

Revised

Additions shown by underscoring; deletions shown by strikethrough

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Office of the President

TO MEMBERS OF THE COMMITTEE ON GROUNDS AND BUILDINGS:

ACTION ITEM

For the Meeting of July 12, 2011

APPROVAL OF THE BUDGET FOR CAPITAL IMPROVEMENTS AND THE CAPITAL IMPROVEMENT PROGRAM, CERTIFICATION OF ENVIRONMENTAL IMPACT REPORT, ADOPTION OF FINDINGS, AND APPROVAL OF DESIGN TO REMEDIATE THE SITE FOR PHASE 1 OF UNIVERSITY HOUSE REHABILITATION PROJECT, SAN DIEGO CAMPUS

CAMPUS	San Diego
PROJECT	Phase 1 of University House Rehabilitation
PROJECT NUMBER	963870
PROPOSED ACTIONS	<ol style="list-style-type: none">1. Approve the Phase 1 (site remediation) budget of \$2,897,000 <u>\$1.5 million</u> for site remediation2. Certify the Environmental Impact Report,3. Adopt Findings and Mitigation Monitoring and Reporting Program for the project, and4. Approve the design of site remediation components
PREVIOUS ACTIONS	November 2008: Approval of preliminary plans (“P”) funding of \$413,000 for the full project.
FUTURE ACTIONS	Approval of budget and design for the rehabilitation component of the project will be sought at a future Regents’ meeting.
<u>PROJECT SUMMARY</u>	
PROJECT LOCATION	<ul style="list-style-type: none">• The 6.91 acre site is located on UC San Diego property in the La Jolla Farms neighborhood of the La Jolla community. The project site is located on a bluff overlooking the Pacific Ocean, bound by La Jolla Farms Road to the north, an open space canyon area to the south, and residential uses to the west and east. The property and historic residential building was donated to the University in the early 1960’s.
PROJECT PROGRAM	<ul style="list-style-type: none">• The phase one portion of the project consists of remedying on-site erosion and drainage issues.<ul style="list-style-type: none">- The bluff erosion is in an emergency state, and it is imperative that the work be completed before more erosion can occur. Stabilizing the adjacent bluff face will reduce the potential for loss of life and prevent further erosion and damage to University property.- Without the proposed remediation work, erosion damage will

	<p>continue and the site and facility still will be subject to life safety risk. Further delay and, therefore, additional damage would increase the cost for this project.</p> <ul style="list-style-type: none"> - Timing is driven by the need to do construction work before winter rains and gnatcatcher breeding season. • The slope stabilization project includes: <ul style="list-style-type: none"> - Stabilize an eroding area of the bluff, - Protect existing foundations, - Protect existing walls and patio structures, and - Protect and restore natural habitat. • UC San Diego proposes to rehabilitate the existing University House in the future, in order to revitalize and functionalize an important and historic University asset, and retain the tribal cultural value of the site. • In a future phase, repairs and improvements would be proposed for the existing structure in order to make the structure habitable, including improvements for seismic/code/life safety compliance, building systems renewal, hydrology and drainage improvements, and stabilization of the steep slope on the project site. • Estimated total project cost (Phase 1 and 2) is \$10.5 million to be funded from gifts and University (Searles) funds. • Searles Fund is an endowment established in 1919 from a gift by Edward F. Searles to be used to fund general purposes of the University which cannot be covered by State funds.
<p>TOTAL PROJECT COST – SITE REMEDIATION</p>	<ul style="list-style-type: none"> • \$2,897,000
<p>FUNDING SOURCE</p>	<ul style="list-style-type: none"> • Gift Funds earmarked for the University House: \$2,897,000 <u>\$1.5 million</u> • No State funding will be used to support this project.
<p>DRIVERS/ISSUES</p>	<ul style="list-style-type: none"> • The erosion problems have worsened over the last couple of unusually heavy winter storms and action is urgently required. • The erosion control work is estimated to take three to four months, which should be completed before further deterioration from the winter rains and outside of the gnatcatcher nesting season in the following spring. • In March 2008, the site on which the University House rests was classified as a sanctified cemetery and a sacred site by the California Native American Heritage Commission. • The San Diego campus has worked closely with community stakeholders in developing a plan that minimizes/avoids disturbances to the site. The campus is committed to preserving the archaeological and cultural value of the site during any work undertaken on the site.
<p>RELEVANT AUTHORITIES</p>	<ul style="list-style-type: none"> • Under Policy 7708 (President/Chancellor residences and offices), capital projects over \$5M require Regental approval. Phase 1 of

the project is under \$5M, however, the total project cost exceeds \$5M and the sensitivity of the project site warrants Regental consideration. Although the Chancellor does not currently inhabit University House, the President seeks approval of this project under Policy #7708, since it is anticipated that the renovation will allow the Chancellor to live there in the future.

- Regents Policy 8102: Policy on Approval of Design, Long Range Development Plans, and the Administration of the California Environmental Quality Act (CEQA) delegates to the Committee on Grounds and Buildings authority to approve design for projects with a total project cost in excess of \$10 million.

RECOMMENDATION

A. The President recommends that the Committee on Grounds and Buildings recommend to the Regents that:

1. The 2011-12 Budget for Capital Improvements and the Capital Improvement Program be amended to include the following project:

San Diego: Phase 1 of the University House Rehabilitation –preliminary plans, and working drawings, and construction for the site remediation components – ~~\$2,897,000~~ \$1.5 million to be funded from gift funds earmarked for the University House Rehabilitation project.

2. The Phase 1 of the University House Rehabilitation scope includes: site remediation to address life safety issues associated with land erosion and to protect further deterioration of this University asset, while protecting cultural, archaeological, and historical resources.
3. The President be authorized to execute all documents necessary in connection with the above.

B. The President recommends that, upon review and consideration of the environmental consequences of the proposed project, the Committee on Grounds and Buildings:

1. Certify the Environmental Impact Report (EIR);
2. Adopt the attached Mitigation Monitoring and Reporting Program for the project;
3. Adopt the attached Findings and Overriding Considerations; and
4. Approve the design for the Phase One site remediation.

ATTACHMENTS:

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|---------------|--|
| Attachment 1: | Project Description |
| Attachment 2: | Project Budget |
| Attachment 3: | Funding Plan |
| Attachment 4: | Timeline of Events |
| Attachment 5: | Project Graphics |
| Attachment 6: | Environmental Impact Summary |
| Attachment 7: | Complete CEQA documentation (includes University House Mitigation Monitoring Program) – see CD |
| Attachment 8: | CEQA Findings |

PROJECT DESCRIPTION

A. CONTEXT AND FACILITY NEEDS

Background

- For nearly 40 years, UC San Diego Chancellors resided in the *University House* and hosted events in support of the campus.
- The existing building is located on the south edge of the La Jolla Farms development and overlooks the existing natural habitat and coastal sage, the beach and the Pacific Ocean.
- In January 2004, the structure was deemed uninhabitable due to a multitude of life safety and code compliances issues.
- Among the most critical issues are seismic code deficiencies, slope destabilization due to erosion and improper drainage, deficiencies in major systems components (e.g., plumbing, electrical, HVAC), and mold.
- The site has been determined to be a sanctified cemetery and a sacred site by the Native American Heritage Commission (NAHC), and the house is listed on the National Register of Historic Places (NRHP) for cultural, archaeological, and historical resources.
- In its current state and without any improvements, the site and structure will be unstable; the site will remain unusable and continue to deteriorate, with no progress being made towards preserving the cultural and historical resources.
- The campus has worked with University and community stakeholders and consultants to evaluate possible solutions that would resolve the life safety and code compliance issues, improve the functionality of the residence, and preserve the on-site cultural and historical resources of the property. (See Attachment 4 for a timeline of previous activities.)

Proposed Solution

- The campus proposes a phased implementation plan to address the life safety and code compliance issues associated with the site and the structure, with the Phase One addressing the site remediation that would stabilize the slope to avoid further erosion.
- The Phase Two would include the rehabilitation of the residence and associated utility improvements, for which design and budget approval would be sought at a future Regents' meeting.
- All phases would be implemented in a manner to minimize disruption to the site.
- The campus is seeking approval for the site remediation elements in order to repair the slope before further erosion occurs.
 - Each winter storm is becoming more and more destructive to the slope, with further erosion occurring.
 - In addition to the safety issues, the continual erosion is of concern to the campus and community stakeholders because the areas of erosion have been the site of human remains in the past and much of the upper layers of soil are exposed.
 - It is necessary to stabilize these areas prior to beginning work on the rehabilitation components in order to ensure a safe environment and to support the foundation of the house and patio.
 - The bluff face has now eroded behind the glass windscreen that has acted as a barrier from stepping too close to the bluff face.
 - The work is estimated to take three to four months, which should be completed outside

of the gnatcatcher nesting season and before the winter rains.

- The deterioration of the slope is a liability issue for the University and therefore the slope stabilization work needs to be undertaken immediately,
- This work needs to be completed, even if no other work was planned for the site in order to protect the University's land resource and protect the facility from additional damage. It would not be possible to rehabilitate the residence without completing this critical site repair.
- The campus will seek budget and design approval for the Phase Two components for rehabilitating the residence at a future Regents' meeting.

Overview of Planning and Review Process

The proposed project is consistent with campus safety goals and diligence regarding risk management. Appropriate coordination among University and community stakeholders has taken place through an Advisory Workgroup that is guiding the planning and design of this project, including representation from the Academic Senate, campus, and Office of the President staff. The campus has worked closely with Native American and other community stakeholders to develop a rehabilitation plan for the facility.

B. PROJECT PROGRAM AND SCOPE

Phase One – Slope Remediation

- To stabilize the most severe failure on the western side of the slope, the project proposes to construct a pier-supported retaining wall along the top of the slope and place fill material behind the wall that would result in a 2:1 (horizontal: vertical) finished stabilization slope so as to avoid any risk to the University House structure.
- The pier wall would be primarily backfilled with the soil removed from the excavation of pier wall supports, with the remainder to be backfilled with imported, sterile fill material as necessary.
- The pier wall is intended to provide gross and superficial stabilization within the existing fill and geologic deposits.
- The outward facing/exterior surface of the wall would be built up with shotcrete and sculpted and colored to match the surrounding native earth materials.
- Positioning the wall near the top of the existing failure scarp would help minimize the volume of backfill.
- The piers are designed to resist the loading from the slope and backfill soils.
- Planting with native plant species will be done at the base of the wall.
- The wall would be approximately 88 feet long and 13 feet tall (at its tallest), three feet at its tail ends and located approximately 360 feet above mean sea level.
- The wall would include 11 to 13 piers that would each be 30 inches in diameter.
- The proposed pier supported retaining wall would stabilize the slope adjacent to the University House and, therefore, would protect both people and the house to hazards associated with soil stability issues.
- The implementation plan for the proposed elements of the project includes measures to avoid impacts to soils, cultural items, and human remains; these efforts would include hand excavation by a qualified archaeologist and monitoring by Native American representatives.
- Additional information on the Phase One project budget for site remediation may be found in

Attachment 2 (Project Budget).

C. PROJECT SITE

Area	<ul style="list-style-type: none"> • 6.91 acres (three acres of which are steep canyon slopes)
Location	<ul style="list-style-type: none"> • On UC San Diego property, in the La Jolla Farms neighborhood of the La Jolla community, bounded by La Jolla Farms Road to the north, an open space canyon area to the south facing the Pacific Ocean, and residential uses to the west and east (see <i>Attachment 5, Project Site Plan</i>)

D. PROJECT CONFORMANCE

2010-20 Capital Financial Plan	<ul style="list-style-type: none"> • Included in the 2010-20 Capital Financial Plan update, consistent with budget and scope.
Physical Design Framework	<ul style="list-style-type: none"> • Consistent
Long Range Development Plan (LRDP)	<ul style="list-style-type: none"> • Academic/Community Oriented
University Controlled Insurance Program Compliance (UCIP) ^(a)	<ul style="list-style-type: none"> • The University has implemented a University Controlled Insurance Program (“UCIP”), effective as of January 1, 2010, with a term of five years. • The Phase One budget has a total construction budget of approximately \$1.5 million and will not be using UCIP; all insurance will be provided in a manner consistent with existing University policy. (The construction budget for the total project budget also will be less than the amount requiring use of UCIP.)

E. SUSTAINABILITY

- The rehabilitation program is constrained as a result of respecting the state/federal listing of the property for tribal cultural, archaeological and historical resources. The site also is designated as a sanctified cemetery and sacred site and therefore for these reasons the project was granted an exemption from complying with the UC Policy on Sustainable Practices with respect to USGBC LEED Silver certification by the Office of the President in February 2011.
- However, the project will incorporate as many sustainable aspects as possible as part of the rehabilitation program. More information will be provided when the campus seeks design approval for the rehabilitation of the residence at a future meeting.

F. INDEPENDENT REVIEWS

^(a) The UCIP provides workers’ compensation/employer’s liability insurance, commercial general liability insurance, and excess liability insurance for all University construction projects with a projected construction value in excess of \$25 million at the time of request for bid.

Design: April 2010	Seismic: not applicable to Phase One	Value Engineering: ongoing
G. PROJECT CONSTRUCTION		
Executive Architect	<ul style="list-style-type: none"> • IS Architecture, La Jolla, California, approval November 2008 	
Project Delivery Method	<ul style="list-style-type: none"> • Construction Manager / General Contractor 	
Management and Oversight	<ul style="list-style-type: none"> • Office of Facilities Design & Construction 	
Proposed Schedule for Site Remediation	<ul style="list-style-type: none"> • Start of Construction – September 2011 • Completion – December 2011 	
H. CEQA COMPLIANCE		
<p>In accordance with University procedures and the requirements of the California Environmental Quality Act (CEQA), the environmental effects of the Project were analyzed as summarized below:</p>		
Environmental Document	<ul style="list-style-type: none"> • Environmental Impact Report (SCH# 2010051031) • The entire EIR is proposed for certification. Only impacts created by Phase 1 will be required to be mitigated by this approval. 	
Tiered from LRDP EIR or Other Previously Certified EIR	<ul style="list-style-type: none"> • Tiered from 2004 LRDP EIR as updated in 2010 	
Public Review Dates	<ul style="list-style-type: none"> • January 30, 2011 thru March 31, 2011 	
Project Specific Impacts Reduced to Less than Significant Level with New Project Mitigation	<p>Mitigations to reduce project specific impacts include:</p> <ul style="list-style-type: none"> • Noise reduction within proximity to gnatcatcher habitat • Pre-construction raptor surveys • Sensitive habitat avoidance during construction • Sensitive habitat avoidance during site maintenance • Protocol for discovery of human remains 	
Project Impacts Adequately Addressed in Previously Certified EIR	<ul style="list-style-type: none"> • Construction noise 	
New Significant and Unavoidable Impacts	<ul style="list-style-type: none"> • Disturbance of human remains – cumulatively considerable and potentially unavoidable if human remains are inadvertently encountered 	
Alternatives Analyzed	<ul style="list-style-type: none"> • No Project • No Pier Wall Alternative • North Point Off-site Alternative 	
Public Comment Letters	<ul style="list-style-type: none"> • Native American Heritage Commission • City of San Diego • San Diego Archaeological Society • Mr. Richard Thompson • La Jolla Historical Society • Ms. Angeles Leira • Ms. Courtney Coyle, Esq. 	
Environmental Topic Area Issues	<ul style="list-style-type: none"> • The final EIR was modified to include new 	

<p>Raised in Comments and How They were Resolved</p>	<p>mitigation measures to further reduce the cumulatively considerable impacts associated with potential inadvertent disturbance to human remains. The new measures include: onsite ceremony (MM Cul-CA); an apology (MM Cul-CB); development of site access protocol (MM Cul-CC); consolidated and integrated documentation of SDM-W-12 collections (MM Cul-CD); and curation of collections (MM Cul-CE). These new measures will further reduce the significant cumulative impact but not to a level below significance.</p> <ul style="list-style-type: none"> • UCSD proposes to adopt as conditions of project approval the development of a Preservation (construction) Plan and a Maintenance and Operations Plan, both to be prepared in close coordination with the University House Advisory Group and Community Partners, to ensure the near term (construction) and long term activities at the house and grounds are sensitive to the unique nature of the property. The plans will include among other things most items of concern expressed in the public comment letters received on the DEIR. • The University will comply with NAGPRA and will continue to work with the Native American community regarding NAGPRA-related issues; however, this work will occur outside of the project EIR process.
<p>Mitigation Monitoring Program</p>	<ul style="list-style-type: none"> • See attachment 7
<p>Final Environmental Document</p>	<ul style="list-style-type: none"> • See attachment 7
<p>Findings</p>	<ul style="list-style-type: none"> • See attachment 8
<p>Project Level Statement of Overriding Considerations</p>	<ul style="list-style-type: none"> • See attachment 8
<p>Coastal Development Permit</p>	<ul style="list-style-type: none"> • Campus initiated consultation with Coastal Commission staff in 2010, and applied for permit in April 2011. Consideration of permit expected in August 2011 to enable construction of bluff reinforcement prior to next rainy season.

ATTACHMENT 2

PROJECT BUDGET - CCCI 5932
 Phase One – Site Remediation

Cost Category	Amount	% of Total
Site Clearance	\$ 50,000	1.7%
Building Construction	3,000	0.1%
Exterior Utilities	0	-
Site Development	1,463,000	50.5%
A/E Fees ^(a)	290,000	10%
Campus Administration ^(b)	195,000	6.7%
Surveys, Tests, Plans	86,000	3.0%
Special Items ^(c)	582,000	20.1%
Contingency ^(d)	228,000	7.9%
Total	\$2,897,000	100%
Group 2 & 3 Equipment ^(e)	0	
Phase One Total	\$2,897,000	

Notes:

- Budget includes estimated costs for extraordinary efforts associated with the site being designated a sanctified cemetery and sacred site. For example, all ground-disturbing activities require that a qualified archaeologist and Native American monitor(s) be on site and that much of this work will be done by hand.
- The campus intends to hire a Construction Manager/General Contractor for the project during the design phase and is considering methods for managing cost risks, such as integrated project delivery as an example.
- Risk analysis and mitigation occurs throughout project process. Each project task integrates and informs risk analysis and mitigation through established University control mechanisms, review of milestones and required approval steps in order to confirm project scope, schedule and budget before proceeding to next task.

^(a) Fees include architectural and engineering services.

^(b) Campus Administration includes project and contract management staff and campus inspection services.

^(c) Special items totaling \$582,000 include: preparation of the detailed project program and pre-design studies; environmental documentation; archaeological and historical mitigation; and other costs.

^(d) The higher contingency reflects the potential unforeseen circumstances in the bluff's soil conditions.

^(e) Group 2 and 3 equipment consists of equipment which is not built-in or permanently affixed to the structure of the building.

ATTACHMENT 3

FUNDING PLAN

A. PROJECT COST – SITE REMEDIATION (\$2,897,000)				
Funding Sources	• Gift Funds: \$2,897,000			
B. FUNDING SCHEDULE – SITE REMEDIATION				
Phase	Previously Funded	Proposed (2011-12)	Funding Source	Total
Preliminary Plans	\$413,000	(\$413,000)	Campus Funds	\$0
Preliminary Plans		\$335,000	Gift Funds	\$335,000
Working Drawings		\$380,000	Gift Funds	\$380,000
Construction		\$2,182,000	Gift Funds	\$2,182,000
TOTALS:	\$413,000	\$2,484,000		\$2,897,000
C. GIFT FUNDS – SITE REMEDIATION				
Total - In Hand	\$2,897,000			
	• The gift funds in hand are specifically earmarked for the University Rehabilitation project.			

ATTACHMENT 4

TIMELINE OF EVENTS

ORIGINAL STRUCTURE ASSESSMENT TO CURRENT REQUEST FOR ACTION

- 2004
- Consultants with expertise in geotechnical, structural, electrical, environmental, and other subspecialties hired to complete an extensive assessment of existing structure. Study disclosed a multitude of life safety and code compliance issues.
 - Structure deemed uninhabitable.
 - Work group charged by then Senior Vice President Mullinix to develop and evaluate options to remedy the documented deficiencies at University House.
 - Work group was chaired by Senior Vice President Emeritus Kennedy and included campus students, staff, faculty, and alumni representatives.
A number of renovation and redevelopment options were evaluated, and work group concluded that most cost-effective option would be to redevelop existing University House property by constructing a new facility at current location.
 - A Building Advisory Committee was charged to oversee the planning, design and construction of a new University House – Meeting and Chancellor Residence.
- 2006
- Budget and scope for construction of a project was approved by the Committee on Grounds and Buildings.
- 2007
- Environmental Impact Report distributed for public review.
- 2008
- Final Environmental Impact Report, including public comments and responses, transmitted to The Regents for consideration at January 2008 meeting.
 - Although the report was discussed, The Regents did not move to certify the document, but rather asked the campus to work with interested parties on cultural resource issues associated with the University House site.
 - In spring, campus committed to forego demolition and new construction, and instead, work with the Native Americans and other community stakeholders to develop a rehabilitation plan for the facility.
 - The site on which the University House rests was classified as a sanctified cemetery and sacred site by the California Native American Heritage Commission.
 - In summer, meetings among various historical and cultural groups took place.
 - In fall, advisory group was formed from summer partners to work closely with architect specializing in historic preservation and adobe structures.
 - Approval to proceed with the preliminary plans (“P”) phase of the University House Rehabilitation project was received at the November 2008 Committee on Grounds and Buildings meeting.
 - Advisory group has worked continually from fall 2008 to bring this project to The Regents for budget and design approval and environmental certification.