draft EIR, 2008 Northwest Housing Infill Project Characteristics. As stated in Section 4.8 of the Draft EIR, Land Use and Planning (refer to page 4.8-8):

UCLA is part of the University of California, a constitutionally created entity of the State of California. As a constitutional entity, the University of California is not subject to municipal regulations, such as the City General Plans. Westwood and other surrounding communities are part of the City of Los Angeles and although this jurisdictional separation provides no formal mechanism for joint planning or the exchange of ideas, UCLA may consider for coordination purposes aspects of local plans and policies for the communities surrounding the campus but is not bound by those plans and policies in its planning efforts.

Consistent with this discussion, UCLA is not subject to the requirements of the City of Los Angeles building code or setback requirements. It should be noted that the setbacks for the proposed Lower De Neve building are comparable to those of the existing De Neve buildings and the Dykstra Parking Garage and the Southern Regional Library Facility on Gayley Avenue. However the Southern Regional Library is elevated above Gayley Avenue; therefore, the setback seems larger. Please refer to Figure 3-4 and 4.8-2 (aerial photograph) of the Draft EIR, which show the setbacks of the existing and proposed buildings along the Gayley Avenue campus edge. The 15 to 50-foot setback provided with the proposed 2008 NHIP would provide a larger setback than many of the existing uses off campus (i.e., private multi-family residential buildings on the west side of Gayley Avenue) and would be sufficient to allow for a landscape buffer as required by PP 4.1-2(d). The proposed landscape along the Gayley Avenue edge would mature to effectively screen the new buildings and restore the landscape buffer along the campus edge.

39. The architectural and landscape traditions of the campus are described in Section 4.1, Aesthetics, of the Draft EIR where the “communities” of the Northwest zone are detailed on page 4.1-2 and the overall campus design is detailed on page 4.1-5 under the section titled “Visual Characteristics of Campus”. To ensure that the project respects and reinforces these characteristics and traditions, the Campus Design Policies (Aesthetics,

page 4.1-9) have been incorporated to the maximum extent possible by the architectural consultant, Pfeiffer Partners Architects Inc.

Landscaping for the proposed 2008 NHIP is still in a design phase; however, the guiding principles are described on page 4.1-14 of the Draft EIR and the consulting firm SWA Landscape Architects has been retained to implement these principles into the project's final landscaping plan. These principles also include the maintenance of the perimeter landscape buffer, which is described on page 4.1-16 of the Draft EIR.

40. Please see response to comment 37 of this Comment Letter above for a discussion of Parking Lot 36 as an alternative location to the proposed 2008 NHIP's infill sites.
41. Please refer to Response to Comment Letter 4, comment 2, which addresses public involvement for the proposed 2008 NHIP and LRDP Amendment. Currently, the Chancellor does not have a policy on community engagement, but has established an annual community brunch through which he can interact and speak directly to community members. The first such event was held in 2008 and was attended by the commenter.
42. The commenter is stating his opinion on actions the campus can take related to protecting the environment. This is not a direct comment on the content or adequacy of the Draft EIR and no response is required. With respect to tree planting, please refer to response to comment 30 above which identifies the PPs and MMs for tree replacement and protection that are applicable to any project on campus that results in the removal of mature or protected trees. Figure 3-13, 2008 NHIP Conceptual Landscape Areas, of the Draft EIR depicts areas that will receive tree replacement or otherwise be landscaped with the proposed 2008 NHIP, including along the proposed pedestrian walkway north of the existing De Neve dorm area. Regarding the solar panels and green roof concept, refer to the comment 25 above, which addresses this issue.
43. The commenter's opposition to the proposed 2008 NHIP is noted and will be taken into consideration by the decision makers. This is not a direct comment on the content or adequacy of the Draft EIR and no response is required.



# All-Hill Halloween faces cancellation next year

Due to housing construction, UCLA may have to end or relocate a 20-year tradition

By Carolyn McGough

Wednesday, October 22, 2008

Tonight on the Hill, UCLA undergraduates will be greeted by nearly 3,000 underprivileged children for the 20th annual All-Hill Halloween.

The children, who range in age from 6 to 10 years old and come from economically disadvantaged Los Angeles areas, will trick-or-treat in various residence halls on the Hill from 6:30 to 8:30 p.m.

Although, for the past 20 years, on-campus students in the 14 residence halls have bought bags of candy from residence hall staff to participate in All-Hill Halloween, the tradition may be in danger.

There had been some speculation that the event would be canceled this year due to funding issues and high gas prices, since the students are transported to the Hill via bus.

While this proved to be false, the event, unfortunately, is not likely to be hosted at UCLA next year, said Cheryl Sims, associate director of the UCLA Office of Residential Life (ORL).

The possible cancellation is due to construction on the Hill, causing it to be unsafe for the child visitors.

Rieber Hall is currently under renovation, and only the first floor is open, according to the ORL Web site.

The renovations of floors two through seven of Rieber Hall won't be completed until Spring 2010, and the renovation process may present a danger for children.

And there are still plans for other residential renovations.

Sims said there is a chance the event will be moved to USC.

"We're trying to see whether 'SC has an interest in picking it up for us over the next five years," she said.

Though it is unlikely, another possibility is that it will be held at Drake Stadium in the future, Sims said.

But it is at least safe for this year, and it is without any changes.

"We have the same elementary schools and community schools that have participated in the past," Sims said.

She said that some of the schools have even participated since the conception of the event.

The trick-or-treaters at All-Hill Halloween are escorted through the residence halls and are able to collect candy from residents.

Before the event, students living on each floor of the dorms decorate the floors to create a festive atmosphere.

Sims said that the event is great for young children since it gives them something to look forward to each year.

It also exposes them to the college housing experience.

“We’re providing a safe place for elementary school kids to trick-or-treat on the Hill,” she said.

**From:** alvin milder [mailto:alvinm134@yahoo.com]  
**Sent:** Wednesday, January 21, 2009 4:22 PM  
**To:** chancellor@ucla.edu  
**Subject:**

To: Gene Block, Chancellor UCLA

**"Freeze Halts State Work."**

**" Gov. Orders Days Off at State Offices."**

**"Board [of Regents] lowers enrollment."**

**"Instate students may be out of luck."**

**"UC may try to enroll more non-Californians."**

**"UC diversity at risk after cuts."**

**"UC campuses leaving students behind."**

**"State controller warns that California may be out of cash."**

These are just a few of the many scary headlines warning of the dire financial condition of the State and the University that each of us face on a constant basis.

With all of the problems caused by lack of funds: layoffs, salary freezes, reduced health care, increased student fees, reduced enrollment, reduced class sizes, etc., where does UCLA get **over \$400,000,000 for a new and unnecessary dormitory?** [A recent advertisement in UCLA's Daily Bruin: **"Space Currently Available in UCLA On-Campus Housing."**]

Are the many cries of "Funding Crisis" and "Dire Financial Straits" for real, or just more wall-street /WMD type ploys to squeeze the taxpayers for more money for more bailouts or other action?

If we really are in so much trouble, why use these hundreds and hundreds of millions of dollars for a new and unnecessary dormitory at UCLA? Why not use this money to reduce student fees , reduce layoffs, reduce salary freezes or even help the poor, the disabled, the infirm and the many others who are suffering because of the State's and University's mismanagement ?

Alvin Milder

134 Greenfield

Los Angeles, CA 90049

## **Response to Comment Letter 6**

**Alvin Milder**  
**January 21, 2009**

1. Please refer to Response to Comment Letter 4, comment 5, which addresses the 2008 NHIP budget and financing.

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**From:** alvin milder [mailto:alvinm134@yahoo.com]  
**Sent:** Wednesday, January 21, 2009 9:54 AM  
**To:** u - UCLA Chanc Brock; chancellor@ucla.edu  
**Cc:** ucla -- tlelah@capnet.ucla.edu  
**Subject:** Housing Construction

Your current EIR must be revised and recirculated; it refers to an  
addition of only 1525 beds not to the **2500 beds** touted on  
the UCLA Housing web site! <sup>1</sup>

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[From UCLA Housing web site  
[<http://map.ais.ucla.edu/portal/site/UCLA/menuitem.789d0eb6c76e7ef0d66b02ddf848344a/?vgnextoid=98c3971b422a8110VgnVCM400000e4d76180RCRD>]

Article ID: 1003698

## Housing Construction

Dear Bruins and Friends of UCLA:

UCLA has a tradition of supporting the University's academic mission through its housing program. In light of growing campus enrollment and increasing numbers of students who want to live on campus, UCLA Housing & Hospitality Services (H&HS) is charged with the responsibility of **adding approximately 2,500 bed spaces** and renovating existing high-rise residence halls. The current goal is to complete these projects by the 2013-2014 academic year. These housing projects are key to the continued growth of UCLA's vibrant student residential community—a living and learning environment that supports student success and satisfaction. [Emphasis added.]

During the past decade, UCLA has undertaken a sizeable number of construction and renovation projects to meet the demand for quality, on-campus housing. All these projects were undertaken within existing student residential areas. As we move forward with new projects, H&HS and the Office of Residential Life want to ensure students living adjacent to construction/renovation that we will continue our practice of keeping residents informed and ensuring that programs are in place to mitigate possible inconveniences to residents whenever possible.

Project information can be viewed by selecting the related links to the right. While subject to change, this represents the best information available at this time regarding planned construction activities to the existing residential community during the 2008-2009 academic year.

We anticipate a successful 2008-2009 academic year. Please contact your Residence Hall Manager or Resident Director if you have any questions about the construction activities planned.

Sincerely,

Pete Angelis  
Assistant Vice Chancellor  
UCLA Housing & Hospitality Services

Suzanne L. Seplow, Ed.D.  
Director  
Residential Life

## **Response to Comment Letter 7**

**Alvin Milder**  
**January 21, 2009**

1. The UCLA Housing website (which has been operational since the summer of 2008) contains the global letter transmitted by the commenter that refers to the *UCLA Student Housing Master Plan (SHMP) 2007–2017*. This information is posted on UCLA's housing website due to its commitment to provide existing and incoming students (and their parents) the best information available regarding the residential living environment before they submit applications to UCLA and sign their contracts to return to UCLA Housing.

The SHMP identifies the need for an additional 2,512 additional undergraduate beds (as referenced in the letter) at the end of the master planning period in 2017. However, the project detail link on this website for the 2008 NHIP project identifies the proposal to construct an additional 1,525 beds consistent with that analyzed in the Draft EIR. The letter provided on the UCLA Housing website that was included as part of this comment, did however, incorrectly state the year for the projected housing demand of approximately 2,500 beds as 2013-14. The date should have been 2017-18, as set forth in the SHMP. The date has since been corrected on the UCLA Housing website to 2017-18.

As stated on page 3-2 of the Draft EIR, "Proposals for additional beds in other northwest campus location would be evaluated following approval and completion of the proposed 2008 NHIP if it is determined at that time that an unmet need still exists". Approval of additional housing would also be subject to separate CEQA compliance.



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**From:** Roxane Stern [mailto:roxane.stern@gmail.com]

**Sent:** Sunday, January 18, 2009 9:28 AM

**To:** Lelah, Tova

**Subject:** Environmental impact report

I am submitting my comments in the attached document. If you need a printed version, please let me know.

Should I forward this to any other offices?

Thank you-

(Nothing like waiting until the last minute!)

Best, r

Roxane Stern

11053 Strathmore Dr

Los Angeles CA 90024

310-443-1106

UCLA's plan to expand on-campus dormitories is a much needed and positive action, Building new undergraduate student housing will be a plus for the university and the community. I support UCLA in its continuing efforts to improve the quality of life for its students. The EIR represents a tremendous amount of hard work and dedication. I appreciate the efforts of all those involved in providing the information.

1

Living in North Village, I am very aware of our traffic and pollution problems. The EIR does not address noise level and traffic counts within our community.

Veteran and Strathmore Dr. is a daunting intersection and will be made more so with construction trucks and equipment

2

All our interior streets will be affected-Kelton, Midvale, Landfair, Ophir, etc.

Gayley will suffer the most due to being directly across the street from the construction site. 4 years is a long time to suffer.

If the project is selected—

- Remove day time parking from Veteran starting at Montana (Gayley) to below Strathmore Dr.
- Install signal light or stop sign at Veteran and Strathmore for traffic on Veteran
- Monitor pollution and noise levels continually

3

The entire west side of Los Angeles is suffering from lack of public transportation. The EIR mentions the need to improve the situation

If the project is selected----

- UCLA must lobby for extension of the red and purple line going to the west
- Support use of a dedicated bus lane on Wilshire Blvd during rush hour

4

The EIR states that 68 new buses will be put into service

Is the pollution from more transit machines calculated in the EIR?

Where will the new buses to be housed and serviced?

The EIR shows the locations of the proposed construction. Two of the buildings will be built almost directly on Gayley. Also it requires two driveways from Gayley onto the proposed building site. As convenient as that sounds, it puts a terrible stress on that street.

5

If the project is selected—

- Do not install 2 driveways on Gayley
- Route construction traffic evenly throughout campus and take pressure off of Veteran and Montana/Gayley

Possible solutions:

Mornings could have traffic using Westwood Blvd.- from the south to the site.

Afternoons could have traffic entering off of Sunset.

Mid day traffic could enter from the east.

6

Some of the projected pollution levels are not acceptable. We breathe air filled with helicopter pollution now. The 405 pollution probably makes its way to us also. The damage to our lungs as well as our roads is not acceptable.

If the project is selected---

- Require all contractors to reduce the amount of various pollutants in their work
- Build bigger barriers around construction sites.
- Monitor pollution in an ongoing schedule

The new hospital helicopter routes were not supposed to intrude on the community. The fact is the helicopters are still a menace and disturbance to the area.

Many more helicopters use the pads than were predicted in the UCLA hospital EIR. It is a very bad situation – UCLA told the community that it would not interfere with our lives. Unfortunately, it is still a major nuisance in Westwood. This lack of community help regarding helicopters tends to cast doubts on the current predictions.

UCLA mentions meetings with the community, but offers no schedule. There should be monthly meetings (more if necessary) open to the residents of Westwood

It does seem that the overall campus population will be declining or not growing in the future. If so, then the need for housing will also decline

If the project is selected--

- Consider eliminating one dormitory building
- Consider putting in the 2 high rise buildings with fewer floors

Zipcar share

How many zipcar vehicles are used on campus and off?

Is this program successful? What are results of the use so far?

Perhaps UCLA can acquire land for parking and then have buses from lot to campus. Construction workers must park off site with incentives for public transportation use. UCLA must commit to repairing damage to streets if the damage was caused by construction vehicles

If none of the above issues can be addressed, then I recommend building on lot #36. Underground parking has many advantages. Housing in the southwest area is still on campus and students living there would enjoy the proximity to the village.

I support the building project if the above mentioned issues can be fixed. If they can't then provide fewer beds and plan for construction activity to be taken off public streets as much as possible.

Roxane Stern  
11053 Strathmore Dr  
Los Angeles CA 90024  
310-443-1106 Roxane.stern@gmail.com

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## **Response to Comment Letter 8**

**Roxanne Stern**  
**January 18, 2009**

1. The commenter's support for providing additional undergraduate housing on campus is noted and will be taken into consideration by the decision makers.
2. As described on page 3-13 of the Draft EIR, construction vehicles for the proposed 2008 NHIP would use established haul routes:

### **Sproul West, Sproul South/Complex, and Upper De Neve**

Approach: Construction vehicles would exit Interstate 405 Freeway at Wilshire Boulevard, head northbound on Veteran Avenue, eastbound on Weyburn Avenue, northbound on Gayley Avenue, turn eastbound onto Strathmore Drive campus entrance, northbound onto Charles Young Drive West, staying on Charles Young Drive West or continuing onto De Neve Drive to the project sites.

Departure: Construction vehicles would head southbound onto Charles Young Drive West, westbound on Strathmore Drive, southbound on Gayley Avenue, westbound on Weyburn Avenue, southbound on Veteran Avenue, and westbound onto Wilshire Boulevard to the Interstate 405.

### **Lower De Neve**

Approach: Construction vehicles would exit Interstate 405 Freeway at Wilshire Boulevard, head northbound on Veteran Avenue, eastbound on Weyburn Avenue, and northbound on Gayley Avenue to the project site.

Departure: Construction vehicles would depart the site heading westbound on Gayley Avenue, turning southbound onto Veteran Avenue and westbound on Wilshire Boulevard to the Interstate 405 Freeway.

Construction vehicles would not travel on the residential streets identified by the commenter (Kelton, Midvale, Landfair, Ophir). While construction could be ongoing for 4 years, the amount of traffic varies with each construction phase and the number of buildings under construction (e.g., demolition will take 1 month, grading for buildings will take 4 to 5 months, underground infrastructure/construction will take 5 to 7 months, building construction will take up to 32 months). Ultimately, the construction activities would occur inside the new structures and daily construction traffic (i.e., heavy construction vehicles) would be reduced. Construction-related traffic impacts associated with the proposed 2008 NHIP and remaining buildout of the 2002 LRDP, as amended, are discussed in Section 4.13, Transportation/Traffic (starting on page 4.13-50). Specifically, the Draft EIR quantifies the daily construction-related truck trips that would occur with construction of the proposed 2008 NHIP. As described on page 4.13-50 of the Draft EIR, the peak construction period for truck traffic is when deck slabs are poured. There would be an equivalent of approximately 47 trips during the AM peak hour and this traffic would be distributed along the various haul routes described above (not at a single intersection). As noted in the Draft EIR (page 4.13-50) the additional of 47 trips during the AM peak hour may not degrade the intersection levels of service sufficient to exceed the identified significance criteria; therefore, specific intersections are not

addressed for construction-related traffic impacts. Rather the overall impact to roadway operations is taken into consideration. Construction-related traffic impacts along the expected haul routes for the 2008 NHIP (including Veteran Avenue, Strathmore Drive, and Gayley Avenue) are considered significant and unavoidable, even with implementation of applicable campus programs, practices and procedures (PPs). The number of construction truck trips would not generate noise increases that would exceed established thresholds of significance.

3. The commenter has provided mitigation suggestions for traffic, air quality, and noise impacts. It is unclear if these suggested measures are for construction-related or long-term operational traffic impacts. As discussed on page 4.13-34 of the Draft EIR (in Section 4.13, Transportation/Traffic), the proposed 2008 NHIP would not result in any long-term traffic impacts and would result in a net reduction in traffic. Accordingly, no mitigation is required for operation of the 2008 NHIP, including a signal light or stop sign at Veteran Avenue and Strathmore Drive, or removal of daytime parking. As noted in response to comment 2 above, the proposed 2008 NHIP would result in a significant avoidable traffic impacts during construction. While there is no feasible mitigation to reduce construction-related traffic impacts to a level considered less than significant (refer to response to comment 2 above), PPs 4.13-2 through 4.13-5 outline the campus programs, practices and procedures to reduce traffic disruption during construction and ensure safety. The commenter suggested the removal of daytime parking along Veteran Avenue. This measure is not warranted as it would not reduce the amount of construction traffic, and the cars parked along the street potentially serve as a traffic calming measure, reducing the speed that vehicles travel along the roadway. Air quality and noise will be monitored throughout the construction period of the 2008 NHIP by assuring project and contractor compliance with the identified PPs and MMs included in the Draft EIR. However, as discussed in Section 4.2, Air Quality and 4.9, Noise, of the Draft EIR, construction-related air quality impacts would be considered significant and unavoidable even with implementation of the identified PPs and MMs.
4. The existing alternative transportation programs at UCLA and the impact of the proposed 2008 NHIP and LRDP Amendment on alternative transportation are discussed in Section 4.13, Transportation/Traffic (refer to pages 4.13-34 and 4.13-64). As discussed in this section, the proposed 2008 NHIP would decrease the number of commuters by 1,608 and reduce the daily commutes to and from the campus by 640 trips (refer to Table 4.13-13). With the reduction in commuters there would be no need to put more buses into service; the Draft EIR does not include this requirement, as stated by the commenter. Additionally, as stated on page 4.13-65 of the Draft EIR,

In continued compliance with 2002 LRDP Final EIR PP 4.13-1(d), UCLA is pursuing the following additional facilities and/or programs to help encourage public transit patronage for project-related trips as part of its TDM. Note that the implementation responsibility for some of these facilities and programs would fall on agencies other than UCLA, the lead agency for this project. Thus, coordination between UCLA and local and regional transit providers would be required for several of these items.

The identified programs include: transit priority system, transit pass subsidy agreement expansion, advanced traveler information system, and program marketing and promotion. Continued compliance with PPs 4.13-1(c) (continued evolution from a commuter to residential campus) and 4.13-1(d) (continue to implement a TDM program) ensure that the proposed Project's impact related to alternative transportation are less than significant. No additional mitigation is required. Further, as part of UCLA's

- coordination with local and regional transit providers it would consider the measures suggested by the commenter.
5. As described on page 3-8 of the Draft EIR, the driveways accessing the Lower De Neve buildings from Gayley Avenue are for service vehicles only. Vehicular hazards during operation are addressed on page 4.13-55 (in Section 4.13, Transportation/Traffic). As discussed, use of these driveways would be sporadic with limited vehicular activity. No adverse traffic impacts are expected to occur with implementation of this component of the proposed 2008 NHIP.
  6. Refer to the response to comment 3 above regarding construction traffic. As described on page 3-13 of the Draft EIR (Section 3, Project Description), the majority of construction traffic would go south on Gayley Avenue, or north on Gayley Avenue only to Strathmore Drive and would not pass through the intersection of Gayley Avenue/Veteran Avenue. There would be some construction traffic leaving the Lower De Neve construction site that may go northwest on Gayley Avenue to southbound Veteran Avenue, but this would be a minimal number of truck trips. It should be noted that construction traffic haul routes are decided based on the location of the construction on campus and to minimize both off-campus and on-campus traffic disruptions to the extent feasible. The use of Westwood Boulevard, Sunset Boulevard, or any other roadways to the east would not be practical for the construction of the 2008 NHIP, and would not avoid the significant construction-related-traffic impacts resulting from the proposed Project. Additionally, the campus has historically avoided use of northbound Veteran Avenue to access Sunset Boulevard as a construction haul route in order to minimize traffic and noise impacts to the neighboring community. Please also refer to response to comment 2 above which discusses the traffic impacts during construction.
  7. The PPs included in Section 4.2, Air Quality, would be incorporated into the proposed 2008 NHIP and require all contractors to minimize pollutant emissions. PP 4.2-2(a) requires compliance with SCAQMD Rule 403, Fugitive Dust. One specific requirement of this rule, among many others, is to assure that no visible dust emissions would occur beyond the property boundary. This is accomplished through monitoring by the contractors during construction. It should be noted that visible pollution typically is associated with fugitive dust emissions (PM10). Construction activities for the proposed 2008 NHIP would not result in emissions of PM10 that exceed the SCAQMD thresholds of significance. PP 4.2-2(c) requires the use of electrical power to replace diesel- or gasoline-fueled engines to power equipment. PP 4.2-2(d) requires compliance with SCAQMD Rule 1113, which assures the use of paints with low content of volatile compounds. In addition mitigation measures carried forward from the 2002 LRDP Final EIR (MMs 4.2-2(a) and 4.2-2(b)) limit idling time for heavy equipment and require, as feasible, the use of advanced-technology fuels and equipment designed to reduce pollutants. These measures would be applicable for construction of the proposed 2008 NHIP. Barriers around construction sites for air pollutants would only apply to particulate pollutants and not to gaseous pollutants. Because the contractors for the proposed 2008 NHIP are required to comply with SCAQMD Rule 403, the addition of barriers would add little if any additional pollutant reduction and could extend the construction period because of restricted access to parts of the site. Therefore, barriers to reduce air pollutants will not be implemented. As previously noted, pollution will be monitored throughout the construction of the proposed 2008 NHIP by assuring project and contractor compliance with the PPs and MMs that would be included in the construction contract documents as specified in the Draft EIR. However, compliance with all mitigation for construction would be monitored by UCLA through the implementation

of the Mitigation Monitoring and Reporting Program (MMRP) presented in Section 4 of this document.

8. This comment addresses the existing helicopter operations on campus and their impact on the community. As identified on page 4.9-30 of the Draft EIR (Section 4.9, Noise and Vibration), the proposed 2008 NHIP and remaining buildout of the 2002 LRDP, as amended, would not increase the number of helicopter flights from the RRUCLAMC.
9. UCLA holds Community Leader Meetings several times per year. As noted in Response to Comment Letter 4, comment 2, the proposed 2008 NHIP was presented at a Community Leader Information Meeting that occurred on April 29, 2008, and the rationale for the proposed amendment to the 2002 LRDP was also discussed. It should also be noted that the PPs, specifically PP 4.9-8, require the campus to continue to conduct meetings, as needed, with off-campus constituents that are affected by campus construction. Accordingly, this PP would apply to campus activities that affect the residents of Westwood. This practice will be implemented for the proposed 2008 NHIP and will continue to be implemented for all projects as appropriate under the 2002 LRDP, as amended.
10. The 2008 NHIP is being proposed to meet the current unmet demand for undergraduate housing on campus. As stated on page 3-2 of the Draft EIR, "Proposals for additional beds in other northwest campus location would be evaluated following approval and completion of the proposed 2008 NHIP if it is determined at that time that an unmet need still exists". There are currently no proposals to develop additional undergraduate housing beyond the proposed 2008 NHIP and any future proposal would be subject to CEQA compliance.
11. The commenter suggests alternatives to the proposed 2008 NHIP: eliminating one dormitory building and construction of 2 high-rise buildings. The elimination of one dormitory building would result in the provision of 307 fewer undergraduate beds. As discussed on page 5-2 of the Draft EIR (Section 5, Alternatives), UCLA evaluated the potential to build a reduced density alternative consisting of fewer undergraduate student beds (e.g., 1,350 to 1,400) and determined that a reduced density alternative would fail to meet the key Project Objective 1 to: "Provide approximately 1,525 undergraduate beds in on-campus housing to address current and anticipated demand and housing guarantees for new, entering first year and transfer students, in order to meet projected demand identified in, and the undergraduate housing objectives of, the *Student Housing Master Plan 2007–2017*." The elimination 307 undergraduate beds would also not meet this project objective.

This alternative (elimination of a building) also would not realize the same economies of scale as the proposed Project thereby reducing the affordability of on-campus student housing. Under a Reduced Density Alternative, there would be fewer students to share what would be close to the same cost as the full 1,525-bed 2008 NHIP. As a result, a Reduced Density Alternative would be infeasible from an affordability perspective (the cost per student would be higher). It would fail to meet the important Project Objective 10 that the housing project be planned, designed, and implemented "within the practical constraints of available funding sources, including the need to maintain affordable housing fees." Alternative C—Reduced Footprint—addressed in Section 5 of the Draft EIR, Alternatives, contemplates the construction of two high-rise buildings on the sites for the proposed Sproul West and Sproul Complex/South buildings. This alternative was determined not to meet the Project Objectives as well as the proposed Project (refer to



page 5-26 of the Draft EIR) and would have greater environmental impacts related to aesthetics, air quality, land use and planning, and construction-related traffic.

12. The Zipcar program has proven to be very successful. With six cars located on campus, the University has a 38 percent weekday usage rate and a 36 percent weekend usage rate. Currently, there are approximately 200 members in the program.
13. Refer to Response to Comment Letter 5, comment 31 regarding parking demand, and Section 4.13 of the Draft EIR (starting on page 4.13-59) address parking impacts resulting from the proposed Project which were determined to be less than significant. The purchase of land for parking is not warranted, especially when considering that there is available parking on campus and currently no wait list for parking permits. Additionally, construction workers for campus projects have access to UCLA's transportation demand management programs, including public transportation. The proposed 2008 NHIP will require approval from the City of Los Angeles for curb cut modification on Gayley Avenue. UCLA's contractors shall obtain necessary permits from the City of Los Angeles for use of the public right-of-way as well as any permits required for the use of adjacent roadways as necessary to execute construction related to the proposed Project, including the proposed 2008 NHIP. Construction may include repair of City streets by the contractor for activities such as replacement or repair of sidewalks adjacent to the project site that may be removed or damaged during the construction phase of the project.
14. Refer to Response to Comment Letter 5, comment 37, which addresses the provision of undergraduate housing on Parking Lot 36.
15. This comment is noted and will be taken into consideration by the decision makers.

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**From:** Wolfgang Veith [mailto:wveith1@verizon.net]  
**Sent:** Monday, January 19, 2009 4:48 PM  
**To:** Lelah, Tova  
**Cc:** Sann, Steve; Magnuson, Carole; Milder, Alvin  
**Subject:** Response to 2008 HHIP

Hello Tova,

here in the last minute is my contribution in writing.

If I may, I would like to possibly submit an additional version with more detailed information.

Reagrds,

Wolfgang Veith  
North Westwood Village Residents Association  
476 Landfair Avenue  
Los Angeles, CA 90024  
[wolfgangveith@verizon.net](mailto:wolfgangveith@verizon.net)  
[wolfgangveith@hotmail.com](mailto:wolfgangveith@hotmail.com)

# Response to the 2008 NHIP and 2008 LRDP of UCLA Capital Programs

By Wolfgang Veith

North Westwood Village Residents Association

476 Landfair Avenue

Los Angeles, CA 90024

310-208-6624

## SUMMARY OF POINTS

### General Points to so called "Green Buildings and Projects"

- Totally missing in the EIR are considerations for rooftop or other solar panels for heating/warm water and/or electricity. These are well developed technologies in other parts of the United States or the rest of the world. 1
- Totally missing in the EIR are the inclusion into the projects of "grey water" systems for landscape watering. 2
- Totally missing in the EIR are discussions, considerations, or provisions for "downspout disconnect" programs in process with the City of Los Angeles. No efforts have been suggested to rainwater runoff capture and/or ground water replenishment though it is common knowledge that both fresh water and storm drain runoffs are critical environmental challenges for the Los Angeles Area 3
- Totally missing in the EIR are the advisability to provide more parking spaces in that will create more traffic in the area according to UCLA's own Traffic expert, Professor Donald Shoup. 4

### Points addressing "Lower De Neve Buildings"

- The community of the North Westwood Village, just feet away from the proposed project, was not consulted before making plans for the massive new NHIP housing project, as required by CEQA. 5
- The "Lower De Neve" Undergraduate housing buildings, on the edge of Gayley Avenue, completely destroy the Landscaped Buffer Zone between Ucla campus and the western residential neighborhood. 6

- The “Lower De Neve Buildings” are the only UCLA structures that are that close to any bordering residential neighborhood. 7
- The “Lower De Neve Buildings” are completely incompatible with the residential development plans and policies instituted by the City of Los Angeles Planning department since the mid 1980’s.
- The NHIP planning process does not mention consultation with the Los Angeles City Planning Department and their Design Review Board about compatibility with the bordering North Westwood Village neighborhood.
- The extremely bland, unimaginative, architectural design of the “Lower De Neve Buildings” are not compatible with design standards in the North Westwood Village neighborhood. 8
- The massing and size of the “Lower de Neve Buildings” are completely incompatible with the neighboring North Westwood Village, unlike the recently completed “De Neve buildings on “Bruin Walk”
- The setbacks of the “Lower De Neve Buildings” from the street curb are less than the City of Los Angeles required front yard setbacks of 30 feet from the street curb ( 10 feet parkway + 5feet sidewalk + 15 feet front yard setback = 30feet)
- The setbacks of the “Lower De Neve Buildings from the street curb are much less than the setbacks of the earlier De Neve buildings along Bruin Walk (about 50feet, and more) and the Regional Library Building (about 50 feet for the main building with less than 40 feet height. 9
- The building massing of the “Lower De Neve Buildings” is completely incompatible with the North Village structures across the street, conforming to the City of Los Angeles North Village Specific Plan, Ordinance No.163202.
- The height of the “Lower De Neve Buildings” at 85 feet from the street level is completely incompatible with the neighborhood buildings, conforming to the City of Los Angeles North Village Specific Plan, Ordinance No.163202 of only 45 feet of height. 10
- The width of the “Lower De Neve Buildings” at about 300 feet, without any interruption, is completely incompatible with the City of Los Angeles North Village Specific Plan, Ordinance No.163202 which demands building breakups for any structure more than 150 feet wide.
- The 2008 NHIP EIR mentioned some older North Westwood Village neighborhood buildings, themselves not in compliance with the City of Los Angeles North Village Specific Plan, Ordinance No.163202, like the Gayley Tower Building, but which also has only a fraction of the “Lower De Neve Buildings” width height much less than 85 feet. 11

- The 2008 NHIP EIR omits to compare the “Lower De Neve Structures” to buildings compatible with the City of Los Angeles North Village Specific Plan, Ordinance No.163202, like 679 Gayley Avenue, 437 Gayley Avenue, and 433 Midvale Avenue. All of them less than 45 feet heigh, 200 feet wide, and completely compatible with the North Village environment. 11 cont.
- The 2008 NHIP EIR does completely omit any discussion of the enormous road noise impacts on residential buildings in the North Village caused by the perfect physical noise reflection characteristics of the “Lower De Neve Buildings” with their unarticulated, 85 feet high flat facades, largely parallel to Gayley Avenue, directing the reflected noise straight into that section of the North Village with at an unacceptable noise level. This situation is especially aggravated by the fact that Gayley Avenue in that location has a steep slope and north bound traffic exhibits much higher exhaust noise levels because of it. 12
- The 2008 NHIP EIR does not discuss other design alternative for the “Lower De Neve Buildings”, like breaking up the structures into several terracing structures that follow the land contours. This design alternative could be much more compatible with the North Village environment, especially if the front yard setbacks are more like the ones of the earlier De Neve buildings along Bruin Walk. 13
- The 2008 NHIP EIR does not consider the enormous safety issue created with the two new garage driveways ending in the highly dangerous part of Gayley Avenue where ongoing traffic suffers from very poor road visibility around the very tight sloped bend and the nearby intersection with Landfair Avenue. Gayley Avenue, at that location is a very narrow, 2-lane major highway, with high traffic volume from trucks, public and private busses emergency vehicles, UCLA employee traffic, UCLA special events traffic, UCLA Pauly Pavillion traffic in addition to regular personal car traffic. 14

## **Response to Comment Letter 9**

**Wolfgang Veith**  
**January 19, 2009**

1. Refer to Response to Comment Letter 5, comment 25, regarding the use of solar panels and other sustainable practices on campus. The Project will be consistent with the UC Policy on Sustainable Practices and shall implement design features as described in the Section 3 of the Draft EIR, Project Description (page 3-10). In the University's continuing efforts to reduce campus energy use, passive solar water heaters will be installed on the roofs of each of the four new residence halls. The potential for installation of photovoltaic solar panels, for the production of electricity, are still being investigated as described in the UCLA Climate Action Plan, referenced in Section 4.15 of the Draft EIR.
2. Currently, UCLA does not have the infrastructure in place to use greywater and would need to address the implementation of this type of infrastructure system on a campus-wide basis. UCLA has and will continue to assess the feasibility of developing greywater recapture systems.
3. It is assumed that the commenter raises the issue of implementing rainwater collection and groundwater replenishment technology to reduce potential impacts on water supply. As discussed in Section 4.14.1, Water Supply, of the Draft EIR (starting on page 4.14-1), the proposed 2008 NHIP and remaining buildout of the 2002 LRDP, as amended, would have less than significant impacts on water supply and no mitigation is required. Notwithstanding this less than significant impact, UCLA is investigating the potential applications of the referenced water recapture systems. UCLA currently has no infrastructure in place to reuse rainwater or runoff.
4. The proposed 2008 NHIP does not involve the provision of new parking spaces. The parking cap of 25,169 spaces that was established as part of the UCLA 1990 Long Range Development Plan (LRDP), and continues under the current UCLA 2002 LRDP, would continue to be maintained at least until 2013 with implementation of the proposed Project (2008 NHIP and LRDP Amendment). There is currently no waiting list for parking on campus. However, the Draft EIR analyzes the potential impacts of adding 1,095 additional on-campus parking spaces, which would bring the number of spaces up to the campus imposed existing parking cap of 25,169. The traffic analysis presented in the Draft EIR (refer to Section 4.13, Transportation/Traffic) evaluates the traffic impacts associated with the potential provision of this additional parking and concluded that the impact would be significant and unavoidable at eight study area intersection (refer to page 4.13-43). Prior to implementation of potential projects to provide additional campus parking separate review would be undertaken in accordance with CEQA.
5. Please refer to Response to Comment Letter 4, comments 2, 3, and 4, which address public involvement for the proposed 2008 NHIP and LRDP Amendment. In addition, it should be noted that the Notice of Preparation was sent directly to the North Westwood Village Association, and to each property owner and apartment dweller within 500 foot of the proposed 2008 NHIP.
6. As described on page 3-10 of the Draft EIR (Section 3, Project Description), development of the Lower De Neve building would temporarily remove the existing vegetated buffer during construction; however, it would be replaced with a substantial number of trees, shrubs, and ground cover to provide an attractive landscape perimeter

buffer consistent with adjacent campus landscaping (e.g., Southern Regional Library and De Neve Plaza Housing complex). Areas that are generally expected to be landscaped are shown in green in Figure 3-12 of the Draft EIR. Please also refer to the Response to Comment Letter 5, comment 30, regarding the removal of trees and required mitigation.

7. The relationship of the proposed Lower De Neve building to adjacent residential uses is discussed on page 4.8-12 of the Draft EIR (Section 4.8, Land Use and Planning). As noted, the proposed 2008 NHIP would not include any uses or functions that would conflict with existing residential uses off campus.

8. As stated in Section 4.8 of the Draft EIR, Land Use and Planning (refer to page 4.8-8):

UCLA is part of the University of California, a constitutionally created entity of the State of California. As a constitutional entity, the University of California is not subject to municipal regulations, such as the City General Plans. Westwood and other surrounding communities are part of the City of Los Angeles and although this jurisdictional separation provides no formal mechanism for joint planning or the exchange of ideas, UCLA may consider for coordination purposes aspects of local plans and policies for the communities surrounding the campus but is not bound by those plans and policies in its planning efforts.

Consistent with this discussion, UCLA is not subject to the requirements of the City of Los Angeles relative to building development. However, UCLA has strived to design the project to be compatible with the local developed environment while achieving the project goals and objectives. The aesthetic impacts of the proposed Project, specifically the proposed 2008 NHIP are discussed in detail in Section 4.1, Aesthetics, (starting on page 4.1-13) and land use compatibility is discussed in Section 4.8, Land Use and Planning (starting on page 4.8-12). Potential impacts of the proposed Project related to aesthetics and land use are less than significant.

9. Please refer to Response to Comment Letter 5, comment 37, regarding providing a larger setback on Gayley Avenue.
10. Refer to response to comment 8 above.
11. The analysis presented in the EIR relative to land use compatibility and aesthetics is based on the existing environmental setting, including the height and massing of off-campus structures. The Draft EIR (on page 4.8-13) acknowledges that there are buildings of various heights and massing in the vicinity of the proposed 2008 NHIP. The fact that some of the existing structures do not comply with City requirements is not relevant to the proposed 2008 NHIP development and evaluation in the Draft EIR. Please also refer to response to comment 8, above.
12. Section 4.9, Noise, of the Draft EIR, addresses long-term traffic-related noise generated from the proposed 2008 NHIP and implementation of remaining buildout of the 2002 LRDP, as amended. As noted on page 4.9-22 of the Draft EIR, the proposed 2008 NHIP would have a net reduction in traffic on roadways surrounding the campus and would not increase traffic related noise volumes. Implementation of the remaining buildout of the 2002 LRDP, as amended, could result in a traffic noise level increase of a maximum of 1 dBA CNEL, and no increase in traffic noise levels along Gayley Avenue in the vicinity of the proposed 2008 NHIP (refer to Table 4.9-8 on page 4.9-23 of the Draft EIR).



The commenter notes that the Draft EIR does not address noise impacts from “the perfect physical noise reflection characteristics of the Lower De Neve Buildings”. Theoretically, a maximum noise increase of 3 A-weighted decibels (dBA) would occur from a reflecting surface that is directly adjacent to traffic such that the reflected noise travels only a small distance further than the direct noise from the source, and there are no obstructions between the noise source and the reflecting surface<sup>2</sup>. It should be noted that a noise increase of 3 dBA is considered barely perceptible as described in Section 4.9.1 Environmental Setting under the discussion of “Fundamentals of Sound and Environmental Noise”. The increase in noise due to reflection from the proposed Lower De Neve building would not approach 3 dBA because of the building set back from Gayley Avenue (ranging from 15 to 50 feet), the elevation of the building slightly above Gayley Avenue, and the landscape material (trees, shrubs and groundcover) that will be planted between Gayley Avenue and the Lower De Neve building (note that landscape elements when initially planted would buffer the lower floors of the Lower De Neve structure, and as they mature, the higher portions of the building would eventually be screened). Because the Lower De Neve Building will be set back and slightly elevated from Gayley Avenue, reflected noise paths from the roadway to the building to a receptor (i.e. multifamily residential buildings across the street) will be substantially longer than a direct noise path from the vehicles on Gayley Avenue to the same receptor. Additionally, vehicle noise that travels from Gayley Avenue through the landscaping to lower elevations on the building will be reduced because the landscaping will absorb some noise energy. Vehicle noise that travels from Gayley Avenue, then above the landscaping to higher elevations on the building will contribute little noise because most of the noise will be reflected at angles such that the reflected noise would pass above most of the North Village receptors. In addition to noise reduction from longer path lengths and absorption by landscaping, there will also be some absorption by the building walls (which will not be perfectly reflecting surfaces). Therefore potential noise reflection as a result of development of the Lower De Neve building would be less than 3 dBA and would not be perceptible. No significant impacts noise would result, and the conclusion of a less than significant impact, as stated in the Draft EIR, would remain unchanged.

13. A terraced structure that follows the land contours and increases in height from Gayley Avenue up to De Neve Drive could not provide as many beds or the same building efficiency as the proposed 2008 NHIP. Please refer to Response to Comment Letter 8, comment 11, which addresses the evaluation of a Reduced Density Alternative. Additionally, the limited amount of available land on the site for Lower and Upper De Neve, along with the desire to maintain some landscape area in and around the buildings, makes a terraced alternative infeasible and would not meet several of the Project Objectives. In particular, a terraced design would not meet Project Objectives number 7 and 8 as described in the Draft EIR in Section 3, Project Description (page 3-2). Project Objective 7 is “Provide undergraduate housing facilities that are similar (in size, configuration, and program operational efficiency) to existing housing facilities while maintaining the spatial development, massing and density of the Northwest campus zone to the extent feasible. Project Objective 8 is “Provide new undergraduate housing facilities that are designed to optimize security, safety, accessibility and convenience for student residents.”

<sup>2</sup> California Department of Transportation (Caltrans). 1998 (October). *Technical Noise Supplement: A Technical Supplement to the Traffic Noise Analysis Protocol*. Sacramento, CA: Caltrans. <http://www.dot.ca.gov/hq/env/noise/pub/Technical%20Noise%20Supplement.pdf>.

14. As described on page 3-8 of the Draft EIR, the driveways accessing the Lower De Neve buildings from Gayley Avenue are for service vehicles only. Vehicular hazards during operation are addressed on page 4.13-55 (in Section 4.13, Transportation/Traffic). As discussed, use of these driveways would be sporadic with limited vehicular activity. The driveways would require approval from the Los Angeles Department of Transportation (LADOT) and would be constructed in compliance with LADOT requirements, including for sight distance. No traffic impacts would occur with implementation of this component of the proposed 2008 NHIP.

## **2.2 RESPONSES TO COMMENTS MADE AT THE JANUARY 6, 2009 PUBLIC HEARING**

A public hearing on the UCLA 2008 NHIP and LRDP Amendment was held by UCLA on January 5, 2009 at the UCLA Faculty Center. Three people spoke at the public hearing. Their comments are summarized in the attached minutes of the public hearing and responses to their comments follow.

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DRAFT: January 8, 2009

2008 NORTHWEST HOUSING INFILL PROJECT & LRDP AMENDMENT DRAFT EIR  
(SCH#2008051121, December 2008)

PUBLIC HEARING – UCLA FACULTY CENTER  
JANUARY 6, 2009

Minutes

A public hearing on the UCLA 2008 Northwest Housing Infill Project and Long Range Development Plan Amendment Draft EIR was held at the Faculty Center and was attended by five individuals, three of whom presented oral comments.

Tova Lelah, Assistant Director, Campus Environmental Planning, opened the public hearing with an overview of the purpose of the hearing and environmental process, and a brief summary of the Proposed Project. Comments on the process were expressed and are summarized in the comments below. It was explained that notes of the comments made at the public hearing would be taken by UCLA staff and the consultant team and minutes provided. On request by the commenters present, it was agreed that the draft compiled summary of the comments received at the hearing would be submitted to the speakers in writing, addressed to the e-mail addresses commenters provided at the hearing, to allow them an opportunity to respond with any proposed corrections. The comments and responses provided in the final EIR will include the minutes and any written corrections or clarifications by any commenters to his or her comments, provided the written corrections or clarifications are sent to Ms. Lelah by e-mail within a week of receipt by addressees. In addition, any written comments provided after the hearing by commenters present at the hearing, if received by the end of the comment period, will also be included in the final environmental document.

The public hearing was opened for comment. Following is a summary of comments received.

**Speaker: Wolfgang Veith** – Represents Northwest Village Residence Area that is generally bound by Gayley/Veteran/Le Conte.

- The project would result in the destruction of the buffer zone between campus and the off-campus residential zone. ] 1
- The NHIP project would allow higher density residential development compared to surrounding off-campus areas in the City. ] 2
- The City [of Los Angeles] would never allow such a building, it is too big, too high, too long at over 300, and is not consistent with setbacks. ] 3
- The proposed NHIP buildings are too long and City of Los Angeles would require that they be “broken up”. The City would also not allow the proposed architectural style or height of buildings. ] 3
- The proposed NHIP would result in additional undergraduate student residents on the campus especially on Landfair. Alcohol-related disturbances would occur/increase, especially on lower Landfair on Thursday, Friday and Saturday nights between the hours of 1:00 AM and 3:00 AM. ] 4

- UCLA has not taken a stand on illegal underage drinking or made efforts to stop this activity. They should require that underage students caught drinking be expelled from the University.
- Suggested that the proposed housing be developed above De Neve Drive or on the basketball courts. Also suggested that a gate be put on Bruin Walk so students can't easily access Landfair and would have to use Strathmore.
- The project would have a negative impact on the North Village.

4 cont.

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**Speaker: Carole Magnuson** – Resident of Westwood Hills Property Owners Association, generally west of Veteran and north/south of Montana. Former president of HOA and current Vice President of the HOA. 22 years working for the campus.

- She will be submitting comments in writing, but feels it has been difficult to discuss the project with UCLA and hopes that the university will return to previous practice where the community was involved in the planning phase. When the community is asked for their input, a better project results.
- Primary point made was that the public has had a problem obtaining information on the project. Information meetings should be held before the environmental review process (the NOP for the project was released on May 27th but the community meeting was not held until June 10).
- The environmental review process has been conducted according to CEQA requirements; the public relations process is what is of concern. The neighbors want to be involved in the planning and can provide useful comments that can be incorporated in projects. In some cases assumptions are made by Capital Programs on neighborhood concerns but an accurate understanding of concerns can be gained from coordinating with the neighbors directly.
- Not enough information has been provided to understand the project. What are the traffic implications of 2 access driveways on Gayley Avenue? The commenter indicated that she did not believe this was addressed in the EIR.
- The EIR was difficult to review online and campus libraries were closed over the holiday break. It appears that UCLA scheduled the review period to have a minimum amount of public involvement.

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**Speaker: Alvin Milder** – (did not state his address, neighborhood, or HOA affiliation)

- Mr. Milder was disheartened to see such a small crowd and that there were no students was "criminal."
- CEQA requires that a community meeting be held.
- It was impossible to read the EIR in CD format and it was an insult not to be provided a hard copy without charge. Per the ADA, a hard copy should have been provided without charge for copy costs, but as it was not, this EIR should be re-circulated.
- UCLA may be recognized as an international research institution, but the inconvenient truth is that the army of people putting [the EIR] together, including the administration and the consultant, are inept. This is an embarrassment.
- Having two EIRs in one document is impossible to read. The DEIR should be redone, reformatted, and re-circulated.

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- The DEIR needs to address economic issues. Finances of the State are going to hell, yet UCLA Capital Programs wants to suck the last remaining money for this project to develop plush dorms. 14
- The EIR should identify how many out of State, foreign, and illegal students are housed in the dorms and the respective housing rates charged to those students. 15
- How does the cost of housing at UCLA compare to other universities? 16
- The EIR should be written in plain English. 16
- It contains contradictory language, specifically in the Traffic section where in one case it states there will be a substantial degradation at intersections, yet later it says there will be no degradation of intersections. 17
- Mr. Milder indicated he had asked for a hard copy and was told it would be \$200, and that that was “real neighborly.” In addition, the three campus libraries with copies of the draft EIR were closed for two weeks during winterbreak and the draft EIR was distributed just prior to winterbreak. Students have the greatest interest in this proposed project but the process was designed to not get comments from them. 18
- The 2008 NHIP continues to degrade the campus. Mr. Milder quoted an architectural review that had negative statements regarding the campus’ landscaping and architecture. 19
- If you look at the history of the release date of past EIRs, you will see that it is always over the summer and winter breaks. Capital Programs wants no student input, and in this case, most students were gone during the NHIP review. 20
- UCLA does not want comments on the latest eyesore on campus; why doesn’t someone in Capital Programs stop the development of the ugly buildings on the edge of campus. Landscaping does not hide these buildings. 20
- The lessons of the lawsuit in 1976 or so have not been learned. The university has decided to go ahead and then rationalize this decision in the EIR. Mr. Milder quoted an article from the UCLA Bruin that noted the “All-Hill Halloween” activities would not be held for four years because of the construction of this project. This indicates that the decision has already been made to go forward with the project. 21
- The EIR does not discuss other projects on campus. Where is the faculty housing going and what about Lot 32/36; what about the old hospital? 22
- Where is the Sustainability Coordinator for campus? Not here. She is working on a project that won’t be done until 2019. 23
- There is only one Green Building on campus and it was done to green standards on the insistence of the donor. 23
- Why doesn’t UCLA stop distributing bottled water or plastic bags on campus? 24
- These are hard times at UCLA; professors say they may have to pay for their own voicemail and freezing of salaries for faculty and staff. This is where the money should go. 24
- Why doesn’t someone say “no more – enough?” Yet Capital Programs continues to spend. 25
- The Daily Bruin had an advertisement for available housing – why do we need NHIP? 25
- How much do bonds cost? How long will it take to pay them off? These issues need to be addressed in the EIR. 26

- Why do we need more parking if the housing project will reduce the need for parking? Why doesn't the campus get rid of all parking? These issues need to be addressed in the EIR. 27
- How over budget and over schedule have the hospital and dorm projects been over the last 10 years? This needs to be disclosed in the EIR under CEQA. 28
- UCLA should be an environmental leader. Silent Spring by Rachel Carson was written 30 years ago, yet UCLA has just appointed a Sustainability Coordinator? 29
- Separate out the LRDP and Housing into two EIRs and re-circulate. 30
- Mr. Milder quoted from a Daily Bruin editorial regarding the State budget deficit and noted that the economic impact of the project should be addressed in the EIR. Mr. Milder also indicated that \$132 million is proposed to be cut from the UC and Cal State systems budget and that economic impacts should be addressed in the EIR. 31
- Please don't build it. 32

**Speaker: Sharon Milder**

- Ms. Milder submitted a speaker card but changed her mind and declined to speak.

Tova Lelah thanked all the speakers for participating in the Public Hearing and adjourned the meeting at approximately 8:45 p.m.



**Speaker 1: Wolfgang Veith**

Mr. Veith also submitted a written comment letter (Comment Letter 9). To avoid repetition, responses to his written comments are referred to below where the comment is the same.

1. Refer to Response to Comment Letter 9, comment 6, which addresses the landscape buffer zone between UCLA and off campus uses.
2. Refer to Response to Comment Letter 9, comment 7, which addresses land use compatibility.
3. Refer to Response to Comment Letter 9, comment 8, which addresses with the relationship between University development and City building requirements.
4. Please refer to Section 4.11.2 of the Draft EIR, Police Services (page 4.11-6), which addresses the services provided by the UCLA Police Department to address alcohol use on campus. There is also discussion of programs implemented by UCLA that address alcohol harm reduction and prevention (page 4.11-7 of the Draft EIR). Additionally, UCLA policies on alcohol are discussed on page 4.11-9 of the Draft EIR. The potential noise and safety hazards associated with these activities were therefore analyzed in the Draft EIR and concluded to be less than significant. No further analysis is required. In addition, UCLA's disciplinary policies are not a CEQA issue related to the proposed project.
5. The commenter suggests that alternative locations for the proposed 2008 NHIP be considered. The implementation of the proposed 2008 NHIP above De Neve Drive or on the basketball courts are suggestions that were also made during the scoping process for the Draft EIR and are discussed on page 5-2 of the Draft EIR. As discussed, each of these alternatives was examined by UCLA and determined to be infeasible primarily due to the site's physical conditions/constraints. The alternative of putting a gate on Bruin Walk so that students cannot easily access Landfair is also not feasible. As shown on Figure 3-3 of the Draft EIR (Campus Map) Bruin Walk is the primary pedestrian facility connecting the Northwest zone (where residential uses are located) to other campus zones, as well as providing access to the campus for many students living in off-campus residences in the North Village area. Additionally, a gate along Bruin Walk would not prohibit students from leaving campus, which appears to be the intent of the commenter. In general, there are no circumstances where prohibiting students from leaving campus via existing pedestrian or vehicular facilities would be appropriate.
6. The commenter's opinion that the proposed 2008 NHIP would have a negative impact on the North Village is noted and will be taken into consideration by the decisionmakers. It should be noted that the compatibility of the proposed 2008 with off campus uses is discussed in Section 4.8 of the Draft EIR (Land Use and Planning) starting on page 4.8-12. Based on this analysis, it was concluded that no land use impacts would result from implementation of the proposed 2008 NHIP.

**Commenter 2: Carole Magnuson**

7. Please refer to Response to Comment Letter 4, comment 2, which addresses the public participation process for the proposed 2008 NHIP. In summary, a Community Leader Information Meeting was in fact, held on April 29, 2008, prior to the release of the NOP as requested by the commenter. In addition, a Community Information and EIR Scoping Meeting was held on June 10, 2008, and a public hearing was held on January 6, 2009.

The commenter has been invited to all of these meetings, and with the exception of the Community Leader Information Meeting, attended the meetings. See also Response to Comment Letter 8, comment 9.

8. As described on page 3-8 of the Draft EIR, the driveways accessing the Lower De Neve buildings from Gayley Avenue are for service vehicles only. Vehicular hazards during operation are addressed on page 4.13-55 (in Section 4.13, Transportation/Traffic). As discussed, use of these driveways would be sporadic with limited vehicular activity. No traffic impacts would occur with implementation of this component of the proposed 2008 NHIP. See also Response to Comment Letter 9, comment 14.
9. Please refer to Response to Comment Letter 4, comment 2, which addresses the public participation process for the proposed 2008 NHIP.

**Commenter 3: Alvin Milder**

10. Please refer to Response to Comment Letter 4, comment 2, which addresses the public participation process for the proposed 2008 NHIP.
11. The American with Disabilities Act website ([www.ada.gov](http://www.ada.gov)) identifies “General Effective Communication Requirements Under Title II of the ADA”. Specifically, different types of auxiliary aids and services are identified, including “materials in electronic form (compact disc with materials in plain text or work processor format”. Additionally, the commenter did not notify UCLA of any disabilities that would be prevent him from reviewing the Draft EIR on the CD provided and did not request a waiver of the fee for a printed version of the Draft EIR. Additionally, hard copies of the Draft EIR were available at various libraries and the UCLA Capital Programs office.
12. This is not a direct comment on the content or adequacy of the Draft EIR. No response is required.
13. Please refer to Response to Comment Letter 5, comment 14, which addresses the format and content of the Draft EIR.
14. Please refer to Response to Comment Letter 4, comment 5, which addresses project budget and financing. See also Response to Comment Letter 5, comment 16.
15. The citizenship of on-campus housing is not an issue relevant to the environmental impacts addressed in an EIR. That said, UCLA undergraduate (on-campus) housing in the Northwest zone currently accommodates 494 students that are US citizens with out-of-state permanent addresses, and 228 students that are not US citizens with international permanent addresses. Only enrolled UCLA students are provided housing. There currently is no housing rate differential for out-of-state or international students. The comment concerning the cost of housing at UCLA compared to the cost of housing at other universities does not address a significant environmental impact or a CEQA issue. However, Response to Comment Letter 5, comment 22, provides a comparison of 2008 housing rate for the various UC campuses.
16. This comment is noted and will be taken into consideration by the decisionmakers.
17. The commenter did not cite specific pages of the Draft EIR with discrepancies only noting the “traffic section”. Section 4.13 (Transportation/Traffic, page 4.13-35) concludes that the proposed 2008 NHIP would have a net reduction in trip generation since there

will be less students commuting, therefore, there would be no impact to study area intersections. However, implementation of the remaining buildout of the 2002 LRDP, as amended, would result in significant impacts at eight study area intersections (refer to page 4.13-43). This is not a discrepancy in analysis, rather different conclusion for the project-specific analysis for the proposed 2008 NHIP compared to the program-level analysis for the proposed LRDP Amendment (which includes the assumption of build-out to the 25,169 space parking cap, a potential increase of 1,095 parking spaces over the existing campus parking space inventory of 24,074 spaces).

18. Please refer to Response to Comment Letter 4, comments 1, 2 and 3, which address the public review process and 45-day public review period for the 2008 NHIP and LRDP Amendment Draft EIR. See also Response to Public Comments, comment 11.
19. Section 4.1 of the Draft EIR, Aesthetics, addresses the visual change resulting from implementation of the proposed 2008 NHIP and Section 4.8, Land Use and Planning address compatibility of the undergraduate housing with existing uses on and off campus. As explained in these sections, the proposed 2008 NHIP would not result in a significant impact.
20. Please refer to Response to Comment Letter 4, comments 1, 2 and 3, which address the public review process and 45-day public review period for the 2008 NHIP and LRDP Amendment Draft EIR.
21. Please refer to Response to Comment Letter 5, comment 10, which clarifies the information presented in the referenced newspaper article.
22. Please refer to Response to Comment Letter 5, comment 18, which addresses other projects on campus, and comment 37 which addresses the development of Lot 36 and the Old Hospital as alternatives to the project. As described in Section 3.6.2 of the Draft EIR, Remaining 2002 LRDP Development Allocation-Square Footage Updates, there is 1.32 million square feet of development allocation remaining with implementation of the 2002 LRDP, as amended. Because no specific project beyond the 2008 NHIP have been proposed, the Draft EIR addresses future development of the 1.32 million square feet at a program-level. Future development projects would be reviewed on an individual basis and would be subject to evaluation pursuant to the California Environmental Quality Act.
23. Please refer to Response to Comment Letter 5, comment 23, which addresses UCLA's sustainability program and related practices.
24. Please refer to Response to Comment Letter 4, comment 5, which addresses project budget and financing. See also Response to Comment Letter 4, comment 6.
25. Please refer to Response to Comment Letter 4, comment 6, regarding the demand for on campus housing.
26. Please refer to Response to Comment Letter 4, comment 5, which addresses project budget and financing. CEQA and the State CEQA Guidelines do not require that an EIR provide information on the cost of a project and how long it will take to pay for it. Section 15131(a) of the State CEQA Guidelines states "Economic or social effects of a project shall not be treated as significant effects on the environment...the focus shall be on the physical changes".

27. Please refer to Response to Comment Letter 5, comment 31, regarding parking. It should be noted that although the Draft EIR addresses implementation of the remaining space allowed by the current parking cap (an increase of approximately 1,095 spaces over existing conditions), additional parking would not be constructed until such time as warranted by demand. Parking demand is continuously evaluated by the campus. Further, construction of additional parking facilities would be subject to separate CEQA compliance at the time such facilities are proposed.
28. The commenter requests information on the budget and schedule for previously approved and constructed project on campus. This is not a direct comment on the content or the adequacy of the Draft EIR and no response is required.
29. Please refer to Response to Comment Letter 5, comment 23, which addresses UCLA's sustainability program and related practices.
30. Please refer to Response to Comment Letter, 5, comment 14, which addresses the approach to the environmental analysis and the relationship between the 2008 LRDP and the LRDP amendment necessary to implement the 2008 NHIP (project-level for the proposed 2008 NHIP and program-level for the buildout of the remaining development under the 2002 LRDP, as amended).
31. Please refer to Response to Comment Letter 4, comment 5, which addresses project budget and financing.
32. The commenter's request to not build the project is noted and will be taken into consideration by the decision makers.

## SECTION 3.0 CLARIFICATIONS AND REVISIONS TO THE DRAFT EIR

This section includes recommended clarifications and revisions to the 2008 NHIP and LRDP Amendment Draft EIR. This section is organized by respective sections of the EIR. Deleted text is shown as ~~strikeout~~ and new text is underlined.

### **SECTION 1 – EXECUTIVE SUMMARY**

The following mitigation measures (MMs) and campus programs, practices and procedures (PPs) in Tables 1-1 and 1-2 of the Draft EIR have been revised to be consistent with the text in the respective EIR technical sections.

***Table 1-1 (Summary of Environmental Impacts and Mitigation Program, Proposed 2008 Northwest Housing Infill Project)***

MM. 4.3-4      UCLA shall replace protected trees removed for construction of projects under the 2002 LRDP, as amended, with protected trees of the same species at a 2:1 ratio as presented in the City of Los Angeles Protected Tree Ordinance (Ordinance Number 177404). Protected trees are defined as coast live oak, valley oak, western sycamore, Southern California black walnut, and California bay laurel.

PP 4.4-1(a)      ~~Structures over 45 years old that have not yet been evaluated for potential historic significance and may be directly or indirectly impacted by a proposed development project shall be evaluated for eligibility for listing on the California Register of Historic Resources. The campus shall continue to implement all modifications to historic structures in compliance with the Secretary of the Interior's Standards for Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (Weeks and Grimmer 1995).~~

Structures outside the campus Historic Core that appear to have historic significance, or are over 45 years old, that may be directly or indirectly impacted by a proposed development project shall be reviewed by the campus and a qualified architectural historian or historic architect for eligibility for listing on the California Register of Historical Resources. If a structure is identified as eligible for listing in the California Register of Historical Resources, and it is determined that the project could have a significant adverse impact on the structure, the campus and a qualified historic architect shall consider design modifications, mitigation measures and/or alternatives that could minimize, avoid or substantially reduce the impacts, and consider whether and to what extent the project could comply with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (Weeks and Grimmer 1995).

PP 4.4-1(b) — ~~The integrity of the Campus Historic Core shall be maintained.~~

***Table 1-2 (Summary of Environmental Impacts and Mitigation Program, 2002 LRDP as Amended)***

- MM 4.3-2(a) In conjunction with CEQA documentation required for any future project proposal within the 4-acre parcel or the aboveground portion of Stone Canyon Creek, surveys for special status plant species shall be conducted during the appropriate blooming period for each species, as determined by reference populations, to determine the presence or absence of these species. If no special status plant species are identified within the impact area, no further mitigation are necessary and the results of the survey shall be included in the CEQA documentation.
- MM 4.3-2(c) In conjunction with CEQA documentation required for any future project proposal within the 4-acre parcel, focused surveys for the coastal California gnatcatcher and other special status wildlife species that could occur in coastal sage scrub shall be conducted. Surveys shall follow the USFWS protocol to determine the presence or absence of this species. If no coastal California gnatcatchers are identified in the impact area, no further mitigation are necessary and the results of the survey shall be included in the CEQA documentation.
- MM 4.3-2(e) If coastal California gnatcatcher or other special status species is observed within or immediately adjacent to the impact footprint during focused surveys, construction will not proceed until authorization is granted by the U.S. Fish and Wildlife Service via a Section 7 Permit or a 10a Permit. All conditions of such permits will be complied with in order to avoid or minimize impacts on the coastal California gnatcatcher.
- MM 4.3-4 UCLA shall replace protected trees removed for construction of projects under the 2002 LRDP, as amended, with protected trees of the same species at a 2:1 ratio as presented in the City of Los Angeles Protected Tree Ordinance (Ordinance Number 177404). Protected trees are defined as coast live oak, valley oak, western sycamore, Southern California black walnut, and California bay laurel.
- PP 4.4-1(a) ~~Structures over 45 years old that have not yet been evaluated for potential historic significance and may be directly or indirectly impacted by a proposed development project shall be evaluated for eligibility for listing on the California Register of Historic Resources. The campus shall continue to implement all modifications to historic structures in compliance with the Secretary of the Interior's Standards for Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (Weeks and Grimmer 1995).~~

**Structures outside the campus Historic Core that appear to have historic significance, or are over 45 years old, that may be directly or indirectly impacted by a proposed development project shall be reviewed by the campus and a qualified architectural historian or historic architect for eligibility for listing on the California Register of Historical Resources. If a structure is identified as eligible for listing in the California Register of Historical Resources, and it is determined that the project could have a significant adverse impact on the structure, the campus and a qualified historic architect shall consider design modifications, mitigation measures and/or alternatives that could minimize, avoid or substantially reduce the impacts, and consider whether and to what extent the project could comply with the Secretary of the Interior's Standards for the**

**Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (Weeks and Grimmer 1995).**

- PP 4.4-1(b) *The integrity of the Campus Historic Core shall be maintained. **Structures over 45 years old within the Campus Historic Core that have not yet been evaluated for potential historic significance and may be directly or indirectly impacted by a proposed development project shall be reviewed by the campus and a qualified architectural historian or historic architect for eligibility for listing in the California Register of Historical Resources. The campus shall continue to implement all modifications to historic structures within the Historic Core in compliance with the Secretary of the Interior's Standards for Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (Weeks and Grimmer 1995).***
- MM 4.4-2(c) Prior to initiation of construction activities for projects that require disturbance of native sediments/soils (as identified through site-specific geotechnical analysis), the campus shall retain a qualified non-University Archaeologist to observe grading activities and recover, catalogue, analyze, and report archaeological resources as necessary. The qualified Archaeologist shall submit to the Capital Programs University Representative, a written plan with procedures for archaeological resource monitoring. This plan shall include procedures for temporarily halting or redirecting work to permit the sampling, identification, and evaluation of the resources as appropriate.
- MM 4.9-2 The campus shall require by contract specifications that, as to the extent feasible, large bulldozers, large heavy trucks, and other similar equipment not be used within 43 feet of the occupied residence halls, within 34 feet of non-residential/non-sensitive buildings, and within 135 feet of buildings that house sensitive instrumentation or similar vibration-sensitive equipment or activities. The work shall be done with medium-sized equipment or smaller within ~~this distance~~ these prescribed distances to the extent practicable.
- MM 4.9-7 A solid noise barrier that would break the line of sight between the construction site and a sensitive use area would reduce construction noise by at least 5 dBA. Therefore, when detailed construction plans are complete, the campus shall review the locations of sensitive receptor areas in relation to the construction site. If it is determined that a 12-foot-high barrier would break the line of sight between an 11-foot-high noise source and adjacent sensitive use areas, a temporary barrier shall be erected to the extent practicable. The barrier shall be solid from the ground to the top, with no openings, and shall have a weight of at least 3 pounds per square foot, such as plywood that is ½-inch thick.

**SECTION 4.4 – CULTURAL RESOURCES**

The following revisions related to historic resources have been made in Section 4.4, Cultural Resources, of the Draft EIR. The purpose of these revisions is to clarify the campus programs, practices and procedures (PPs) related to evaluation of historic resources and more clearly identify the required performance standards. The revisions include a discussion under “Regulatory Framework” of the *Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic*

*Buildings* which is a key component of the established performance criteria for addressing potential impacts to historic resources.

PP 4.4-1(a) as presented in the Draft EIR was applicable to all structures on campus and did not distinguish between areas within the previously designated Historic Core (described on pages 4.4-2 and 4.4-3 of the Draft EIR) and other areas on campus. PP 4.4-1(a) has been revised to clearly identify that structures outside the designated Historic Core will be reviewed for eligibility for listing in the California Register of Historical Resources. If a structure is determined to be eligible, PP 4.4-1(a) identifies the performance criteria for ensuring that potential significant impacts are reduced to a less than significant level. PP 4.4-1(b) is specific to structures within the campus Historic Core and has been revised to specify performance criteria for projects in this area. Another key component of the revisions to the PPs is the requirement that review of structures for potential eligibility for listing, and consideration of design modifications, mitigation measures and/or alternatives be accomplished by the campus in coordination with a qualified historic architect or architectural historian, as appropriate.

The revisions to the Draft EIR do not reduce or eliminate required mitigation or reduce the level of protection currently afforded historic resources on campus under current practices. Rather, the revisions more clearly identify the procedures to be followed for future development on campus (inside and outside of the designated Historic Core), and outline performance standards to ensure that impacts are reduced to a less than significant level. It should be noted that the 2008 NHIP is outside the Historic Core, and does not involve demolition or modifications to any structures eligible for listing on the California Register of Historic Resources; therefore, PPs 4.4-1(a) and 4.4-1(b) are not applicable to the proposed 2008 NHIP.

Section 15088.5(a) of the California Environmental Quality Act (CEQA) Guidelines states:

- (a) A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification. As used in this section, the term “information” can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement. “Significant new information” requiring recirculation include, for example, a disclosure showing that:
  - (1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
  - (2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
  - (3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project's proponents decline to adopt it.
  - (4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.



- (b) Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.

The following revisions to Section 4.4, Cultural Resources, of the Draft EIR do not require recirculation of the 2008 NHIP and LRDP Amendment Draft EIR since the conditions outlined in Section 15088.5(a) and (b) of the CEQA Guidelines do not occur. No new significant impacts would result from these revisions, and the impact conclusion of the Draft EIR (impacts to historic resources would be less than significant with implementation of PPs 4.4-1(a) and 4.4-1(b)) would not change. The revised text “merely clarifies or amplifies...an adequate EIR.”

The following revisions are hereby made to Section 4.4, Cultural Resources, of the Draft EIR. The section, as revised, is provided in its entirety in Volume 1 of this Final EIR.

1. Page 4.4-7, Section 4.2, Regulatory Framework, Federal - the following text is hereby incorporated into the EIR:

**Secretary of the Interior's Standards for Treatment of Historic Properties**

The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings and The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, Weeks and Grimmer, 1995 (Secretary's Standards) are promulgated pursuant to the National Historic Preservation Act, as amended, 16 U.S.C. 470 et seq. The Secretary's Standards provide general guidance on appropriate treatments for historical resources. CEQA utilizes the Secretary's Standards as a means of evaluating proposed projects and potential impacts on historical resources. The Secretary's Standards are not prescriptive or technical, but “are intended to promote responsible preservation practices” and “provide philosophical consistency” to treatments for historical resources (Weeks and Grimmer 1995, Introduction). The following are brief descriptions of four possible treatment approaches:

- **Preservation** places a high premium on the retention of all historic fabric through conservation, maintenance and repair, including the building's historic form, features and detailing as they have evolved over time, through successive occupancies.
  - **Rehabilitation** emphasizes the retention and repair of historic materials, but more latitude is provided for replacement because it is assumed the property is more deteriorated prior to work. (Both preservation and rehabilitation standards focus attention on the preservation of those materials, features, finishes, spaces, and spatial relationships that, together, give a property its historic character.)
  - **Restoration** focuses on the retention of materials from the most significant time in a property's history, while permitting the removal of materials from other periods.
  - **Reconstruction** establishes limited opportunities to re-create a non-surviving site, landscape, building, structure, or object in all new materials, primarily for interpretive purposes.
2. Page 4.4-9, Impact Analysis – The following revisions to PPs 4.4.1(a) and 4.4-1(b) are hereby incorporated into the EIR.

**New Campus Programs, Practices and Procedures**

The following new campus program, practice, and procedure (PP) has been developed to address projects outside the Campus Historic Core that have the potential to impact

historic structures and shall be continued throughout the planning horizon for the proposed Project. It is assumed in the analysis presented in this section.

PP 4.4-1(a) ~~Structures over 45 years old that have not yet been evaluated for potential historic significance and may be directly or indirectly impacted by a proposed development project shall be evaluated for eligibility for listing on the California Register of Historic Resources. The campus shall continue to implement all modifications to historic structures in compliance with the Secretary of the Interior's Standards for Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (Weeks and Grimmer 1995).~~

**Structures outside the campus Historic Core that appear to have historic significance, or are over 45 years old, that may be directly or indirectly impacted by a proposed development project shall be reviewed by the campus and a qualified architectural historian or historic architect for eligibility for listing on the California Register of Historical Resources. If a structure is identified as eligible for listing in the California Register of Historical Resources, and it is determined that the project could have a significant adverse impact on the structure, the campus and a qualified historic architect shall consider design modifications, mitigation measures and/or alternatives that could minimize, avoid or substantially reduce the impacts, and consider whether and to what extent the project could comply with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (Weeks and Grimmer 1995).**

#### **Campus Programs, Practices and Procedures Carried Forward from the 2002 LRDP Final EIR**

The following campus PPs ~~were~~ was adopted as part of the 2002 LRDP and shall be continued throughout the planning horizon for the proposed Project. ~~They are~~ It is therefore considered part of the proposed Project and assumed in the analysis presented in this section. Note that a change to the 2002 LRDP PP is shown in **bold-faced type**; this change has been made to clarify the campus practice for projects proposed in the Campus Historic Core, and to ensure that structures over 45 years old that could be potentially affected by future development are evaluated for historical significance. It should be noted that the 2008 NHIP is outside the Historic Core, and does not involve demolition or modifications to any structures determined to be eligible for listing on the California Register of Historic Resources. Therefore, PP 4.4-1(b) is not applicable to the proposed 2008 NHIP.

PP 4.4-1(b) The integrity of the Campus Historic Core shall be maintained. Structures over 45 years old within the Campus Historic Core that have not yet been evaluated for potential historic significance and may be directly or indirectly impacted by a proposed development project shall be reviewed by the campus and a qualified architectural historian or historic architect for eligibility for listing in the California Register of Historical Resources. The campus shall continue to implement all modifications to historic structures within

**the Historic Core in compliance with the Secretary of the Interior's Standards for Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (Weeks and Grimmer 1995).**

3. Page 4.4-10, the following changes under "Remaining Buildout of the 2002 LRDP as Amended" are hereby incorporated in to the EIR:

**2<sup>nd</sup> paragraph:** "Implementation of the 2002 LRDP, as amended, could include seismic or life safety systems retrofits, or upgrades to or reconfiguration of, historic structures, or structures considered eligible for listing on the California Register. However, the University has, as a matter of policy (refer to PP 4.4-1[ab]), implemented all such projects, either in consultation with the SHPO and/or in compliance with the Secretary of the Interior's Standards for Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (Secretary's Standards, Weeks and Grimmer 1995). According to Section 15064.5(b)(3) of the CEQA Guidelines, a project that follows these standards and guidelines shall generally be considered to have mitigated the impact on a historic structure to a less than significant level. At the same time, however, a failure to precisely conform to the Secretary's Standards in all respects does not necessarily mean that a project necessarily has a significant adverse impact on historical resources. There are circumstances where a project impacting historical resources may fail to conform to the Secretary's Standards, and yet the lead agency can conclude based on substantial evidence that the overall impact is less than significant because the project does not "materially impair" the historical resource within the meaning of Section 15064.5(b).

**3<sup>rd</sup> paragraph, 1<sup>st</sup> sentence:** "The campus will continue this policy, when necessary, during the planning horizon for the 2002 LRDP, as amended, and modifications to historic structures would, therefore, be designed in a manner that is sensitive to the character of a historic resource and the qualities of the structure that convey historic significance."

**5<sup>th</sup> paragraph, last sentence:** "Although demolition of historic or potentially historic structures on campus is not planned, all appropriate CEQA analyses will be undertaken should demolition or other modification of such structures be proposed as part of implementation of future development under the 2002 LRDP, as amended."

**6<sup>th</sup> paragraph:** PPs 4.4-1(a) and 4.4-1(b) require that the campus evaluate structures over 45 years old that would be directly or indirectly affected by a proposed development project to determine whether the structure is eligible for listing on the ~~National or State~~ California Register. If a historic structures evaluation determines that the particular structure is eligible for listing, as described above, the campus would continue its policy of undertaking renovations and/or new development that could affect such structures, in accordance with the Secretary's ~~of the Interior Standards, or consider design modifications, mitigation measures and/or alternatives that could minimize, avoid or substantially reduce the impacts.~~

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## **APPENDIX J – WATER SUPPLY ANALYSIS**

The Water Supply Analysis included as Appendix J to the Draft EIR was updated to reflect new developments in the State Water Project availability due to the new Biological Opinion issued by the United States Fish and Wildlife Service on December 15, 2008 regarding the effects of Central Valley Project and State Water Project operations on delta smelt. The revised Water Supply Analysis is attached.

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**Water Supply Analysis**

**UCLA 2008 Northwest Housing Infill Project and Long Range Development Plan  
Amendment**

**November 2008**

**(Updated January 2009)**

**Prepared by:**

**Fernando Avila  
Best Best & Krieger LLP  
300 S. Grand Avenue  
25<sup>th</sup> Floor  
Los Angeles, CA 90071**

## **Introduction**

Physical development of the University of California, Los Angeles (“UCLA”) is guided by the 2002 Long Range Development Plan, adopted by the Regents in February 2003. The Long Range Development Program (“LRDP”) fulfills the function of a “master plan” for campus land use development and the accompanying Final EIR for the 2002 LRDP was certified by the Regents pursuant to the requirements of the California Environmental Quality Act (“CEQA”).

The 2002 LRDP EIR analyzed the environmental impacts of the addition of 1.71 million gross square feet (gsf) and 4,000 full time equivalent (“FTE”) students pursuant to the 2002 LRDP. Senate Bill 610, which requires a water supply analysis by the local water provider for certain projects, applies only to “cities and counties” and not to the University of California, a constitutionally-established public entity. In 2002, UCLA voluntarily requested that the local water provider, the Los Angeles Department of Water & Power (“LADWP”), prepare a Water Supply Assessment (“WSA”) for the 2002 LRDP analyzing the sufficiency of LADWP’s water supplies to meet existing and future water demands, including those of the 2002 LRDP and any unbuilt previously-approved development under prior LRDPs. The 2002 WSA for the 2002 LRDP was adopted by the LADWP Board of Commissioners on July 2, 2002. It concluded that water supplies were adequate to meet the needs of the 2002 LRDP along with those water demands projected to arise within LADWP’s service area. The 2002 WSA and a Supplementary Water Supply Analysis prepared by UCLA were then included in the 2002 LRDP EIR, forming the basis of that EIR’s conclusion that water supply impacts would be less than significant.

UCLA is proposing to amend the LRDP for the UCLA campus to provide an additional 550,000 square feet of development for the proposed 2008 Northwest Housing Infill Project (“2008 NHIP”). Because the 2008 NHIP has an estimated completion date of 2013, and the 2002 LRDP has a planning horizon of 2010, the Draft EIR and this water supply assessment account for an extended LRDP planning horizon from 2010 to 2013. The 2002 LRDP as modified by the proposed LRDP amendment (“LRDP Amendment”) would preserve the 2002 LRDP’s campus-wide trip generation and parking caps, reconfirm the remaining LRDP development square footage entitlements within campus land use zones (with the exception of the NHIP), and provide for a small increase in total campus population through 2013. In summary, the 2002 LRDP as amended would provide for a total new development of approximately 1.87 million gross square feet (i.e. approximately 1.32 million gsf remaining under the 2002 LRDP and the proposed 550,000 gsf addition for the 2008 NHIP).

In preparing this analysis, significant references and data have been utilized from the City of Los Angeles Year 2005 Urban Water Management Plan (“UWMP”). The 2005 UWMP and the information contained therein are incorporated as a part of this water supply analysis, and the 2005 UWMP is attached to this document.

## **Summary of Findings**

Campus water demand attributable to the 2002 LRDP as amended is estimated to increase by approximately 307 acre feet (“AF”) annually by 2013 in conjunction with an estimated increase in square footage of 1.87 million gross square feet. This analysis concludes that adequate water supplies will be available to meet the water demands of development under the LRDP Amendment, as the projected water demand can be met during normal, single-dry, and multiple-dry water years, in



addition to the existing and planned future demands on LADWP.

The basis for reaching this conclusion is the City of Los Angeles' 25-year water resource plan, the 2005 UWMP. LADWP's water demand forecast as contained in the 2005 UWMP uses a population growth forecast that is consistent with the projections used in the City of Los Angeles General Plan. The California Urban Water Management Planning Act requires water suppliers to develop an UWMP every five years to identify short-term and long-term water resources management measures to meet growing water demands during normal, dry, and multiple-dry years.

The City of Los Angeles is currently experiencing its second year of dry conditions. These current dry conditions fall within the planning assumptions of the 2005 UWMP. The 2005 UWMP includes multiple-dry year scenarios as part of its water shortage contingency analysis. The anticipated water demand from the 2002 LRDP Amendment falls within the 2005 UWMP's projected water supplies for normal, single-dry, and multiple-dry years through the year 2030 and within the 2005 UWMP's 25-year water demand growth projection. Overall the UWMP projected an increase in citywide water demands based on new development (well beyond that remaining under the 2002 LRDP Amendment), while anticipating multi-year dry water supply conditions occurring at the same time. Therefore, water supplies are or will be adequate to meet the demands of the 2002 LRDP Amendment, according to the 2005 UWMP.

### **Project Description & Project Water Demand Estimate**

In 2007/2008, the UCLA campus accommodated approximately 16.8 million gsf of occupied space, by 2013 (the date of buildout of the 2002 LRDP as amended), this could increase to 18,844,631 gsf. The proposed LRDP Amendment would allow the development and occupancy of approximately 1.87 million square feet of gross space on the UCLA campus beyond that existing in 2008: 550,000 square feet for the proposed 2008 NHIP and 1.32 million square feet of building entitlement remaining from the 2002 LRDP (which entitlement was itself left over from the 1990 LRDP). While the bulk of this 1.87 million square feet of new development (i.e., the 1.32 million square feet from the 2002 LRDP) was actually analyzed in the 2002 LRDP EIR, which determined that there was sufficient water supply to meet the water demands that this new space would generate, this 2008 water supply analysis will assess the sufficiency of water supplies to meet the demands of all development above and beyond that actually existing in 2008. Therefore, the water supply impact of the 2002 LRDP Amendment would be the demand generated from the development of approximately 1.87 million square feet to the campus.

In order to be consistent with the general methodology utilized by the City of Los Angeles Department of Water and Power ("LADWP") for calculating demand for water, a ratio of water demand to sewer generation for the UCLA campus was derived. Utilizing the 2007 sewer monitoring information reported in the sewer study prepared for the 2002 LRDP Amendment, the campus' overall wastewater generation for 2007 was 2,035,000 gallons per day ("gpd").<sup>1</sup> At the same time, the average water use for the campus in 2007 was 2,337,598 gpd, based upon metering data from LADWP. These data indicate that campus sewage generation is approximately 87 percent of the amount of water used, corresponding to a campus water-demand-to-sewage-generation ratio of approximately 1.15.

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<sup>1</sup> Sewer Study (RBF Consulting, 2008).

**TABLE I**  
**2002 LRDP Amendment Water Demand Use Ratio**

<b>2007 Average Annual Water Use (gpd)</b>	<b>2007 Annual Sewage Generation (gpd)</b>	<b>Ratio (water/sewer)</b>
2,337,598	2,035,000	1.15
gpd - gallons per day		

The sewer study conducted for the proposed 2002 LRDP Amendment measured the actual wastewater generated by the campus for 2007 and estimated the wastewater generation for the Ronald Reagan Medical Center (RRUCLAMC) that was built but not fully occupied at the time of the sewer study. The results of the sewer metering study, the estimated wastewater for the RRUCLAMC, and the projection of wastewater generation for the 2013 build-out year are shown in column one of Table II below. Similarly, using actual water use meter data for the campus in 2007, and applying the water-demand-to-sewage-generation ratio previously discussed, the water demand for the campus for the 2013 build-out year is derived in column two of Table II below.

**TABLE II**  
**2002 LRDP Amendment Water/Wastewater Baseline for 2008**

<b>Scenario</b>	<b>Wastewater Generation (gpd)</b>	<b>Water Use (gpd)</b>
2008 Existing Campus	2,035,000 <sup>1</sup>	2,337,598 <sup>1</sup>
2008 R.R. Medical Center	120,000 <sup>2</sup>	138,000
<i>Total 2008 Baseline</i>	<i>2,155,000</i>	<i>2,475,598</i>
Total 2013 Campus	2,393,441 <sup>2</sup>	2,752,457
<i>Increase between 2008 and 2013 due to LRDP Amendment</i>	<i>238 ,441</i>	<i>274 ,207</i>
Notes: 1. Based on 2007 metering data. 2. Based on 2008 Sewer Study by RBF Consulting.		

The estimated increase in daily water demand for the campus of 274,207 gpd is equivalent to an annual increase in water demand for the campus of approximately 307 AF (i.e. 325,851 gallons equal one acre foot).

### **Water Demand Forecast**

LADWP's 2005 UWMP projects yearly water demand to reach 776,000 AF by 2030, or an increase of 17 percent or 115,000 AF from 2005. Water demand projections in five-year increments through 2030 are available in the 2005 UWMP for each of the major customer classes: single-family, multifamily, commercial, governmental, and industrial. Demographic data from the Southern California Association of Government's 2004 Regional Transportation Plan as well as billing data for each major customer class, weather, and conservation were factors used in forecasting future water demand growth.

The 2005 UWMP used a service area-wide method in developing its water demand projections. This methodology does not rely on individual development demands to determine area-wide growth. Rather, the growth in water use for the entire service area was considered in developing long-term water projections for the City of Los Angeles through the year 2030. The 2005 UWMP is updated every five years as required by California law. This process entails, among other requirements, an update of water supply and water demand projections for water agencies. In the next update, LADWP

will develop a revised demand forecast that will factor in the water demand for all water supply assessments that have been prepared in addition to future demands, in order to continually hone the accuracy of the water demand forecasts. While quantified water demands will be added to the water demand baseline for use in future UWMPs, project consistency with the amount of growth assumed in the 2005 UWMP's projections supports a conclusion that such a project's demands were included in the 2005 UWMP supply-demand analysis.

As mentioned above, the 2005 UWMP anticipates a growth in water demand of 115,000 AF per year by 2030. The additional water demand represented by the 2002 LRDP Amendment, 307 AF per year, falls well within this amount. Further, the 2005 UWMP anticipates that governmental land uses (under which the UCLA campus would fall) would result in an increase of 3,000 AF per year in water demands by 2030, with 1,000 AF per year of this demand growth occurring by 2010.<sup>2</sup> Therefore, the additional water use that would result from the 2002 LRDP Amendment is also consistent with these land-use specific projections. The growth in water demand that would occur under the 2002 LRDP Amendment is consequently included within the demand forecasts utilized in the 2005 UWMP.

## Water Supplies

The Los Angeles Aqueducts ("LAA"), local groundwater, purchased water from the Metropolitan Water District of Southern California ("MWD"), and recycled water are the primary sources of water supplies for the City of Los Angeles. Table II shows LADWP water supplies over the last ten years from these sources.

**TABLE II**  
**LADWP Water Supply**

<b>Year</b>	<b>Los Angeles Aqueducts</b>	<b>Local Groundwater</b>	<b>MWD</b>	<b>Recycled Water</b>	<b>Total</b>
<b>1997</b>	435,624	110,629	93,217	1,873	<i>641,343</i>
<b>1998</b>	466,836	80,003	56,510	1,326	<i>604,675</i>
<b>1999</b>	309,037	170,660	164,112	1,812	<i>645,621</i>
<b>2000</b>	255,183	87,946	336,116	2,200	<i>681,445</i>
<b>2001</b>	266,923	79,073	309,234	1,636	<i>656,866</i>
<b>2002</b>	179,338	92,376	410,329	1,945	<i>683,988</i>
<b>2003</b>	251,942	90,835	322,329	1,759	<i>666,865</i>
<b>2004</b>	202,547	71,831	391,834	1,774	<i>667,986</i>
<b>2005</b>	368,839	56,547	185,346	1,402	<i>612,134</i>
<b>2006</b>	378,956	63,270	188,781	3,981	<i>634,988</i>

Note: Units are in AF

## Los Angeles Aqueducts

Snowmelt runoff from the Eastern Sierra Nevada Mountains is collected and conveyed to the City of Los Angeles via the LAA. LAA supplies come primarily from snowmelt and secondarily from groundwater pumping, and can fluctuate yearly due to varying hydrologic conditions. In recent years, LAA supplies have been less than the historical average because of environmental obligations to

<sup>2</sup> See LADWP 2005 UWMP, p. 1-10.

restore Mono Lake and mitigate dust from Owens Lake. The City holds water rights in the Eastern Sierra Nevada where LAA supplies originate. These supplies originate from both streams and from groundwater. In 1905, the City approved a bond measure for the purchase of land and water rights in the Owens River Valley. By 1913, the First Los Angeles Aqueduct began its deliveries of water to the City primarily from surface water diversions from the Owens River and its tributaries. Historically, these supplies were augmented from time to time by groundwater extractions from beneath the lands that the City had purchased in the Owens Valley.

In 1940, the First Los Angeles Aqueduct was extended north to deliver Mono Basin water to the City pursuant to water rights permits and licenses granted by the State Water Resources Control Board. In 1970, the Second Los Angeles Aqueduct was completed increasing total delivery capacity of the LAA system to approximately 550,000 AF per year. The Second Los Angeles Aqueduct was to be filled by completing the Mono Basin diversions originally authorized in 1940 by a more effective use of water for agricultural purposes on City-owned lands in the Owens Valley and Mono Basin and by increased groundwater pumping from the City's lands in the Owens Valley.

In 1972, Inyo County filed a California Environmental Quality Act lawsuit challenging the City's groundwater pumping program for the Owens Valley. The lawsuit was finally ended in 1997, with the County of Inyo and the City of Los Angeles entering into a long-term agreement for the management of groundwater in the Owens Valley. That agreement, entered as a judgment of the Superior Court in the County of Inyo (*County of Inyo v. City of Los Angeles*, Inyo Co. Super. Ct. Case No. 12908) outlines the management of the City's Owens Valley groundwater resources.

Further, in September 1994 by virtue of the public trust doctrine, the State Water Resources Control Board issued Decision No. 1631, which effectively reduced LADWP's Mono Basin water rights from 100,000 AF a year to the current 16,000 AF a year. In brief, LADWP's ability to export Mono Basin water is now tied directly to the elevation of Mono Lake and flows of various streams that are tributary to Mono Lake. When Mono Lake reaches its target elevation, then exports from the Mono Basin can increase from its current levels.

In July 1998, LADWP and the Great Basin Unified Air Pollution Control District entered into a Memorandum of Agreement. It delineated the dust-producing areas of the Owens lakebed that needed to be controlled, specified measures required to control the dust, and outlined a timetable for implementation of the control measures. The Memorandum of Agreement was incorporated into a formal air quality control plan by the Great Basin Unified Air Pollution Control District and subsequently approved by the United States Environmental Protection Agency in October 1999. Pursuant to the Memorandum of Agreement, a dust mitigation program was implemented on the Owens Lake. An estimated 55,000 AF of water annually may ultimately be required to sustain the dust mitigation program.

Taking all of this into consideration, LADWP predicts that 276,600 AF per year would be available in average year scenarios through 2030. In single-dry years LAA deliveries would be about 95,300 AF per year, and in multiple dry year droughts, deliveries would range from 135,500 AF in the first year to 63,200 AF per year in the third year.<sup>3</sup>

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<sup>3</sup> LADWP 2005 UWMP, exhibits 6C through 6I.

## Groundwater

LADWP extracts groundwater from various locations throughout the Owens Valley and four local groundwater basins. LADWP owns extensive property in the Owens Valley. LADWP appropriates groundwater from beneath its lands for use in the Owens Valley and in Los Angeles. It has a longterm groundwater management plan in place. Additionally, LADWP holds adjudicated extraction rights in four local groundwater basins: San Fernando, Sylmar, Central, and West Coast.

The Owens Valley, located on the eastern slope of the Sierra Nevada Mountains, encompasses approximately 3,300 square miles of drainage area. LADWP has extracted the following quantities of groundwater from the Owens Valley in the last five runoff years (April 1 — March 31):

2002–2003:	82,281 AF
2003–2004:	87,726 AF
2004–2005:	85,820 AF
2005–2006:	57,412 AF
2006–2007:	58,621 AF

Owens Valley is not identified as an overdrafted basin in the California Department of Water Resources California's Groundwater Bulletin 118 Update 2003. Further, the Bulletin 118 Update 2003 does not project the Owens Valley to become overdrafted if present groundwater management conditions continue. Also, in 1990, the City of Los Angeles and Inyo County as part of the preparation of the long-term groundwater management agreement, prepared the "Green Book for the Long-Term Groundwater Management Plan for the Owens Valley and Inyo County". It contains plans and procedures to prevent overdraft conditions from groundwater pumping as well as to manage vegetation in the Owens Valley.

The San Fernando and Sylmar basins are subject to the judgment in *City of Los Angeles v. City of San Fernando* (Los Angeles Co. Super. Ct. Case No. 650079). Pumping is reported to the court-appointed Upper Los Angeles River Area ("ULARA") Watermaster. The San Fernando Basin is the largest of four basins within ULARA. The basin consists of 112,000 acres of land and comprises 91.2 percent of the ULARA valley fill. LADWP has accumulated nearly 374,091 AF of stored water credit in the San Fernando Basin as of October 2006. This is water LADWP can withdraw from the basin during normal and dry years or in an emergency, in addition to LADWP's approximately 87,000 AF annual entitlement in the basin. The majority of LADWP's groundwater is extracted from the San Fernando Basin. The Sylmar Basin is located in the northern part of the ULARA, consists of 5,600 acres and comprises 4.6 percent of the ULARA valley fill. LADWP has an annual entitlement of 3,255 AF from the Sylmar Basin. The court decision on pumping rights in the ULARA was implemented in a judgment on January 26, 1979.<sup>4</sup> Further information about the ULARA basin is in the ULARA Watermaster Report. The ULARA Watermaster report and the judgment are available for review at the office of the ULARA Watermaster.

LADWP additionally has adjudicated rights to extract groundwater from the Central and West Coast Basins, respectively. Pumping in these basins is reported to the California Department of Water Resources ("DWR"), which acts as Watermaster. Annual entitlements to the Central and West Coast Basins are 15,000 AF and 1,503 AF, respectively. LADWP does not exercise its pumping rights in

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<sup>4</sup> See Appendix F of the 2005 UWMP for copies of the relevant portions of the ULARA judgment.  
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the West Coast Basin at this time due to localized water quality issues.<sup>5</sup> The complete judgments are available for review at DWR.

For the period of October 2005 to September 2006, LADWP extracted 35,428 AF, 1,853 AF, and 13,395 AF from the San Fernando, Sylmar, and Central Basins, respectively. LADWP plans to continue production from its groundwater basins in the coming years to offset reductions in imported supplies. Extraction from the basins will however be limited by water quality and overdraft protection. Both LADWP and DWR have programs in place to monitor wells to prevent overdrafting. LADWP's groundwater pumping practice is based on a "safe yield" operation. The objective, over a period of years, is to extract an amount of groundwater equal to the native and imported water that recharges. Extractions by LADWP from the San Fernando, Sylmar, Central, and West Coast Basins for the last five years are shown on Table III.

**TABLE III**  
**Local Groundwater Basin Supply**  
**(Amounts Extracted)**

<b>Water Year (Oct-Sep)</b>	<b>San Fernando Basin</b>	<b>Sylmar Basin</b>	<b>Central Basin</b>	<b>West Coast Basin</b>
2001–2002	66,823	1,240	8,639	0
2002–2003	78,045	3,662	9,811	0
2003–2004	72,235	2,634	15,907	0
2004–2005	46,815	1,509	14,870	0
2005–2006	35,428	1,853	13,395	0
Note: Units are in AF				

In the future, LADWP expects that 276,000 AF per year would be available in average year scenarios through 2030. In single-dry years, groundwater production would be about 135,000 AF per year, and in multiple dry year droughts, groundwater production would range from 135,000 AF in the first year to 95,000 AF per year in the fourth year.<sup>6</sup>

### **Metropolitan Water District of Southern California**

MWD is the largest water wholesaler for domestic and municipal uses in Southern California. As one of 26 member agencies, LADWP purchases water from MWD to supplement LADWP supplies from local groundwater and the LAA. MWD imports a portion of its water supplies from Northern California through the State Water Project's ("SWP") California Aqueduct and from the Colorado River through MWD's own Colorado River Aqueduct. LADWP will continue to rely on MWD to meet its current and future supplemental water needs.

All 26-member agencies have preferential rights to purchase water from MWD. Pursuant to Section 135 of the MWD Act, "Each member public agency shall have a preferential right to purchase from the district for distribution by such agency, or any public utility therein empowered by such agency for the purpose, for domestic and municipal uses within the agency a portion of the water served by the district which shall, from time to time, bear the same ratio to all of the water supply of the district as the total accumulation of amounts paid by such agency to the district on tax

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<sup>5</sup> See Appendix F of the 2005 UWMP for copies of the relevant portions of the West Coast Basin and Central Basin judgments.

<sup>6</sup> LADWP 2005 UWMP, exhibits 6E through 6I.

assessments and otherwise, excepting purchase of water, toward the capital cost and operating expense of the district's works shall bear to the total payments received by the district on account of tax assessments and otherwise, excepting purchase of water, toward such capital cost and operating expense." This is known as a preferential right. As of June 30, 2006, LADWP has a preferential right to purchase 21.16 percent of MWD's total water supply. However, preferential rights to MWD water have never been invoked by member agencies, even in the driest of years, and the MWD Board adopted in February 2008 a Water Supply Allocation Plan that, while not eliminating preferential rights, would more equitably distribute water to member agencies during severe drought conditions. Still, preferential rights remain an option available in the direst of circumstances.

MWD has also been developing plans and taking actions to provide additional water supply reliability for the entire southern California region. LADWP coordinates closely with MWD to ensure implementation of these water resource development plans. Part of this planning effort is the creation by MWD of a 500,000 AF "buffer" supply that is meant to protect against uncertainties in water resource supply like the recent restrictions on export pumping from the San Francisco Bay-Delta (see discussion below). MWD's long-term plans to meet its member agencies' growing reliability needs are through water transfer programs, outdoor conservation measures, and development of additional local resources, such as recycling, brackish water desalination, and seawater desalination. Additionally, MWD has more than 3.8 million AF of storage capacity available in reservoirs and banking/transfer programs, with approximately 2.5 million AF currently in that storage. Such programs enabled MWD to conclude in its 2005 Regional Urban Water Management Plan ("RUWMP") that its present and planned supplies would be sufficient to meet the projected supplemental water needs of its member agencies through 2030 in average, single-dry year, and multiple-dry year hydrological scenarios.<sup>7</sup> For LADWP, its 2005 UWMP predicts that average year MWD deliveries will be at most 309,550 AF per year by 2030; 2030 single-dry year needs will be 498,250 AF per year; and 2030 multiple-dry year deliveries will range from 445,250 AF per year to 562,150 AF per year.<sup>8</sup>

#### *Recent Issues Related to Imported Water Supplies from MWD*

In discussing imported water supplies from MWD, it must be noted that several factors affect the availability and reliability of LADWP's imported water supplies from MWD. Such factors include potential reductions in Delta exports and Colorado River supplies, potential regulatory and emergency constraints on the use of water conveyance facilities, water quality issues, and short and long term climatic changes. These factors and their impact on water supplies have been independently analyzed in careful detail. For instance, the likelihood of SWP supplies being available to MWD over the long-term period has been extensively analyzed and addressed by the California Department of Water Resources ("DWR") in its 2002 and 2005 Final SWP Delivery Reliability Reports. In August 2008 Recently, DWR finalized~~issued~~ its 2007 ~~Draft~~-SWP Delivery Reliability Report ("DWR Reliability Report"). (The DWR Reliability Report is incorporated herein by reference.)

According to the DWR Reliability Report, the long-term average delivery of contractual amounts of SWP Table A supply is expected to range from 63 percent under current (2007) conditions to between 66 and 69 percent under future (2027) conditions.<sup>9</sup> Within that long-term average, SWP

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<sup>7</sup> MWD 2005 UWMP, p. II-11.

<sup>8</sup> LADWP 2005 UWMP, exhibits 6E through 6I.

<sup>9</sup> DWR Reliability Report, pp. ~~43-45, 51-52, 30-31, 39-40, 46-56~~, Appendix B-4.

Table A deliveries can range from 6 percent (single dry year) to 90 percent of contractual amounts under current (2007) conditions,<sup>10</sup> and from 6 to 7 percent (single dry year) to 100 percent of contractual amounts under future (2027) conditions.<sup>11</sup> The analyses provided in the DWR Reliability Report are based upon 82 years of historical records for rainfall and runoff that have been adjusted to reflect the current and future levels of development in the sources areas by analyzing land use patterns and projecting future land and water uses.<sup>12</sup> Of key importance, the studies in the DWR Reliability Report for current (2007) through future (2027) conditions assumes and accounts for current facilities and institutional limitations, including water quality, fish protection, export curtailments and other requirements under State Board Water Rights Decision 1641, the Vernalis Adaptive Management Plan (“VAMP”) as described in the 2004 Operations Criteria and Plan (“OCAP”), and the August 2007 court-ordered in-Delta flow targets in Old and Middle Rivers to protect delta smelt (see discussion below regarding litigation in *Natural Resources Defense Council v. Kempthorne*), as well as potential effects of Delta levee failures and other seismic or flood events.<sup>13</sup> In addition, however, the long-term SWP delivery reliability analyses incorporate assumptions to account for potential supply shortfalls related to global climate change factors.<sup>14</sup> Indeed, the DWR Reliability Report accounts for potential affects of future climate change on SWP deliveries through the year 2050 by examining four climate change scenarios: weak temperature warming and weak precipitation increase in California under model PCM; modest warming and modest drying under model PCM; modest warming and modest drying under model GFDL v. 2.0; and weak temperature warming and weak precipitation increase in California under model GFDL v. 2.0.<sup>15</sup> Again, the effects of these institutional, administrative and court-ordered reductions in Delta exports, as well as the potential effects of long-term global climate change, are analyzed and accounted for within the SWP delivery reliability estimates set forth above and described in greater detail by DWR’s 2007 ~~Draft~~ SWP Delivery Reliability Report.

The 29 SWP Contractors and water agencies throughout California utilize the DWR Reliability Report in their water supply analyses, planning and reporting obligations. Indeed, as discussed below, MWD’s RUWMP acknowledges that SWP entitlements differ from actual SWP deliveries made available to SWP Contractors.<sup>16</sup> SWP Contractors generally understand that the variability of SWP supplies may increase in the future as the Contractors request their maximum Table A amounts and as system-wide issues such as Delta exports are resolved. At the same time, however, SWP Contractors such as MWD who utilize groundwater basins to recharge portions of their SWP deliveries, as well as other exchange and transfer arrangements, can plan to accept long-term average deliveries of 66 to 69 percent of their SWP Table A allotments.<sup>17</sup> As indicated above, MWD utilizes DWR’s SWP reliability studies and analyzes several other key factors in developing its conservative estimate of long-term SWP deliveries.<sup>18</sup>

Moreover, MWD has developed an overall reliability analysis in its computer-based model referred to as the IRPSIM, which evaluates the reliability of its water supplies, including supplies available from the SWP, the Colorado River, water transfers and exchanges, and other sources.<sup>19</sup> The

<sup>10</sup> DWR Reliability Report, p. 4430.

<sup>11</sup> DWR Reliability Report, pp. 51, 5639-46.

<sup>12</sup> DWR Reliability Report, p. 207.

<sup>13</sup> DWR Reliability Report, pp. 21-22, 30, 32-34, 41-42, 43-49, 49-598, 16, 18-21, 27, 30, 32, 35, 37-39, Appendices A-B.

<sup>14</sup> *Id.*

<sup>15</sup> DWR Reliability Report, pp. 13-14, 30-32, 41, 49-50, 58-591, 17, 27, 37-39, 43, Appendices A-B.

<sup>16</sup> MWD RUWMP, pp. III-41 to III-50.

<sup>17</sup> 2005 DWR Reliability Report, pp. 39-40.

<sup>18</sup> MWD RUWMP, pp. III-41 to III-50.

<sup>19</sup> MWD RUWMP, pp. II-1 to II-15.



IRPSIM is based on 70 years of historical hydrology (from 1922 to 1991) to allow it to estimate water surplus and shortage over a 20-year period and beyond. The model has allowed MWD to analyze the reliability of deliveries to its member agencies during worst-case single year and multiple year drought events. The results of MWD's modeling indicate that it can maintain reliable supplies under such drought conditions throughout the 2005 to 2030 time period.<sup>20</sup> Detailed analyses regarding MWD's supply projections are also set forth in Appendix A of MWD's RUWMP, which is incorporated herein by reference. As detailed in those analyses, MWD's overall supply and delivery reliability is based not just on Colorado River and the SWP supplies, but also on conservation programs, groundwater storage programs, and water transfer/exchange programs. In addition to these reliability measures, LADWP has prepared a Water Shortage Contingency Plan to address any water shortages within its service area, and has developed a Emergency Response Plans ("ERPs") to address responses to catastrophic events affecting water supplies.<sup>21</sup>

Another factor affecting SWP supplies is current litigation concerning operations of the SWP. In February 2005, the United States Fish and Wildlife Service ("FWS") issued a "no jeopardy" determination and biological opinion ("B.O.") analyzing impacts to the threatened delta smelt in connection with in-Delta operations of the federal Central Valley Project ("CVP") and the State SWP through the year 2030. The project/action evaluated in the B.O., formally known as the "Operations Criteria and Plan" or OCAP, included not only the projects' existing Delta pumping operations, but also proposals to increase SWP pumping by 20 percent some time during the 30-year period and to undertake other operational changes. In February 2005, the Natural Resources Defense Council and several other groups (collectively, "NRDC") filed suit in federal court against FWS and the Secretary of the Interior challenging the validity of the OCAP B.O.<sup>22</sup> The California Department of Water Resources ("DWR"), as well as groups representing the public agencies that hold contracts to receive water from the CVP and SWP, intervened in the action. In May 2007, Judge Wanger determined that the B.O. violated the requirements of the federal Endangered Species Act ("ESA"). At about the same time, FWS and the Bureau of Reclamation, the operator of the CVP, decided to reinitiate ESA Section 7 consultation regarding how the projects affect the delta smelt. While~~Thus~~, the two agencies were~~are now~~ preparing the necessary documentation to produce a new B.O. NRDC asked the Court to impose an "interim remedy" which would be effective until the new B.O. is completed.

Judge Wanger conducted a trial between August 21 and August 31, 2007 to receive evidence for determining an interim remedy. Prior to the hearing, each of the parties submitted proposals on how to best operate the CVP/SWP to protect the smelt in the interim period. Under each of the proposals, if the 2007-2008 water year is above normal, impacts to the yield of the projects were expected to be minimal. However, impacts were expected to be more substantial if 2007-2008 is a dry or average water year. FWS submitted an "Action Matrix" that called for a series of actions to reduce project pumping operations between December 25, 2007 and late June 2008, with the precise amount of pumping reduction (or curtailment) largely depending upon whether smelt are located in zone of influence of the pumps at particular times. Based upon modeling conducted by DWR before the trial, the predicted impacts on the combined yield of the two projects of this proposal were 6 to 25 percent (representing a 183,000 to 814,000 acre-foot reduction in Delta exports) if 2007-2008 is a dry year, and 14 to 37 percent if it is an average year (820,000 to 2,170,000 acre-foot reduction). DWR supported the FWS Action Matrix with several modifications which reduced the impacts to Project yield to an estimated 3 to 13 percent in a dry year, and 8 to 24 percent in an average year.

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<sup>20</sup> MWD RUWMP, p. II-15.

<sup>21</sup> LADWP 2005 UWMP, p. 6-14.

<sup>22</sup> See *Natural Resources Defense Council v. Kempthorne, et al.*, USDC Case No. 05-CV-1207-OWW.

NRDC asked the Court to impose interim restrictions which would have resulted in losses ranging from 35 to 60 percent of total Project yield (or 1,117,000 to 3,567,000 AF of water). After the 10-day hearing, the Court issued an oral ruling which, in terms of water supply impacts, effectively “split the difference” between the FWS Action Matrix and the DWR proposal.

On December 14, 2007, the Court issued its Final Interim Remedial Order, which sets forth temporary restrictions on Delta exports from the SWP and CVP, which restrictions are based on flow rates in certain significant rivers near the export facilities and information concerning the distribution and spawning status of delta smelt: (1) Loss of 9 to 29 percent (or 512,000 to 1,741,000 AF) if 2007-2008 is an average water year; and (2) Loss of 3 to 19 percent (or 80,000 to 627,000 AF) if 2008-2008 is a dry water year. Notably, these figures represent total restrictions to the SWP and CVP combined. DWR indicated that SWP losses would be assumed to be half of any total delivery reduction. By adopting these interim measures, Judge Wanger left in place the incidental take statement set forth in the 2005 B.O., pending release of the new B.O. This allowed the CVP and SWP to legally operate and take delta smelt pending issuance of a new B.O., which the Court ordered to be completed no later than December 15, 2008. For the 2007-2008 water year, actual reductions to SWP supplies as a result of the *Kemphorne* decision were estimated to be approximately 500,000 acre-feet.

On December 15, 2008, the FWS issued a new B.O. regarding the effects of CVP and SWP operations on delta smelt. According to draft information published DWR, which operates the SWP, the new B.O. will continue the type of reductions in SWP and CVP exports from the Delta that were in effect since December 2007 under the federal court order in *Kemphorne*, above. DWR has estimated that under average water year conditions, the “most likely” result of the new B.O. is a one percent increase in the amount of available SWP supplies in comparison to the *Kemphorne* restrictions, although a worst-case scenario could result in a 13 percent decrease in available supplies. Under dry water year conditions, DWR states the “most likely” result of the new B.O. is the exact same type of potential restrictions as set forth in *Kemphorne*, although restrictions could possible increase by 21 percent under a worst-case scenario.<sup>23</sup> As with the *Kemphorne* order, potential water supply restrictions under the new B.O. are dependent on various factors that cannot be predicted with a high degree of certainty, including hydrologic conditions, migratory and reproductive patterns of delta smelt, and other factors affecting delta smelt abundance in the Delta. Potential litigation that could be filed by environmental groups or water supply agencies concerning the validity of the new B.O. gives rise to the additional possibility that SWP delivery reductions as set forth by the final order in *Kemphorne* could be in place pending final legal resolution of the new B.O. In light of these various factors, the degree to which SWP deliveries may be reduced under the new B.O. for delta smelt remains speculative at this time.

~~Thus, DWR has indicated that SWP deliveries will be adjusted proportionately. By adopting these interim measures, Judge Wanger left in place the incidental take statement set forth in the 2005 B.O., pending release of the new B.O. This means that the CVP and SWP are legally permitted to take delta smelt while operating until the new B.O. is issued, which the Court ordered to be completed no later than September 15, 2008.~~

As indicated above, reductions in SWP deliveries to MWD based on the new B.O. (or the *Kemphorne*) ruling will depend on precipitation and other weather conditions affecting Delta water supplies, distribution and behavior patters of the delta smelt, flow conditions in the Delta, and how water supply reductions are divided between the SWP and CVP. MWD is engaged in an aggressive planning process to address this decision and ensure that its overall water supply portfolio is capable

<sup>23</sup> See [www.water.ca.gov/news/newsreleases/2008/121508swpimpacts.pdf](http://www.water.ca.gov/news/newsreleases/2008/121508swpimpacts.pdf).  
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of providing reliable long-term service to its member agencies. Currently, MWD continues to rely upon the plans and policies outlined in its RUWMP and IRP to address water supply scenarios and meet existing and projected water demands within its service territory. In addition, MWD has a Water Surplus and Drought Management Plan to guide its operations of water management programs. Actions outlined in that Plan include, without limitation, voluntary water conservation measures, increased recycled water usage, and voluntary curtailment or reduction of groundwater replenishment and agricultural water deliveries where appropriate. Furthermore, MWD is maximizing supplies from existing agreements and pursuing water transfers as needed. As pointed out in MWD's RUWMP, MWD has projected a potential reserve and replenishment supply ranging from 632,000 AF in 2010 to 408,000 AF in 2030.<sup>24</sup> Thus, even assuming an extreme worst-case scenario that MWD's SWP allotment would be permanently reduced by the maximum possible restrictions set forth in the new B.O.-29 percent each year (which is the type of conservative assumption used in the DWR Reliability Report in its assumption that maximum *Kempthorne* restrictions would be permanently enforced) through the year 2025 (which assumptions drastically exceed the holding of *Kempthorne*, which only entails a maximum 29 percent reduction until the new B.O. is issued in September 2008), MWD's RUWMP illustrates that MWD would still be able to meet the projected water demands of its member agencies throughout that time period under such extreme circumstances.<sup>25</sup>

~~Beyond MWD's efforts, several other proceedings are ongoing to evaluate options to address delta smelt impacts and other environmental concerns in the Delta. In addition to the Section 7 re-consultation process and interim remedy measures set forth by the *Kempthorne*, the Bay Delta Conservation Plan process and the Delta Vision process are defining long term solutions for the Delta. MWD is actively engaged in these processes and has adopted a framework and directions for key elements of a Delta Action Plan to address water supply risks in the Delta over the short and long term. The Bay Delta Conservation Plan process involves several state and federal resource agencies, along with various environmental and water user entities, who are currently engaged in developing a plan to address ecosystem needs and secure long term operating permits for the SWP. The process is scheduled for completion during the third quarter of 2009, with acquisition of appropriate permits and completion of necessary environmental review. The Delta Vision process established by Governor Schwarzenegger is also aimed at identifying long term solutions for the Delta. On December 17, 2007, the Delta Vision Blue Ribbon Task Force released its Final Report entitled *Our Vision for the California Delta*, containing findings and recommendations for sustaining the Delta as a healthy ecosystem and critical water supply resource for California's future population and growing economy.~~

SWP and CVP operations are also being considered in a separate litigation matter. In October 2004, the National Marine Fisheries Service ("NMFS") issued a "no jeopardy" determination and B.O. analyzing impacts to threatened winter and spring-run salmon in connection with SWP and CVP operations in the Delta through the year 2030. As with the *Kempthorne* case above, the project/action evaluated in the NMFS B.O. included current and future Delta pumping operations under the Operations and Criteria Plan ("OCAP"). In August 2005, several environmental plaintiff groups filed suit in federal court against NMFS and the Secretary of Commerce challenging the validity of the B.O.<sup>26</sup> Several groups representing the public agencies that hold contracts to receive water from the CVP and SWP intervened in the action. The plaintiffs later filed an amended

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<sup>24</sup> MWD RUWMP, table II-9.

<sup>25</sup> MWD RUWMP, p. II-14.

<sup>26</sup> See *Pacific Coast Federation of Fishermen's Association/Institute for Fisheries Resources, et al. v. Gutierrez, et al.*, USDC Case No. 1:06-CV-00245-OWW. FAVILA\52594.1-13-

complaint and thereafter the case was stayed for a period of time while the parties attempted to negotiate a settlement of the issues. The stay was later lifted and, in May 2007, the plaintiffs filed a motion for summary judgment to invalidate the B.O. without a trial. Similar to the situation discussed above in the *Kemphorne* case, NMFS and the Bureau of Reclamation have decided, notwithstanding the outcome of the litigation, to reinitiate ESA Section 7 consultation regarding how the projects affect the protected salmon species. Thus, the two agencies are now preparing the necessary documentation to produce a new B.O. However, that new document is not expected until spring 2008-2009 or later. A hearing on the summary judgment motions in the *Gutierrez* case was held on October 3, 2007 and on April 16, 2008, the Court issued its decision invalidating the NFMS B.O. for failing to comply with the federal ESA. As with *Kemphorne*, the Court did not vacate ythe B.O., meaning that CVP and SWP operations area authorized to continue pending the preparation of a new B.O. and any interim requirements the Court Distriet Court Judge Oliver Wanger took the matter under submission. As of this date, the Court has not issued a ruling on the summary judgment motions and, therefore, interim remedy proceedings like those held in the *Kemphorne* case above have not been scheduled nor are they certain to occur. Preliminary estimates of water supply impacts of the *Gutierrez* decision have not been determined at this point. However, based on pleadings filed in the case, water agency parties do not expect the decision to result in the type of Delta export reductions seen in *Kemphorne* because of the many protective measures already in place throughout the Delta to protect salmon migration and habitat.may impose. Proceedings were scheduled thereafter to determine whether interim restrictions such as those ordered in the *Kemphorne* case would be required pending the new B.O. On July 18, 2008, Judge Wanger issues Findings of Fact and Conclusions of Law which determined, among other things, that additional water supply restrictions beyond those required in *Kemphorne* (and now the new B.O.) are not required at this time. The Court again reached the same conclusion in a more recent order dated October 21, 2008.

A third litigation matter concerning SWP operations is *Watershed Enforcers v. California Dept. of Water Resources, et al.*<sup>27</sup> In that case, a plaintiffs group filed suit against DWR alleging the SWP is being operated without “take authorization” under the California Endangered Species Act. The case was heard on November 17, 2006 and, on April 18, 2007, the Alameda County Superior Court issued a judgment granting a peremptory writ of mandate ordering DWR to cease and desist further operations of the Harvey O. Banks pumping plant facilities of the SWP unless DWR obtained proper authorization from the California Department of Fish and Game for the take of threatened and endangered salmon species and delta smelt. The trial court decision was appealed by DWR and several water agency parties and the case was stayed pending the appeal. Due to the stay, the judgment is not in effect and DWR is not required to cease its operations of the Banks pumping plant facilities. Moreover, the parties have stipulated to extend the time for the appeal and, therefore, a final decision is not expected in the near future. For these reasons, and because the effects of SWP operations on protected fish species in the Delta are already being addressed in the *Kemphorne* and *Gutierrez* cases discussed above, the *Watershed Enforcers* case is not currently anticipated to result in additional reductions to SWP supplies.

A more recent factor having the potential to affect SWP supplies is a decision by the California Department of Fish and Game (DFG) and the Fish and Game Commission (Commission) to list the longfin smelt as a “candidate” species under the California Endangered Species Act (CESA). The longfin smelt is a small pelagic fish species that is related to the threatened delta smelt and whose habitat also includes the Sacramento-San Joaquin Delta. Under CESA, once a species is granted candidate status, it is entitled to protections until the Commission determines whether to list the

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<sup>27</sup> Alameda Co. Super. Ct. Case No. RG06292124.  
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species as threatened or endangered. In February 2008, the Commission approved a petition to list the longfin smelt as a candidate species and, at the same time, adopted an emergency regulation that authorizes the take of longfin while establishing certain restrictions on CVP and SWP exports from the Delta in an effort to protect the species. The regulation is in effect until February 2009, at which time the Commission must decide whether to list the longfin as a threatened or endangered species under CESA. Initially, the Commission's take regulation utilized Delta export restrictions established in the *Kempthorne* decision (discussed above) as the protective measure for longfin smelt. In November 2008, however, the Commission revised its regulation in a manner that threatens to impose water delivery restrictions beyond those set forth in *Kempthorne* or the new delta smelt B.O. issued by FWS (also discussed above). According to DWR, the Commission's revised take regulation, in effect between November 2008 and February 2009, has the potential to reduce SWP supplies in the January-February 2009 period by up to approximately 300,000 acre-feet under a worst-case scenario. Under other scenarios, however, the SWP delivery reductions would be no greater than potential reductions imposed under FWS' new B.O. to protect delta smelt. While actual potential reductions in SWP supplies resulting from the longfin smelt regulation are not possible to predict at this time, two points are noteworthy. First, conditions that would invoke operational restrictions on the CVP and SWP under the regulation had not been triggered as of early January 2008. Second, several public water supply agencies filed a legal challenge against the Commission's regulation in December 2008, alleging the regulation violates certain provisions of CESA. Thus, the Commission and DFG's ability to enforce the regulation has been called into question. In light of the foregoing factors, the actual effect of potential reductions in SWP supplies (if any) from this regulation that are beyond those resulting from the *Kempthorne* case and its associated B.O. are highly uncertain and speculative at this point.

Beyond MWD's efforts, several other proceedings are ongoing to evaluate options to address delta smelt impacts and other environmental concerns in the Delta. In addition to the Section 7 re-consultation process and interim remedy measures set forth by the *Kempthorne*, the Bay Delta Conservation Plan process and the Delta Vision process are defining long-term solutions for the Delta. MWD is actively engaged in these processes and has adopted a framework and directions for key elements of a Delta Action Plan to address water supply risks in the Delta over the short and long term. The Bay-Delta Conservation Plan process involves several state and federal resource agencies, along with various environmental and water user entities, who are currently engaged in developing a plan to address ecosystem needs and secure long-term operating permits for the SWP. The process is scheduled for completion during the third quarter of 2009, with acquisition of appropriate permits and completion of necessary environmental review. The Delta Vision process established by Governor Schwarzenegger is also aimed at identifying long-term solutions for the Delta. On December 17, 2007, the Delta Vision Blue Ribbon Task Force released its Final Report entitled *Our Vision for the California Delta*, containing findings and recommendations for sustaining the Delta as a healthy ecosystem and critical water supply resource for California's future population and growing economy.

The allocation of Colorado River supplies is also the subject of litigation. In the *Coordinated QSA Cases*,<sup>28</sup> several cases are being litigated in regard to the historic, negotiated accord that determines how California's annual share of Colorado River water is allocated among certain water supply agencies, including MWD. In 2003, those water supply agencies executed several agreements known as the Quantification Settlement Agreements ("QSA"). In general terms, the QSA involves significant long-term water conservation measures within the Imperial Irrigation District ("IID"), where then up to 200,000 AF per year of conserved Colorado River water is transferred from IID

<sup>28</sup> Sacramento Co. Super. Ct., Judicial Council Coordination Proceeding No. 4353.

to the San Diego County Water Authority and 100,000 AF per year is made available for acquisition by MWD and/or the Coachella Valley Water District. Several legal actions were filed after the QSA was adopted and those cases were coordinated and stayed for over two years beginning in 2004 while a procedural issue in two of the cases was determined by the Court of Appeal. The cases became active again in late 2007 and are being litigated in the Sacramento County Superior Court. A principal contested issue in the *Coordinated QSA Cases* is whether the environmental review documents prepared for the QSA approvals comply with CEQA. Notably, the Colorado River water at issue in those cases represents only a small part of MWD's overall water supply portfolio. Moreover, since deliveries of Colorado River water are determined by the U.S. Department of the Interior, Bureau of Reclamation, who is not a party to the *Coordinated QSA Cases*, it is not known whether the cases will affect the amount of Colorado River water delivered by the Bureau. Accordingly, it does not appear probable at this point that the *Coordinated QSA Cases* will affect MWD's ability to provide reliable water service as set forth in its RUWMP.

Further buttressing MWD's Colorado River supplies is a recent agreement entered into among the states of Wyoming, Utah, Colorado, Nevada, New Mexico, Arizona and California regarding how shortages in Colorado River water will be administered over the next 19 years. The agreement sets forth three major elements: (1) it establishes particular water level elevations at Lake Mead that trigger water cutbacks among the states, which will total less than 10 percent of the Lower Basin's allocation, with Arizona's agriculture and Nevada bearing the brunt of any such cutback and California's allocation not being impacted; (2) Lake Powell and Lake Mead will be operated as one reservoir system, which is expected to facilitate control of water levels in Lake Mead, thereby helping control conditions that trigger a shortage; and (3) the states will be allowed to hold conserved water in Lake Mead from year to year, which changes the current use-or-lose allocation system and allows agencies to store conserved water for later use. This agreement will ensure the predictability and reliability of Colorado River supplies in future years.

## **Secondary Sources and Other Considerations**

Water conservation and recycling will play an increasing role in meeting future water demands. LADWP has implemented conservation and recycling programs with efforts under way to further promote and increase the level of these programs. LADWP is committed to supplying a higher percentage of the City's water demand through conservation and recycling, and efforts are underway to increase water recycling, further conserve local storm water runoff, explore seawater desalination, engage in water transfer programs, and expand LADWP's water conservation program.<sup>29</sup> The City has also pioneered community-based job programs to assist in conservation program implementation. While significantly assisting with program implementation, these community-based organizations also provide important social and economic benefits to neighborhoods.

Furthermore, the University has itself implemented water conservation at the UCLA campus, resulting in the saving of water that otherwise would have been consumed. The following sections detail some of the conservation programs that have resulted in a reduction of campus water demand.

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<sup>29</sup> See LADWP 2005 UWMP, chapters 2 and 5, for a complete discussion of all LADWP water conservation and secondary source programs.

### *Retrofit & Maintenance Program*

A water conservation program on the UCLA campus since the early 1990s included the consolidation of air-conditioning equipment for buildings on the north campus, improving the water chemistry in the air conditioning system, and the installation of water flow restrictors in showers, toilets, and urinals throughout campus. A urinal replacement program in Fiscal Year 2008/09 will replace the over 260 urinals in selected campus buildings with ultra flow (one-eighth gallon) fixtures.

The UCLA campus also established maintenance programs in the early 1990s to reduce water loss from leaky faucets and water main breaks, and has installed hot water circulating pumps that provide almost instantaneous hot water in lavatory faucets, thereby preventing the wasteful use of running water until it becomes hot. Replacement of older galvanized irrigation pipes with new polyvinyl chloride (“PVC”) pipes and automatic sprinkler controls have also reduced water use by scheduling the irrigation systems during evening or early morning hours to minimize evaporation.

### *Irrigation Management*

Conservation through efficient irrigation reduces water usage and promotes healthier plants. To achieve the maximum water savings, advanced irrigation technology and products are used in combination with system design, installation, and maintenance. The components of the system include:

- High efficient irrigation components (nozzles, pressure compensation remote control valves and screens)
- Drip irrigation
- Computer Operated Irrigation Management
- State of the art irrigation design
- Proper and continuous irrigation system maintenance
- Maintenance of proper irrigation scheduling for plants during the four seasons

All landscaped and turf areas are irrigated as required to maintain adequate growth, health, and appearance regardless of plant types or soil condition. Water is regulated to avoid the creation of excessively wet or waterlogged areas that cause a decline in plant health and result in excessive water run off.

### *Native and Endemic Plants*

The UCLA Grounds Department is committed to increasing biodiversity and creating a self-sustaining landscape system by using endemic and native plant material on campus. Facilities Management has supported several student projects to plant native and endemic plants around campus, including projects at the Sunset Canyon Recreation Center and the north slope of Parking Lot 11.

### *Co-Generation Plant*

Through the Co-Generation Plant’s cooling system, the campus has a process whereby condensate water from mechanical equipment (such as air circulation fans) is captured for reuse. Similarly,

groundwater obtained from site dewatering activities for the Ronald Reagan UCLA Medical Center is collected and used in the Co-Gen Plant. Both of these processes generate approximately 210,000 gpd of water for cooling that is essentially reused, rather than entering the wastewater system. UCLA recycles approximately 50 percent of cooling water used in the Co-Generation Plant and continues to achieve reductions in water usage for cooling campus buildings. The campus has continued to improve its cooling water treatment program through alterations to water chemistry, thereby extending the number of times the water can be recycled through the system. While this is strictly speaking a water recycling program, and not water conservation, the result is the same: reducing demands on water supplies by making water use more efficient.

## **Integrated Planning**

Integrated planning has also filled an important role in developing secondary sources of supply for Los Angeles. This is an approach that has been taken in southern California with overall water resources planning. The City of Los Angeles works closely with MWD, the City's Bureau of Sanitation (wastewater agency), other regional water providers, and various stakeholder groups to develop and implement programs that reduce overall water use. Integrated resources planning is a process that is being used by many water and wastewater providers to meet their future needs in the most effective way possible, and with the greatest public support. The planning process differs from traditional planning processes in that it incorporates:

- public stakeholders in an open, participatory process;
- multiple objectives such as reliability, cost, water quality, environmental stewardship, and quality of life;
- risk and uncertainty; and
- partnerships with other agencies, institutions, and non-governmental organizations.

Through integrated planning, not only water-use efficiency and recycling activities are maximized, but potential alternative supplies such as water transfer, seawater desalination, and storm water runoff reuse are considered and evaluated as part of the City's long-term water resources portfolio. This collaboration is critical in ensuring that the City's anticipated water demands are incorporated into MWD's long-term water resources development plan. This is a continuous regional effort involving all of MWD's member agencies, and has resulted in reliable supplemental water supplies for the City from MWD.<sup>30</sup>

## **Conclusion**

The proposed 2002 LRDP Amendment is estimated to increase campus annual water demand by 307 AF by 2013 based upon the campus-specific water-to-sewer ratio. The 307 AF increase falls within the available and projected water supplies for normal, single-dry, and multiple-dry years through the year 2030 as described in LADWP's year 2005 UWMP. Thus, LADWP will be able to meet the water demand of the 2002 LRDP Amendment as well as existing and planned future water demands of its service area, as demonstrated on the supply-demand charts contained in LADWP's 2005 UWMP.<sup>31</sup>

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<sup>30</sup> See LADWP 2005 UWMP, chapter 4, for more information regarding LADWP's IRP process.

<sup>31</sup> LADWP 2005 UWMP, exhibits 6E through 6J.



## **SECTION 4.0 MITIGATION MONITORING AND REPORTING PROGRAM**

### **4.1 INTRODUCTION**

The California Environmental Quality Act (CEQA) requires the adoption of feasible mitigation measures to reduce the severity and magnitude of potentially significant environmental impacts associated with project development. The Final environmental impact report (EIR) for the University of California Los Angeles (UCLA) 2008 Northwest Housing Infill Project (NHIP) and Long Range Development Plan (LRDP) Amendment (State Clearinghouse No. 2008051121) includes mitigation measures (MMs), as well as campus programs, practices, and procedures (PPs) carried forward from the 2002 LRDP Final EIR that reduce environmental impacts, and new or modified MMs and PPs, as appropriate. The Mitigation Monitoring Program (MMP), which obligates the University to implement mitigation measures and continue to follow PPs, will be prepared and submitted for review by The Regents in conjunction with consideration of the UCLA 2008 NHIP and LRDP Amendment and certification of the Final EIR.

Monitoring of the implementation of adopted mitigation measures is required by Public Resources Code Section 21081.6. Following certification of the Final EIR and approval of this MMP by The Regents, the PPs and MMs incorporated by the 2008 NHIP and LRDP Amendment would be monitored in conjunction with UCLA's annual Mitigation Monitoring Program and reporting process.

#### **4.1.1 PURPOSE**

The purpose of the this MMP is to ensure compliance with all PPs and MMs to avoid adverse environmental impacts resulting from construction and operation of the proposed 2008 NHIP and buildout of the 2002 LRDP, as amended, which were identified in the EIR. The implementation of the applicable MMs and PPs shall be performed by the University, consultants, and appropriate agencies during the following:

- Development of the design
- Preparation of the construction contracts
- Construction phase
- Project operation

#### **4.1.2 PROJECT DESCRIPTION**

##### **Proposed 2008 NHIP**

Due to continuing unmet demand for on-campus undergraduate student housing, UCLA proposes to design and construct infill housing in the Northwest zone, consisting of 1,525 beds, a Dining Commons, a Fitness Center, a Multi-Purpose Room, a small number of faculty-in-residence apartments, and a renovated/expanded Housing Maintenance space (which would replace the existing space with a larger space).

The proposed 2008 NHIP would total approximately 550,000 gross square feet (gsf) of new building space. The campus' Northwest zone (the only zone on campus designated for undergraduate housing) does not offer a single, large site that can accommodate 1,525 bed spaces and the related support facilities. As a result, the 2008 NHIP proposes an infill development strategy for the needed residential, support, and recreational facilities. The new housing would be accommodated in four new buildings (referred to as Sproul South/Complex, Sproul West, Upper De Neve, and Lower De Neve) at three locations. The proposed Sproul

South would be a six-story residence hall constructed on top of the new three-story Sproul Complex, which would be located on the northwestern corner of De Neve Drive and Charles E. Young Drive West. Sproul West would be a nine-story building located on the northwestern corner of De Neve Drive and Sproul Circle Drive. The Upper De Neve and Lower De Neve would be nine and seven stories in height (respectively) located west of the existing De Neve Plaza housing complex, north of Gayley Avenue.

Development of the 2008 NHIP would require demolition of the small Office of Residential Life Building and a portion of Sproul Hall (Rooms Division and Maintenance) totaling approximately 10,000 gsf. Additionally, the proposed 2008 NHIP would require upgrades to, or installation of new and/or replacement connections to existing utilities to serve the proposed residential and support uses.

Vehicular access to Sproul West would be from Sproul Hall Circle Drive while access to Sproul South and Sproul Complex would be from De Neve Drive. For the new Upper De Neve building, a vehicular drop-off with two to three short-term parking spaces would be provided adjacent to De Neve Drive. The Lower De Neve component of the proposed 2008 NHIP would include modifications to the northern side of Gayley Avenue adjacent to the project boundary to provide two new service access driveways. Pedestrian facilities would also be provided throughout the proposed 2008 NHIP.

The proposed 2008 NHIP would create housing to accommodate 1,525 existing students (who are either commuting to campus or are currently housed in triple-room accommodations); no increase in student enrollment would result from the proposed housing project. However, approximately 151 new staff members (or approximately 131 full-time-equivalent employees) would be employed on campus by 2013 to provide administrative, housing maintenance, information technology, and dining services to the expanded residential population. With completion of the proposed 2008 NHIP, UCLA would accommodate roughly 11,000 undergraduate student residents.

### **Proposed LRDP Amendment**

Because this proposed additional undergraduate student housing was not contemplated under the 2002 LRDP, UCLA proposes to amend the 2002 LRDP (referred to as the "LRDP Amendment") to allocate an additional 550,000 gsf of new development in the Northwest campus zone necessary to accommodate the proposed 2008 NHIP square footage. In addition, because the proposed 2008 NHIP has an anticipated completion date of 2013, the projected campus population in 2013 has been estimated to account for growth beyond the 2010 population projections provided in the 2002 LRDP for purposes of this environmental impact analysis. The proposed LRDP Amendment would update remaining square footage development allocations for each campus zone totaling 1.32 million gsf and maintain the same 2002 LRDP average daily vehicle trip and parking inventory limits from 2010 (the current LRDP horizon year) to 2013. The proposed LRDP Amendment would enable provision of additional on-campus undergraduate student housing while reserving the campus-wide remaining new development allocation of 1.32 million gsf previously approved under the 2002 LRDP to address the needs of the academic, research and community service mission of UCLA through 2013. Therefore, the maximum additional building space that could be developed under the 2002 LRDP, as amended, would be 1.87 million gsf.

### **4.1.3 RESPONSIBILITIES AND DUTIES**

The project manager (PM) from the University Capital Programs, Design and Construction Department, would be responsible for ensuring that design and construction contracts contain

the relevant mitigation measures adopted in the Final EIR, and that mitigation measures are implemented during the design and construction phases of the project.

In general, monitoring will consist of demonstrating that mitigation measures were implemented, and that the responsible units monitored the implementation of the measures. Monitoring will consist of determining whether the following occurred:

- Specific issues were considered in the design development phase
- Construction contracts included the specified provisions
- Certain actions occurred prior to construction
- The required measures were acknowledged and implemented during construction of the project

Any problems or concerns between monitors and construction personnel shall be addressed by the PM. The contractor shall prepare a construction schedule subject to review and approval by the PM. The contractor shall inform the PM of any major revisions to the construction schedule at least 48 hours in advance. The PM and contractor shall meet weekly, in order to assess compliance and review future construction activities.

#### **4.1.4 IMPLEMENTATION PROCEDURES**

Three types of activities will require monitoring. The first type pertains to the review of the Conditions of Approval, as well as Construction Plans and Specifications. The second type relates to construction activities, and the third to ongoing monitoring activities, if any, during operation of the project.

#### **4.1.5 MONITORING PROCEDURES**

The PM shall monitor all field activities. The authority and responsibilities of the PM are described above.

#### **4.1.6 REPORTING PROCEDURES**

All project-specific mitigation measures for the proposed 2008 NHIP and ongoing mitigation measures for the 2002 LRDP, as amended, included in the Final EIR would be monitored in conjunction with the annual MMP for the 2002 LRDP, as amended. A report will be prepared annually by Capital Programs that describes the status of these MMs and PPs.

### **4.2 LIST OF MITIGATION MEASURES**

Table 1 lists the adopted 2008 NHIP and LRDP Amendment Final EIR MMs and PPs and identifies the timing of the mitigation and monitoring. Unless otherwise noted, the MMs and PPs are applicable to the proposed 2008 NHIP and future projects proposed under the 2002 LRDP, as amended.

**TABLE 1**  
**MITIGATION MEASURES OR APPLICABLE CAMPUS PROGRAMS,**  
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MM and PP Number	Mitigation Timing	Mitigation Measure(s) (MMs) or Applicable Campus Programs, Practices, and Procedures (PPs)
<b>Aesthetics</b>		
PP 4.1-1(a)	Design	The design process shall evaluate and incorporate, where appropriate, factors including, but not necessarily limited to, building mass and form, building proportion, roof profile, architectural detail and fenestration, the texture, color, and quality of building materials, focal views, pedestrian and vehicular circulation and access, and the landscape setting to ensure preservation and enhancement of the visual character and quality of the campus and the surrounding area. Landscaped open space (including plazas, courts, gardens, walkways, and recreational areas) shall be integrated with development to encourage use through placement and design.
PP 4.1-1(b)	Design	The Mildred E. Mathias Botanical Garden, Franklin D. Murphy Sculpture Garden, Dickson Plaza, Janss Steps, Stone Canyon Creek area, Meyerhoff Park, Wilson Plaza, Bruin Plaza, and the University Residence shall be maintained as open space preserves during the 2002 LRDP planning horizon.
PP 4.1-2(a)	Design	Additions to, or expansions of, existing structures shall be designed to complement the existing architectural character of the buildings.
PP 4.1-2(b)	Design	The architectural and landscape traditions that give the campus its unique character shall be respected and reinforced.
PP 4.1-2(c)	Design and Construction	Projects proposed under 2002 LRDP shall include landscaping.
PP 4.1-2(d)	Design	The western, northern, and eastern edges of the main campus shall include a landscaped buffer to complement the residential uses of the surrounding community and to provide an attractive perimeter that effectively screens and enhances future development.
MM 4.1-3(a)	Design	Design for specific projects shall provide for the use of textured non-reflective exterior surfaces and non-reflective glass.
MM 4.1-3(b)	Design	All outdoor lighting shall be directed to the specific location intended for illumination (e.g., roads, walkways, or recreation fields) to limit stray light spillover onto adjacent residential areas. In addition, all lighting shall be shielded to minimize the production of glare and light spill onto adjacent uses.
MM 4.1-3(c)	Design	Ingress and egress from parking areas shall be designed and situated so the vehicle headlights are shielded from adjacent uses. If necessary, walls or other light barriers will be provided.
<b>Air Quality</b>		
PP 4.2-2(a)	Construction	<p>The campus shall continue to implement dust control measures consistent with SCAQMD Rule 403—Fugitive Dust during the construction phases of new project development. The following actions are currently recommended to implement Rule 403 and have been quantified in the URBEMIS program as being able to reduce dust generation between 5 and 84 percent depending on the measure or combination of measures used from the list below:</p> <ul style="list-style-type: none"> <li>• Minimize land disturbance to the extent feasible.</li> <li>• Apply water and/or approved nontoxic chemical soil stabilizers according to manufacturer's specification to all inactive construction areas (previously graded areas that have been inactive for 10 or more days)</li> <li>• Apply water three times daily to all active disturbed areas.</li> <li>• Replace ground cover in disturbed areas as quickly as possible.</li> <li>• Enclose, cover, water twice daily, or apply approved chemical soil binders to exposed piles with 5 percent or greater silt content.</li> <li>• Water active grading sites at least twice daily.</li> <li>• Suspend all excavating and grading operations when wind speeds (as instantaneous gusts) exceed 25 miles per hour over a 30-minute period.</li> </ul>

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		<ul style="list-style-type: none"> <li>• All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (i.e., minimum vertical distance between top of the load and the top of the trailer), in accordance with Section 23114 of the California Vehicle Code.</li> <li>• Sweep streets at the end of the day if visible soil material is carried over to adjacent roads.</li> <li>• Install wheel washers where vehicles enter and exit unpaved roads onto paved roads, or wash off trucks and any equipment leaving the site each trip.</li> <li>• Apply water three times daily or chemical soil stabilizers according to manufacturers' specifications to all unpaved parking or staging areas or unpaved road surfaces.</li> <li>• Post and enforce traffic speed limits of 15 miles per hour or less on all unpaved roads.</li> </ul>
PP 4.2-2(b)	Pre-construction and Construction	The campus shall continue to require by contract specifications that construction equipment engines will be maintained in good condition and in proper tune per manufacturer's specification for the duration of construction.
PP 4.2-2(c)	Pre-construction and Construction	The campus shall continue to require by contract specifications that construction operations rely on the campus' existing electricity infrastructure rather than electrical generators powered by internal combustion engines to the extent feasible.
PP 4.2-2(d)	Construction	The campus shall purchase and apply architectural coatings in accordance with SCAQMD Rule 1113, thereby ensuring the limitation of VOCs during construction.
MM 4.2-2(a)	Pre-construction and Construction	The campus shall require by contract specifications that construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off when not in use for more than five minutes.
MM 4.2-2(b)	Pre-construction and Construction	The campus shall encourage contractors to utilize alternative fuel construction equipment (i.e., compressed natural gas, liquid petroleum gas, and low-NOx fuel) to the extent that the equipment is reasonably commercially available and cost effective.
MM 4.2-2(c)	Pre-construction and Construction	The campus shall require by contract specifications that construction-related equipment used on site and for on-road export of soil meet USEPA Tier III certification requirements, as feasible.
<b>Biological Resources</b>		
PP 4.3-1(a)	Construction	Mature trees to be retained and protected in place during construction, shall be fenced at the drip-line, and maintained by the contractor in accordance with landscape specifications contained in the construction contract.
PP 4.3-1(b)	Pre-construction	Trees shall be examined by an arborist and trimmed, if appropriate, prior to the start of construction.
PP 4.3-1(c)	Pre-construction and Construction	Construction contract specifications shall include the provision for temporary irrigation/watering and feeding of these trees during construction, as recommended by the designated arborist.
PP 4.3-1(d)	Pre-construction and Construction	Construction contract specifications shall require that no building material, parked equipment, or vehicles shall be stored within the fence line of any tree.
PP 4.3-1(e)	Construction	Examination of these trees by an arborist shall be performed monthly during construction to ensure that they are being adequately maintained.

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MM 4.3-1(a)	Pre-construction	Prior to the onset of construction activities that occur between March and mid-August (February 1 through June 30 for raptors), surveys for nesting special status avian species and raptors shall be conducted on the affected portion of the campus following USFWS and/or CDFG guidelines. If no active avian nests are identified on or within 250 feet of the construction site, no further mitigation is necessary.
MM 4.3-1(b)	Pre-construction	If active nests for avian species of concern or raptor nests are found within the construction footprint or within a 250-foot buffer zone around the construction site, exterior construction activities shall be delayed within the construction footprint and buffer zone until the young have fledged or appropriate mitigation measures responding to the specific situation have been developed and implemented in consultation with CDFG.
MM 4.3-1(c)	Design and Construction	In conjunction with CEQA documentation required for each project proposal under the 2002 LRDP, as amended, that would result in the removal of one or more mature trees, the project will include a tree replacement plan with a 1:1 tree replacement ratio at the development site where feasible and/or elsewhere within the campus boundaries where feasible. If it is not feasible to plant replacement trees at a 1:1 ratio within the campus boundaries, the tree replacement plan will include the planting of native shrubs in ecologically appropriate areas within the campus boundaries that would provide nesting, foraging or roosting habitat for birds so that the replacement number of trees and shrubs will result in a 1:1 replacement ratio.
MM 4.3-2(a)	CEQA Documentation  Not applicable to 2008 NHIP	In conjunction with CEQA documentation required for any future project proposal within the 4-acre parcel or the aboveground portion of Stone Canyon Creek, surveys for special status plant species shall be conducted during the appropriate blooming period for each species, as determined by reference populations, to determine the presence or absence of these species. If no special status plant species are identified within the impact area, no further mitigation are necessary and the results of the survey shall be included in the CEQA documentation
MM 4.3-2(b)	CEQA Documentation and Pre-construction  Not applicable to 2008 NHIP	<p>If special status plant species are observed during focused surveys and if the status of the species and the size of the population warrant a finding of significance pursuant to CEQA, then appropriate mitigation measures shall be developed and included in the project-specific CEQA documentation. A detailed Mitigation Plan shall be prepared and approved prior to grading and may include, but not be limited to, one or more of the following actions:</p> <ul style="list-style-type: none"> <li>• Avoiding impacts to the species to the extent possible through project planning;</li> <li>• Minimizing impacts to the species to the extent possible through project planning;</li> <li>• Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment;</li> <li>• Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the project;</li> <li>• Compensating for the impact by replacing or providing substitute resources or environments.</li> </ul> <p>As appropriate, the Mitigation Plan may include, but not be limited to:</p> <ul style="list-style-type: none"> <li>• Details for a salvage program;</li> <li>• Replacement ratios;</li> <li>• Performance criteria for the relocated population;</li> <li>• Site-selection parameters to ensure there are no secondary impacts from mitigation;</li> <li>• Program implementation methods within one year of grading;</li> <li>• Methods to maintain the site for 5 years;</li> </ul>

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		<ul style="list-style-type: none"> <li>Long-term preservation in dedicated open space.</li> </ul>
MM 4.3-2(c)	CEQA Documentation  Not applicable to 2008 NHIP	In conjunction with CEQA documentation required for any future project proposal within the 4-acre parcel, focused surveys for the coastal California gnatcatcher and other special status wildlife species that could occur in coastal sage scrub shall be conducted. Surveys shall follow the USFWS protocol to determine the presence or absence of this species. If no coastal California gnatcatchers are identified in the impact area, no further mitigation are necessary and the results of the survey shall be included in the CEQA documentation.
MM 4.3-2(d)	CEQA Documentation  Not applicable to 2008 NHIP	<p>In conjunction with CEQA documentation required for any future project proposal within the 4-acre parcel, a Coastal Sage Scrub Mitigation Plan shall be prepared and approved by the USFWS prior to grading. In addition, grading of coastal sage scrub shall not occur during the coastal California gnatcatcher nesting season (February 15 to August 15). The Mitigation Plan may include, but not be limited to, one or more of the following actions:</p> <ul style="list-style-type: none"> <li>Avoiding impacts to coastal sage scrub to the extent possible through project planning;</li> <li>Minimizing impacts to coastal sage scrub to the extent possible through project planning;</li> <li>Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment;</li> <li>Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the project;</li> <li>Compensating for the impact by replacing or providing substitute resources or environments.</li> </ul> <p>As appropriate, the Mitigation Plan may include, but not be limited to:</p> <ul style="list-style-type: none"> <li>Replacement ratios;</li> <li>Performance criteria;</li> <li>Site-selection parameters to ensure there are no secondary impacts from mitigation;</li> <li>Program implementation methods within one year of grading;</li> <li>Methods to maintain the site for 5 years;</li> <li>Long-term preservation in open space.</li> </ul>
MM 4.3-2(e)	CEQA Documentation  Not applicable to 2008 NHIP	If coastal California gnatcatcher or other special status species is observed within or immediately adjacent to the impact footprint during focused surveys, construction will not proceed until authorization is granted by the U.S. Fish and Wildlife Service via a Section 7 Permit or a 10a Permit. All conditions of such permits will be complied with in order to avoid or minimize impacts on the coastal California gnatcatcher.
MM 4.3-4	Construction	UCLA shall replace protected trees removed for construction of projects under the 2002 LRDP, as amended, with protected trees of the same species at a 2:1 ratio as presented in the City of Los Angeles Protected Tree Ordinance (Ordinance Number 177404). Protected trees are defined as coast live oak, valley oak, western sycamore, Southern California black walnut, and California bay laurel.

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MM 4.3-5(a)	CEQA Documentation  Not applicable to 2008 NHIP	In conjunction with CEQA documentation required for any future project proposal in proximity to Stone Canyon Creek, a jurisdictional delineation shall be conducted to describe and map the extent of resources under the jurisdiction of the USACE and/or the CDFG following the guidelines presented in the <i>Interim Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region</i> (USACE 2006). The results of the delineation shall be included in the CEQA documentation.
MM 4.3-5(b)	Pre-construction  Not applicable to 2008 NHIP	Prior to any direct or indirect impacts to jurisdictional areas within Stone Canyon Creek, permits/agreements from the USACE, the RWQCB, and/or the CDFG shall be required. Acquisition and implementation of the permit/agreement may constrain proposed activities; impacts on jurisdictional resources should be minimized to the extent practicable. Mitigation for impacts on jurisdictional resources may include avoidance or minimization of impacts, compensation in the form of habitat restoration, or compensation through participation in a mitigation bank. The exact requirements of any special permit conditions established for impacts on the creek would be determined by the USACE (Section 404) and/or the CDFG (Streambed Alteration Agreement) following review of the formally submitted project application after completion of the CEQA process.
<b>Cultural Resources</b>		
PP 4.4-1(a)	CEQA Documentation and Design	Structures outside the campus Historic Core that appear to have historic significance, or are over 45 years old, that may be directly or indirectly impacted by a proposed development project shall be reviewed by the campus and a qualified architectural historian or historic architect for eligibility for listing on the California Register of Historical Resources. If a structure is identified as eligible for listing in the California Register of Historical Resources, and it is determined that the project could have a significant adverse impact on the structure, the campus and a qualified historic architect shall consider design modifications, mitigation measures and/or alternatives that could minimize, avoid or substantially reduce the impacts, and consider whether and to what extent the project could comply with the <i>Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings</i> (Weeks and Grimmer 1995).
PP 4.4-1(b)	CEQA Documentation and Design  Not applicable to 2008 NHIP	The integrity of the Campus Historic Core shall be maintained. Structures over 45 years old within the Campus Historic Core that have not yet been evaluated for potential historic significance and may be directly or indirectly impacted by a proposed development project shall be reviewed by the campus and a qualified architectural historian or historic architect for eligibility for listing in the California Register of Historical Resources. The campus shall continue to implement all modifications to historic structures within the Historic Core in compliance with the <i>Secretary of the Interior's Standards for Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings</i> (Weeks and Grimmer 1995).
PP 4.4-5	During Construction	In the event of the discovery of a burial, human bone, or suspected human bone, all excavation or grading in the vicinity of the find shall halt immediately, the area of the find shall be protected, and the University immediately shall notify the Los Angeles County Coroner of the find and comply with the provisions of Public Resources Code Section 5097 with respect to Native American involvement, burial treatment, and re-burial, if necessary.
MM 4.4-2(a)	Pre-construction	Prior to site preparation or grading activities, construction personnel shall be informed of the potential for encountering unique archaeological resources and taught how to identify these resources if encountered. This shall include the provision of written materials to familiarize personnel with the range of resources that might be expected, the type of activities that may result in impacts, and the



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		legal framework of cultural resources protection. All construction personnel shall be instructed to stop work in the vicinity of a potential discovery until a qualified, non-University archaeologist assesses the significance of the find and implements appropriate measures to protect or scientifically remove the find. Construction personnel shall also be informed that unauthorized collection of archaeological resources is prohibited.
MM 4.4-2(b)	Construction	<p>Should archaeological resources be found during ground-disturbing activities for any project, a qualified Archaeologist shall first determine whether an archaeological resource uncovered during construction is a "unique archaeological resource" pursuant to Section 21083.2(g) of the Public Resources Code or a "historical resource" pursuant to Section 15064.5(a) of the CEQA Guidelines. If the archaeological resource is determined to be a "unique archaeological resource" or a "historical resource," the Archaeologist shall formulate a mitigation plan in consultation with the campus that satisfies the requirements of Section 21083.2 and 15064.5.</p> <p>If the Archaeologist determines that the archaeological resource is not a "unique archaeological resource" or "historical resource," s/he may record the site and submit the recordation form to the California Historic Resources Information System at the South Central Coastal Information Center.</p> <p>The Archaeologist shall prepare a report of the results of any study prepared as part of a mitigation plan, following accepted professional practice. Copies of the report shall be submitted to the University and to the California Historic Resources Information System at the South Central Coastal Information Center.</p>
MM 4.4-2(c)	Pre-construction  Not applicable to 2008 NHIP	Prior to initiation of construction activities for projects that require disturbance of native sediments/soils (as identified through site-specific geotechnical analysis), the campus shall retain a qualified non-University Archaeologist to observe grading activities and recover, catalogue, analyze, and report archaeological resources as necessary. The qualified Archaeologist shall submit to the Capital Programs University Representative, a written plan with procedures for archaeological resource monitoring. This plan shall include procedures for temporarily halting or redirecting work to permit the sampling, identification, and evaluation of the resources as appropriate.
MM 4.4-3(a)	Pre-construction  For 2008 NHIP only applicable to the Upper and Lower De Neve Buildings	Prior to site preparation or grading activities, construction personnel shall be informed of the potential for encountering paleontological resources and taught how to identify these resources if encountered. This shall include the provision of written materials to familiarize personnel with the range of resources that might be expected; the type of activities that may result in impacts; and the legal framework of cultural resources protection. All construction personnel shall be instructed to stop work in the vicinity of a potential discovery until a qualified, non-University Paleontologist assesses the significance of the find and implements appropriate measures to protect or scientifically remove the find. Construction personnel shall also be informed that unauthorized collection of paleontological resources is prohibited.

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MM 4.4-3(b)	Construction	<p>A qualified Paleontologist shall first determine whether a paleontological resource uncovered during construction meets the definition of a "unique archaeological resource" under Public Resources Code, Section 21083.2(g) or a "historical resource" under Section 15064.5 of the CEQA Guidelines. If the paleontological resource is determined to be a "unique archaeological resource" or a "historical resource", the Paleontologist shall formulate a Mitigation Plan in consultation with the campus that satisfies the requirements of Section 21083.2 of the CEQA Statutes.</p> <p>If the Paleontologist determines that the paleontological resource is not a unique resource, s/he may record the site and submit the recordation form to the Natural History Museum of Los Angeles County.</p> <p>The Paleontologist shall prepare a report of the results of any study prepared as part of a mitigation plan, following accepted professional practice. Copies of the report shall be submitted to the University and to the Natural History Museum of Los Angeles County.</p>
<b>Geology and Soils</b>		
PP 4.5-1(a)	Design	<p>During project-specific building design, a site-specific geotechnical study shall be conducted under the direct supervision of a California Registered Engineering Geologist or licensed Geotechnical Engineer to assess detailed seismic, geological, soil, and groundwater conditions at each construction site and develop recommendations to prevent or abate any identified hazards in accordance with the requirements of the California Building Code applicable at the time of construction. Recommendations from the site-specific geotechnical study shall be included in the grading plans and/or building design specifications for each project. The study shall follow applicable recommendations of CGS Special Publication 117 and shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> <li>• Determination of the locations of any suspected fault traces and anticipated ground acceleration at the building site;</li> <li>• Potential for displacement caused by seismically induced shaking, fault/ground surface rupture, liquefaction, differential soil settlement, expansive and compressible soils, landsliding, or other earth movements or soil constraints;</li> <li>• Evaluation of depth to groundwater.</li> </ul>
PP 4.5-1(b)	Operation	The campus shall continue to implement its current seismic upgrade program.
PP 4.5-1(c)	Design and Operation	The campus shall continue to comply with the University Policy on Seismic Safety adopted on January 17, 1995 or with any subsequent revision to the policy that provides an equivalent or higher level of protection with respect to seismic hazards.
PP 4.5-1(d)	Design	Development projects under the LRDP Amendment shall continue to be subject to structural peer review; following this review, any site-specific geotechnical study recommendations, including any recommendations added as a result of the peer review, shall be incorporated in the project design, as appropriate.
MM 4.5-1	Pre-construction  Applicable only to the 2008 NHIP	<p>Prior to approval of final building designs for the 2008 Northwest Housing Infill Project, a qualified Engineer shall review the final designs to verify that all geotechnical recommendations provided in the Geotechnical Engineering Investigation, Proposed UCLA Northwest Student Housing Infill Project (dated May 8, 2008 and prepared by Geotechnologies, Inc.) have been fully and appropriately incorporated. These recommendations shall include, but not be limited to, the following areas of concern:</p> <ul style="list-style-type: none"> <li>• Grading Guidelines (removal of unsuitable soils, hillside grading, compaction).</li> <li>• Temporary Excavations (shoring, soldier piles and lagging, anchors,</li> </ul>

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		<ul style="list-style-type: none"> <li>monitoring).</li> <li>Seismic Design Considerations (2007 California Building Code Seismic Parameters).</li> <li>Foundation Design (reinforcement, settlement, friction piles, retaining wall setbacks).</li> <li>Retaining Wall Design (cantilever and restrained walls, waterproofing, drainage, backfill).</li> <li>Slabs on Grade (concrete, waterproofing, reinforcement).</li> <li>Pavements (moisture, thickness, weight management).</li> <li>Site Drainage.</li> <li>Construction Monitoring and Geotechnical Testing (geotechnical observation and laboratory testing of soils).</li> </ul>
<b>Hazards and Hazardous Materials</b>		
PP 4.6-1	Operation	The campus shall continue to implement the same (or equivalent) health and safety plans, programs, practices, and procedures related to the use, storage, disposal, or transportation of hazardous materials during the LRDP Amendment planning horizon, including, but not necessarily limited to, the Business Plan, Hazardous Materials Management Program, Hazard Communication Program, Injury and Illness Prevention Program, Chemical Exposure Monitoring Program, Asbestos Management Program, Respiratory Protection Program, EH&S procedures for decommissioning and demolishing buildings that may contain hazardous materials, and the Broadscope Radioactive Materials License. These programs may be subject to modification as more stringent standards are developed or if the programs become obsolete through replacement by other programs that incorporate similar health and safety protection measures.
PP 4.6-4	Construction	While not expected to occur on-campus, if contaminated soil and/or groundwater is encountered during the removal of on-site debris or during excavation and/or grading activities, the construction contractor(s) shall stop work and immediately inform the EH&S. An on-site assessment shall be conducted to determine if the discovered materials pose a significant risk to the public or construction workers. If the materials are determined to pose such a risk, a remediation plan shall be prepared and submitted to the EH&S to comply with all federal and State regulations necessary to clean and/or remove the contaminated soil and/or groundwater. Soil remediation methods could include, but are not necessarily limited to, excavation and on-site treatment, excavation and off-site treatment or disposal, and/or treatment without excavation. Remediation alternatives for cleanup of contaminated groundwater could include, but are not necessarily limited to, on-site treatment, extraction and off-site treatment, and/or disposal. The construction schedule shall be modified or delayed to ensure that construction will not inhibit remediation activities and will not expose the public or construction workers to significant risks associated with hazardous conditions.
<b>Hydrology and Water Quality</b>		
PP 4.7-1	Construction and Operation	Construction and operation of projects on campus shall comply with requirements and water quality standards set forth within current NPDES Permit regulations (Phase I and Phase II) at the time of project approval. Pursuant to Phase I permit requirements, UCLA shall develop a Storm Water Pollution Prevention Plan (SWPPP) that incorporates Best Management Practices (BMPs) for reducing or eliminating construction-related and post-construction pollutants in site runoff.

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PP 4.7-5	Design	Site-specific hydrologic evaluation shall be conducted for each proposed development project based on the project-specific grading plan and site design of each individual project. This evaluation shall include, but not be limited to: (1) an assessment of runoff quality, volume and flow rate from the proposed project site; (2) identification of project-specific BMPs (structural and non-structural) to reduce the runoff rate and volume to appropriate levels; and (3) identification of the need for new or upgraded storm drain infrastructure (on and off campus) to serve the project. Project design shall include measures to upgrade and expand campus storm drain capacity where necessary, as identified through the project-specific hydrologic evaluation. Design of future projects shall include measures to reduce runoff, including, but not limited to, the provision of permeable landscaped areas adjacent to structures to absorb runoff and the use of pervious or semi-pervious paving materials.
MM 4.7-1	Pre-Construction and Construction	<p>Best Management Practices (BMPs) shall be implemented for individual development projects, to the extent required by State law, to ensure compliance is maintained with all applicable NPDES requirements at the time of project construction. UCLA shall utilize BMPs as appropriate and feasible to comply with and/or exceed the current requirements under the NPDES program. BMPs that may be implemented include, but are not limited to, the following:</p> <p>Non-Structural/Structural</p> <ul style="list-style-type: none"> <li>• Landscape Maintenance</li> <li>• Catch Basin Stenciling and Clean-out</li> <li>• Efficient Irrigation Practices</li> <li>• Litter Control</li> <li>• Fertilizer Management</li> <li>• Public Education</li> <li>• Efficient Irrigation</li> <li>• Permanent Vegetative Controls</li> <li>• Runoff – Minimizing Landscape Design</li> </ul> <p>Treatment Control BMPs (to minimize storm water pollutants of concern for Ballona Creek - Sediment, Bacteria/Viruses, Toxicity, Trash, and Metals):</p> <ul style="list-style-type: none"> <li>• Vegetated Swale(s) – An open, shallow channel with vegetation covering side slopes and the bottom.</li> <li>• Bioretention – A basin that functions as a soil and plant-based filtration device that removes pollutants through a variety of physical, biological, and chemical treatment processes.</li> <li>• Turf Block – A grass area that has a structural component which allows it to be used in drive aisles and parking lots.</li> <li>• Drain Inserts – A manufactured filter placed in a drop inlet to remove sediment and debris.</li> </ul>
<b>Land Use and Planning</b>		
PP 4.8-1(a)	Design  Not applicable to 2008 NHIP	Development of the southern edge of the main campus shall be designed to enhance the campus interface with Westwood Village.
PP 4.8-1(b)	Design  Not applicable to 2008 NHIP	The existing recreational fields in the Central zone of campus shall be maintained and will continue to provide a buffer between campus development and the residential uses north of Sunset Boulevard.

**TABLE 1**  
**MITIGATION MEASURES OR APPLICABLE CAMPUS PROGRAMS,**  
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PP 4.8-1(c)	Design	Infill development of the campus shall be continued, which reduces vehicle miles traveled and energy consumption.
PP 4.8-1(d)	Design	New building projects shall be sited to ensure compatibility with existing uses and the height and massing of adjacent facilities.
PP 4.8-1(e)	Design	Facilities shall be sited and designed to enhance spatial development of the campus while maximizing use of limited land resources.
<b>Noise and Vibration</b>		
PP 4.9-1	Design	The campus shall continue to evaluate ambient noise conditions when placing new student housing near regular sources of noise such as roadways, the on campus helistop, and stationary equipment and design the new buildings to ensure that interior noise levels would be less than 45 dBA CNEL.
PP 4.9-2	Construction	The campus shall continue to notify research facilities located near approved construction sites of the planned schedule of vibration causing activities so that the researchers can take necessary precautionary measures to avoid negative effects to their research.
PP 4.9-6(a)	Design	The campus shall continue to shield all new stationary sources of noise that would be located in close proximity to noise-sensitive buildings and uses.
PP 4.9-6(b)	Design	The campus shall continue to provide a landscaped buffer along the western, northern, and eastern edges of the main campus in order to maximize the distance between the roadways and new buildings and provide an acoustically soft environment. At a minimum, this environment can be provided by planting grass and other low landscaping.
PP 4.9-7(a)	Construction	To the extent feasible, construction activities shall be limited to 7:00 A.M. to 9:00 P.M. Monday through Friday, 8:00 A.M. to 6:00 P.M. on Saturday, and no construction on Sunday and national holidays, as appropriate, in order to minimize disruption to area residences surrounding the campus and to on-campus uses that are sensitive to noise.
PP 4.9-7(b)	Construction	The campus shall continue to require by contract specifications that construction equipment be required to be muffled or otherwise shielded. Contracts shall specify that engine-driven equipment be fitted with appropriate noise mufflers.
PP 4.9-7(c)	Construction	The campus shall continue to require that stationary construction equipment material and vehicle staging be placed to direct noise away from sensitive receptors.
PP 4.9-7(d)	Construction	The campus shall continue to conduct regular meetings with on-campus constituents to provide advance notice of construction activities in order to coordinate these activities with the academic calendar, scheduled events, and other situations, as needed.
PP 4.9-8	Construction	The campus shall continue to conduct meetings, as needed, with off-campus constituents that are affected by campus construction to provide advance notice of construction activities and ensure that the mutual needs of the particular construction project and of those impacted by construction noise are met, to the extent feasible.
MM 4.9-2	Pre-Construction and Construction  Not applicable to 2008 NHIP	The campus shall require by contract specifications that, to the extent feasible, large bulldozers, large heavy trucks, and other similar equipment not be used within 43 feet of the occupied residence halls, within 34 feet of non-residential/non-sensitive buildings, and within 135 feet of buildings that house sensitive instrumentation or similar vibration-sensitive equipment or activities. The work shall be done with medium-sized equipment or smaller within these prescribed distances to the extent practicable.

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MM 4.9-7	Pre-Construction  Not applicable to 2008 NHIP	A solid noise barrier that would break the line of sight between the construction site and a sensitive use area would reduce construction noise by at least 5 dBA. Therefore, when detailed construction plans are complete, the campus shall review the locations of sensitive receptor areas in relation to the construction site. If it is determined that a 12-foot-high barrier would break the line of sight between an 11-foot-high noise source and adjacent sensitive use areas, a temporary barrier shall be erected to the extent practicable. The barrier shall be solid from the ground to the top, with no openings, and shall have a weight of at least 3 pounds per square foot, such as plywood that is ½-inch thick
<b>Population and Housing</b>		
Mitigation measures are not required.		
<b>Public Services</b>		
PP 4.11-1	Design	Fire alarm connections to the University Police Command Center shall continue to be provided in all new and renovated buildings to provide immediate location information to the Los Angeles Fire Department to reduce response times in emergency situations.
PP 4.11-2(a)	Design and Operation	Police staffing levels and equipment needs shall continue to be assessed on an ongoing basis as individual development projects are proposed and on an annual basis during the campus budgeting process to ensure that the appropriate service levels will be maintained to protect an increased campus population and an increased level of development.
PP 4.11-2(b)	Design and Operation	Annual meetings shall continue to be attended by the Director of UCLA Housing and the UCPD to evaluate the adequacy of police protection service for University-owned housing, assess institutional priorities and budgetary requirements, and identify and implement appropriate actions to ensure the continued adequacy of police protection services for resident students.
<b>Recreation</b>		
PP 4.12-1(a)	Design and Operation	The campus shall continue to provide, operate, and maintain recreational facilities for students, faculty, and staff on campus.
PP 4.12-1(b)	Design and Operation	The campus shall continue to integrate landscaped open space (including plazas, courts, gardens, walkways, and recreational areas) with development to encourage use through placement and design.
<b>Transportation/Traffic</b>		
PP 4.13-1(a)	Operation	The campus shall continue to maintain the 1990 LRDP vehicle trip cap of 139,500 average daily trips.
PP 4.13-1(b)	Operation	The campus shall continue to maintain the 1990 LRDP parking cap of 25,169 spaces.
PP 4.13-1(c)	Design and Operation	The campus shall continue to provide on-campus housing to continue the evolution of UCLA from a commuter to a residential campus.
PP 4.13-1(d)	Operation	The campus shall continue to implement a TDM program that meets or exceeds all trip reduction and AVR requirements of the SCAQMD. The TDM program may be subject to modification as new technologies are developed or alternate program elements are found to be more effective.
PP 4.13-2	Construction	UCLA Capital Programs will assess construction schedules of major projects to determine the potential for overlapping construction activities to result in periods of heavy construction vehicle traffic on individual roadway segments, and adjust construction schedules, work hours, or access routes to the extent feasible to reduce construction-related traffic congestion.

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PP 4.13-5	Construction	To the extent feasible, the campus shall maintain at least one unobstructed lane in both directions on campus roadways. At any time only a single lane is available, the campus shall provide a temporary traffic signal, signal carriers (i.e., flagpersons), or other appropriate traffic controls to allow travel in both directions. If construction activities require the complete closure of a roadway segment, the campus shall provide appropriate signage indicating alternative routes.
PP 4.13-6	Construction	For any construction-related closure of pedestrian routes, the campus shall provide appropriate signage indicating alternative route and provide curb cuts and street crossings to assure alternate routes are accessible.
PP 4.13-8	Pre-construction and Construction	To ensure adequate access for emergency vehicles when construction projects would result in temporary lane or roadway closures, UCLA shall consult with the UCPD, EH&S, and the LAFD to disclose temporary lane or roadway closures and alternative travel routes.
MM 4.13-11	Construction	To the extent that construction worker parking demand exceeds historical levels or available supply, off-site construction worker parking shall be provided with shuttle service to the remote parking location.
<b>Utilities and Service Systems</b>		
PP 4.14-2(a)	Design	New facilities and renovations (except for patient care facilities in the Medical Center) shall be equipped with low-flow showers, toilets, and urinals.
PP 4.14-2(b)	Operation	Measures to reduce landscaping irrigation needs shall be used, such as automatic timing systems to apply irrigation water during times of the day when evaporation rates are low, installing drip irrigation systems, using mulch for landscaping, subscribing to the California Irrigation Management Information System Network for current information on weather and evaporation rates, and incorporating drought-resistant plants as appropriate.
PP 4.14-2(c)	Operation	The campus shall promptly detect and repair leaks in water and irrigation pipes.
PP 4.14-2(d)	Operation	The campus shall minimize the use of water to clean sidewalks, walkways, driveways, and parking areas.
PP 4.14-2(e)	Operation	The campus shall avoid serving water at UCLA food service facilities except upon request.
PP 4.14-2(f)	Operation	The campus shall provide ongoing water treatment programs for campus cooling equipment by adding biodegradable chemicals to achieve reductions in water usage.
PP 4.14-2(g)	Operation	The campus shall educate the campus community on the importance of water conservation measures.
PP 4.14-3	Operation	The campus shall continue to implement a solid waste reduction and recycling program designed to limit the total quantity of campus solid waste that is disposed of in landfills during the LRDP plan horizon.
PP 4.14-5	Design	As part of the design process for proposed projects, an evaluation of the on-campus sewer conveyance capacity shall be undertaken, and improvements provided if necessary in order to ensure that connections are adequate and capacity is available to accommodate estimated flows.
PP 4.14-9	Design and Operation	The campus shall continue to implement energy conservation measures (such as energy-efficient lighting and microprocessor-controlled HVAC equipment) to reduce the demand for electricity and natural gas. The energy conservation measures may be subject to modification as new technologies are developed or if current technologies become obsolete through replacement.

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<b>Climate Change</b>		
PP 4.15-1	Design and Operation	The campus shall continue to implement provisions of the UC Policy on Sustainability Practices including, but not limited to: Green Building Design; Clean Energy Standards; Climate Protection Practices; Sustainable Transportation Practices; Sustainable Operations; Recycling and Waste Management; and Environmentally Preferable Purchasing Practices; and provisions of the applicable UCLA Climate Action Plan.