

Action Item
Agenda Item 8
May 20, 2014

**California Polytechnic State University, San Luis Obispo
Student Housing South**

**CEQA Findings Of Fact
And Statement Of Overriding Considerations**

(Pursuant To Public Resources Code Sections 21081 And 21081.6, And State CEQA
Guidelines Sections 15091 and 15093)

Final Environmental Impact Report
(State Clearinghouse Number 2013091085)

Project Files May Be Reviewed At:

California Polytechnic State University, San Luis Obispo
Facilities Planning and Capital Projects
Building 70
1 Grand Avenue
San Luis Obispo, CA 93407

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CEQA FINDINGS, FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS REGARDING FINAL EIR FOR THE CAL POLY STUDENT HOUSING SOUTH PROJECT

1.0 INTRODUCTION

1.1 PURPOSE

This statement of findings and overriding considerations addresses the environmental effects associated with the Student Housing South Project ("project"), located on the California Polytechnic State University, San Luis Obispo ("Cal Poly" or "University") campus in the city of San Luis Obispo. This statement is made pursuant to the California Environmental Quality Act ("CEQA" Pub. Resources Code, §21000 et seq.), specifically Public Resources Code §21081 and §21081.6, and the State CEQA *Guidelines* (Cal. Code Regs., tit. 14, §15000 et seq.), specifically §15091 and §15093. The potentially significant effects of the project were identified in the Draft, Recirculated Draft, and Final Environmental Impact Reports ("EIR").

Public Resources Code §21081 and State CEQA *Guidelines* §15091 require that the lead agency, in this case the Board of Trustees of the California State University ("Board of Trustees"), prepare written findings for identified significant impacts, accompanied by a brief explanation of the rationale for each finding. Specifically, State CEQA *Guidelines* §15091 states, in part, that:

- (a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects accompanied by a brief explanation of the rationale for each finding. 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 effects 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.

In accordance with Public Resource Code §21081 and State CEQA *Guidelines* §15093, whenever significant impacts cannot be mitigated to below a level of significance, the decision-making agency is required to balance, as applicable, the benefits of the project against its unavoidable environmental risks when determining whether to approve the project. If the

benefits of a project outweigh the unavoidable adverse environmental effects, the adverse effects may be considered "acceptable."

The Final EIR for the project identified potentially significant effects that could result from project implementation. The Board of Trustees finds that the inclusion of certain mitigation measures as part of the project approval will reduce most, but not all, of those effects to less-than-significant levels. Those impacts that are not reduced to less-than-significant levels are identified and overridden due to specific project benefits (see **Section 6.0, Statement of Overriding Considerations**, below).

As required by CEQA, the Board of Trustees, in adopting these findings, also adopts a Mitigation Monitoring and Reporting Program ("MMRP") for the project. The Board of Trustees finds that the MMRP, which is incorporated by reference and made a part of these findings, meets the requirements of Public Resources Code §21081.6 by providing for the implementation and monitoring of measures intended to mitigate potentially significant effects of the project.

In accordance with CEQA and the State CEQA *Guidelines*, the Board of Trustees adopts these findings as part of its certification of the Final EIR for the project. Pursuant to Public Resources Code §21082.1, subdivision (c)(3), the Board of Trustees also finds that the Final EIR reflects the Board's independent judgment as the lead agency for the project.

1.2 ORGANIZATION/FORMAT OF FINDINGS

Section 1.0 contains a summary description of the project and background facts relative to the environmental review process. **Section 2.0** identifies the significant impacts of the project that cannot be mitigated to a less-than-significant level (even though all feasible mitigation measures have been identified and incorporated into the project), while **Section 3.0** identifies the potentially significant effects of the project that will be mitigated to a less-than-significant level with implementation of the identified mitigation measures. **Section 4.0** identifies the project's potential environmental effects that were determined not to be significant. **Section 5.0** discusses the feasibility of the project alternatives, and **Section 6.0** presents the statement of overriding considerations.

1.3 SUMMARY OF PROJECT DESCRIPTION

The University proposes to construct approximately 1,475 beds of freshman housing and a 300-to 500-space parking structure at the present location of the General (G)-1, G-4, and Residential (R)-2 parking lots. The project will include approximately 20,000 square feet of services, including mechanical rooms, lounge space, retail space, and a visitor center.

Development of the proposed project will include the following four components:

1. Grading and Site Preparation. Initial site preparation would include removal of pavement and other existing features. Where feasible, the University recycles debris on campus; for this project, it is assumed that paving debris and lighting features would be disposed of off-site at an approved landfill. According to the Geotechnical Report (Earth Systems 2013) prepared for the project there is evidence of undocumented fill underlying the existing parking area. The

project assumes excavation of approximately 5 feet of soil across the entire site, or 2.6 million cubic feet (96,800 cubic yards). Excavated material may be recompact and reused on-site, used elsewhere on campus, or may be exported. Existing landscaping, which consists mainly of mature, non-native trees, will be removed. Primary access for construction vehicles will be provided off Grand Avenue, with alternate access provided via Pacheco Way to Slack Street.

Site grading will recontour the site to focus drainage towards the proposed greenspace and bioswale generally located in the site's midsection. The parking structure will be built partially into the slope, with one or two stories below grade. The project will result in disturbance of the entire 12-acre site.

2. Structures. The project will provide approximately 1,475 beds in seven three- to five-story towers totaling approximately 450,000 gross square feet. The preliminary site design includes seven residential structures, oriented around a central greenspace and bioswale. A parking structure will be situated on the northern end of the site, with primary access off Grand Avenue via the existing access road to the G-1 parking structure. Building height is a maximum of 60 feet. Residential structures will be four to five stories. The parking structure is proposed to be a maximum of four stories, with one to two stories below grade.

The residential structures will be oriented internally to the site; primary building ingress and egress points are likewise oriented north or internal to the site. The southernmost building (Building 4) will be designated programmatically a "Quiet Dorm", which will have strict rules regarding the amount of allowable noise. Amenities within suites will include a shared restroom and shower, as well as space for a sink, microwave, and refrigerator. Full kitchens will not be provided in the units. Each floor will include a central gathering/study area. Laundry facilities will be provided on site.

Structural design components will include articulated façades and staggering of roofs, buildings, and façades. Approximately 20,000 square feet of ancillary uses will "wrap" portions of the northern, eastern, and southern façade of the parking structure to soften the structure's appearance. Potential uses include facilities services (central plant, custodial, mailroom, workshop, and electrical room), several support staff offices, a community lounge with restrooms, a coffee shop, and a welcome center and meeting room.

Outdoor areas will be landscaped with turf and drought tolerant landscaping, consisting primarily of trees. Pedestrian and bicycle pathways will be installed connecting to campus. The preliminary site design includes a sand volleyball court, a half basketball court, and a variety of small paved patios for use by the residents. The EIR analysis assumed approximately 0.5 acres of turf, 5 acres of other landscaping including bioswales, and 2.5 acres of flatwork/paving in sidewalks, patios, and similar features.

The site is being designed consistent with the Central Coast Regional Water Quality Control Board guidelines (Post-Construction Storm Water Requirements, Resolution R3-2013-0032) for "Low Impact Development." Site features which meet the guidelines include:

- approximately 1,000 linear feet of bioswale;
- pavers;
- landscaping; and,

- site grading to maximize infiltration.

3. Utilities. Existing water lines, wastewater infrastructure, power and gas infrastructure, and stormwater facilities are located on or proximate to the site. Eight-inch water lines are located in Grand Avenue; 8-inch sewer lines are likewise located in Grand Avenue. An existing 42-inch storm drain traverses the northern third of the site from the northeast to the southwest. The University provides power via an existing substation located at the Cerro Vista housing complex; the conduit is located at Grand Avenue.

For the purposes of the EIR analysis, it was assumed that the project will require entirely new on-site water infrastructure, wastewater infrastructure, and gas and electrical power infrastructure, as well as substantive new on-site stormwater facilities. Improvement of water systems will consist of installation of an on-site distribution system; improvements to existing water mains at Grand Avenue are not required. A new wastewater collection system will be installed; the onsite collection system will either tie-in to existing pipelines at Grand Avenue via a lift station, or will gravity feed to existing pipelines near the Recreation Center. The latter will require trenching and installation of new lines from the site to the Recreation Center within the campus (approximately 3,700 linear feet). Stormwater infrastructure will include passive and “hard-pipe” components. As mentioned previously, the project includes components, such as bioswales, that are considered passive stormwater technologies. The project will also include installation of new storm drains which will both reroute existing drainage from Grand Avenue and areas to the east, and accommodate excess flow from the site. No improvements to the existing power distribution systems are proposed; entirely new on-site electrical distribution systems will be installed.

Heating for climate control and water would be provided by one of three options: additional capacity at the central plant, installation of a cogeneration or fuel cell system on-site, or installation of approximately 10 boilers within the buildings. The project may also include rooftop solar energy systems to supplement climate control and power demand.

4. Access and Parking. Primary vehicular access to the site will be from Grand Avenue, via the existing northern access road for the G-1 parking structure. Emergency and service access will be from Grand Avenue and Pacheco Way. Vehicle parking will be provided in a four-story parking structure, comprising approximately 300 to 500 spaces. Primary access to the structure will be from the northern access road. A small surface parking lot (approximately 20 spaces) will be available for short-term and disabled use.

The project includes pedestrian access throughout the site, primarily oriented towards the intersection of Grand Avenue and the northern access road. Bicycle racks will be provided throughout the site at approximately one rack space per bed.

For a detailed discussion of the project description and setting, please see **Section 1.0**, Project Description, of the Final EIR.

1.4 PROJECT OBJECTIVES

The purpose of the project is to provide approximately 1,475 beds in on-campus housing in accordance with the bed count programmed in the 2001 Master Plan. In addition to the purpose of the project, the project is being pursued with the following objectives:

- Progress towards the goal of housing 100% of the freshman class on campus.
- Address ongoing excess demand for on-campus housing.
- Co-locate freshman housing in a location with easy access to campus amenities such as dining and the recreation center.
- Reallocate beds currently occupied by freshman in complexes designed for upperclassmen.
- Reduce the use of triple-bed configurations in existing standard double units.

- Continue to utilize campus lands for the “highest and best use,” including reallocation of excess parking areas for instructional or residential uses within the developed campus instructional core.
- Continue to reduce impacts associated with commuting students, including traffic and related air quality impacts.
- Continue to enrich and develop the residential community on campus.

The Board of Trustees has considered the statement of the objectives sought by the project as found in **Section 1.0**, Project Description, of the Final EIR. The Board of Trustees adopts these objectives as part of the project.

1.5 INITIAL STUDY AND NOTICE OF PREPARATION

To determine the environmental topics to be addressed in the EIR, the University prepared a Notice of Preparation and Initial Study (“NOP/IS”), and circulated the NOP/IS on September 26, 2013, to interested public agencies, organizations, community groups, and individuals in order to receive input on the project. The University also held a public scoping meeting on October 8, 2013, to obtain public input on both the project and the scope and content of the EIR. Interested parties attended the public information meeting and provided input.

Based on the NOP/IS scoping process, the EIR addressed the following potentially significant resource areas:

- (a) Aesthetic Resources;
- (b) Air Quality / Greenhouse Gases;
- (c) Geology and Soils;
- (d) Noise;
- (e) Public Services and Recreation;
- (f) Traffic and Circulation; and,
- (g) Utilities.

In addition, the EIR evaluated the impacts to the following resource areas:

- (a) Agricultural and Forestry Resources;

- (b) Biological Resources (nesting birds);
- (c) Cultural Resources;
- (d) Hazards and Hazardous Materials;
- (e) Hydrology and Water Quality;
- (f) Land Use and Planning; and,
- (g) Mineral Resources.

1.6 ENVIRONMENTAL IMPACT REPORT

The University prepared the EIR in accordance with CEQA and the State CEQA *Guidelines*. The EIR is a full-disclosure informational document that informs public agency decision-makers and the public of the significant environmental effects of the project. Measures to minimize significant effects are identified in the EIR and reasonable alternatives to the project are evaluated.

The EIR is intended as a "project EIR" under CEQA and the State CEQA *Guidelines*. A project EIR is typically prepared for a specific construction-level project (see State CEQA *Guidelines* §15161). Under CEQA, a project EIR "should focus primarily on the changes in the environment that would result from the development project . . . [and] examine all phases of the project including planning, construction, and operation." (*Ibid.*)

The Draft EIR was originally made available to the public for review and comment for a 45-day period, from November 25, 2013, to January 9, 2014. The review and comment period was then extended to conclude on January 24, 2014. During the public comment period, new information became available, which necessitated recirculation of portions of the 2013 Draft EIR.

The Recirculated Draft EIR addressed two additional alternatives identified by the University, which have been considered as part of the ongoing evaluation of the proposed project. Cal Poly also prepared additional visual simulations for the project. In addition, new information regarding the University's water supply volumes was provided which warranted revision of the water supply analysis. Therefore, the EIR was recirculated with substantive revisions to the Aesthetics, Utilities, and Alternatives Analysis sections of the previous Draft EIR. Other, more minor alterations have been made in the remaining sections. These minor changes were marked with an underline. The Recirculated Draft EIR was circulated for a 45-day public review period from February 14, 2014, to March 31, 2014.

Copies of the 2013 Draft EIR and Recirculated Draft EIR were available for public review at the following locations: (a) Cal Poly Facilities Planning and Capital Projects, 1 Grand Avenue, Building 70; (b) Kennedy Library at Cal Poly; and (c) San Luis Obispo City/County Library, 995 Palm Street, San Luis Obispo, California. The EIRs were also available for review online at http://afd.calpoly.edu/facilities/facp_index.asp?pid=1.

All comment letters received in response to the 2013 Draft EIR and Recirculated Draft EIR were reviewed and are included in the Final EIR, along with written responses to each of the comments. In accordance with State CEQA *Guidelines* §15132, the Final EIR for the project consists of: (i) the 2013 Draft EIR and 2014 Recirculated Draft EIR, and subsequent revisions; (ii) comments received on the Draft and Recirculated Draft EIRs; (iii) a list of the persons, organizations, and public agencies commenting on the Draft and Recirculated Draft EIRs; (iv) written responses to significant environmental issues raised during the public review and comment period and related supporting materials; and (v) other information contained in the EIR, including EIR appendices.

2.0 FINDINGS ON SIGNIFICANT UNAVOIDABLE ADVERSE IMPACTS

This section identifies the significant unavoidable impacts that require a statement of overriding considerations to be issued by the Board of Trustees if the Student Housing South Project is approved. Based on the substantial record evidence, the following impacts have been determined to fall within this "significant unavoidable impact" category.

2.1 AESTHETIC RESOURCES

2.1.1 Unavoidable Significant Impacts

AES Impact 1 The heights and locations of the proposed housing structures would block existing quality views of Bishop Peak, Cerro San Luis, and the Santa Lucia foothills as seen from the southern and middle portions of Grand Avenue adjacent to the project, and from viewpoints on Slack Street fronting the project and east of Grand Avenue, resulting in a direct long-term impact to the scenic vista. Trees and other landscaping placed in and around the proposed plaza area and surface parking lot at the northern end of the site has the potential to block existing quality views of Bishop Peak and Cerro San Luis as seen from portions of Grand Avenue and other public viewing locations, resulting in a direct long-term significant impact to the scenic vista.

AES Impact 2 The project would potentially conflict with the visual character of the surrounding area. Inappropriate or insufficient planting along the southern and western perimeters of the project could cause an increased visibility of the structures as seen from Slack Street and public roadways within the neighborhoods to the south, resulting in a direct long-term significant impact to the visual character of the site and surroundings.

Cumulative Impacts. As seen from many viewpoints in the surrounding area, the project would appear consistent with the development patterns on campus, and would not be an unexpected visual feature. However, as seen from public viewpoints immediately adjacent to it, the project would appear out-of-scale and would reduce views to identified scenic resources. Although the project is technically considered as in-fill, the interface between the large buildings along the perimeter would not have a harmonious visual transition to the surrounding community, and cumulative impacts would be significant.

Mitigation is recommended to reduce the identified impacts, however, the project's effect on the visual environment would be considered *significant and unavoidable (Class I)*.

2.1.2 Mitigation Measures

AES/mm-1 Prior to approval of the development plan, the University shall prepare a comprehensive Landscape Plan for review and approval by the CSU. The Landscape Plan shall be prepared by a licensed Landscape Architect. The landscaping plan shall include the following minimum specifications for portions of the project fronting Slack Street and Grand Avenue south of Building 2:

- a. Trees will be planted from a minimum 48-inch box size.
- b. Trees and shrubs shall be planted along the southern and western perimeters of the project for the purpose of screening the new structures from off campus viewing locations to the south and west. Planting shall provide visual screening of 80 percent of the project at maturity as seen from public viewpoints on Slack Street and shall occur as soon as practical in coordination with the grading and construction plans and schedule.
- c. The final site plan will use hardscape, fencing, and other features to reduce the impression of a continuous building surface.

The Landscape Plan, as it relates to the plaza and surface parking areas at the northern portion of the project site, shall include the following in conjunction with other view-preserving measures determined by the Landscape Architect:

- a. The minimum number of trees shall be planted which meet the aesthetic and climatological need of the site.
- b. Trees shall be clustered, leaving substantial open areas to allow views and sightlines from Grand Avenue to the Morros.

AES/mm-2 The final site plan shall be amended to specify three stories in Building 4 (the building fronting Slack Street).

2.1.3 Findings

The Board of Trustees finds that the above mitigation measures are feasible, are adopted, and will partially reduce the potential aesthetics-related significant impacts of the project. Pursuant to Public Resources Code section 21081, subdivision (a)(1), changes or alterations have been required in, or incorporated into, the project which would mitigate, in part, the significant aesthetics-related impacts attributable to the project, as identified in the Final EIR.

However, the application of mitigation will not reduce impacts to less than significant levels. The project will block views of the Morros and surrounding foothills. Reduction of Building 4 to three stories will improve visibility through the site, however, preservation of existing views of the Morros and surrounding foothills would require substantive project revision, including elimination of most structures on site and/or limitations on height to one story throughout the site. To accommodate the loss of a floor in Building 4, Building 2B would be increased from four

stories to five stories. Building 2B would be located between Building 2C (four-story structure) and Building 5A (five-story structure).

The EIR analysis included the Reduced Scale Alternative to address this impact. Implementation of this alternative would not meet the project objectives, in that bed count targets would not be attainable. Based on review of floor plans, each floor reduction would result in approximately 50 fewer beds per large structure, and 25 fewer beds per small structure. Based on preliminary calculations, a single-story project would provide approximately 500 beds on site. Project densities associated with the Reduced Scale Alternative would not provide an economically feasible project. The funding and budget process associated with the proposed project creates unique issues related to the feasibility of alternatives. Housing, parking and dining are not state-supported and must therefore be self-supporting. The University has a set budget to complete the entire project. The costs to construct and operate project components must be weighed against the income from rents. The project has a required 30-year payback period, in which time debt obligations must be cleared.

The project results in a significant and adverse impact related to visual compatibility with the surrounding neighborhood. The EIR identifies landscape and hardscape mitigation, which would screen and/or soften the appearance of the project edges, and mitigation that reduces Building 4 to three stories, which is more consistent with existing student residences in the vicinity; however, the scale of the project would continue to have an adverse impact on visual character. The surrounding neighborhoods are dominated by one and two-story generally mid-century residential structures; a single-story elementary school site is located directly south of the project site. Other contributors to visual character include existing campus development. Although the EIR finds that project character is consistent with expectations of and visual character on campus, the transition to the neighborhood would be marked and impacts would be adverse and significant, even with implementation of mitigation. Reduction of this impact to a less than significant level would require either relocation of the project, relocation of project components more northward on the site, or significant reductions in scale as discussed previously. Each of these potential modifications is addressed in the EIR as an alternative.

Thus, there are no feasible mitigation measures that would reduce all the identified significant impacts to a level below significant. Therefore, these impacts must be considered unavoidably significant even after implementation of all feasible mitigation measures. Pursuant to Public Resources Code §21081, subdivision (a)(3), as described in the Statement of Overriding Considerations, the Board of Trustees has determined that specific economic, legal, social, technological, or other considerations make infeasible additional mitigation measures and the alternatives identified in the EIR, and the identified aesthetic impacts are thereby acceptable because of specific overriding considerations (see **Section 6.0**, below), which outweigh the significant unavoidable aesthetics impacts of the project.

2.2 AIR QUALITY

2.2.1 Unavoidable Significant Impacts

AQ Impact 1 The project will exceed daily and quarterly construction emission thresholds for reactive organic gases (ROG) and nitrogen oxides (NO_x), resulting in a direct significant impact.

AQ Impact 2 The project will exceed daily operational emission thresholds for ROG+NO_x resulting in a direct significant impact.

Cumulative Impacts. The cumulative study area for air quality impacts is the South Central Coast Air Basin (SCCAB). The project would contribute criteria pollutants during project construction and long-term operational use, including ozone precursors and particulate matter. No major projects are proposed in the immediate vicinity of the project site; however, a number of large potential development projects are currently under review by the County of San Luis Obispo (County), and cities within the county, including mixed-use, residential, commercial, and solar energy projects. These projects may be under construction simultaneously with the project and, in the long term, would be generating air emissions due to use of construction equipment, increased construction traffic trips, and energy use.

Depending on construction schedules and actual implementation of projects in the air basin, generation of fugitive dust and pollutant emissions during construction could result in short-term increases in air pollutants.

As to operational impacts, analysis conducted specifically for this project concluded that implementation of the proposed project would significantly contribute to cumulative long-term operational air quality impacts because it would exceed the daily ROG+NO_x threshold. Because operational air quality impacts would remain significant with mitigation, cumulative air quality effects are considered *significant and unavoidable (Class I)*.

2.2.1 Mitigation Measures

AQ/mm-1 Prior to start of construction, the University and its contractors shall submit a complete schedule to the APCD, including projected timing and duration of architectural coating application. The University and its contractors shall also update information regarding size of buildings, including the parking structure. Prior to the start of the application period, the University and its contractors shall provide a refined schedule to the APCD which specifically addresses application of architectural coating; the University and its contractors will extend or vary application schedules to the extent feasible. In addition, the University and its contractors shall ensure that:

- a. All construction equipment is equipped with Tier 3 or better engines, to the maximum extent feasible.
- b. Architectural Coatings specified meet VOC limits, including 50 g/L for Residential Interiors and Exteriors and 100 g/L for Non-residential Interiors and Exteriors.

2.2.2 Findings

The Board of Trustees finds that the above mitigation measure is feasible, is adopted, and would partially reduce the severity of construction and operation air quality impacts. Pursuant to Public Resources Code section 21081, subdivision (a)(1), changes or alterations have been required in, or incorporated into, the project which would mitigate, in part, the significant air quality attributable to the project, as identified in the Final EIR.

However, mitigation would not be sufficient to reduce air quality impacts to a less than significant level. As stated in the Final EIR, the primary contributor to both construction and operational emissions is VOCs in architectural coatings which would be applied to structures on site. As stated in the EIR, impacts could be reduced to less than significant levels by doubling the time period over which the coatings are applied. However, this is considered infeasible in that it would require (a) extension of the construction period, increasing other pollutant constituents, and (b) limiting of application periods to three hours per day. It was also recognized in the EIR that the actual application schedule would vary considerably from the modeled scenario, as coatings would take place as individual structures neared completion and reapplication would occur as needed.

It should be noted that the daily operational emissions threshold may not be the most representative metric for the project based on guidance provided in the San Luis Obispo County Air Pollution Control District's (APCD's) CEQA Air Quality Handbook and source of operational emissions (re-application of low-VOC architectural coatings [once every ten years] and vehicle emissions). However, the EIR discloses both the annual and daily thresholds and levels in order to provide more information, and provides a conservative estimate, which may overstate the impacts. As stated in the EIR, a major component of the operational emissions is architectural coating re-application throughout the lifetime of the project. Actual re-application rates, as noted in the EIR, will depend on a variety of real-world factors. Additional mitigation options suggested by the APCD are discussed below:

EV Charging: The University is pursuing funding for EV charging stations as part of a grant application (Julie Maloney, Campus Planner, personal communication 3/11/2014). Mitigation has been added (AQ/mm-5b).

Reduced Parking Spaces: In order to provide a reasonable worst-case scenario for modeling of emissions, the air quality analyses assumed a 500-space parking garage. A final number of parking spaces has not yet been determined. As noted in the EIR Alternatives Analysis, reducing parking exacerbates traffic impacts at area intersections due to increased redistribution. However, a reduced parking scenario is a component of the existing proposed project.

Solar Panels: The financial feasibility of solar panels has not yet been determined; the demands of the project will require some combination of technologies. Solar panels are an option within the existing project description.

Off-site Mitigation. The EIR provides a reasonable, worst-case scenario for modeling of operational emissions. Several factors, including the type of mechanical systems employed, the ultimate size of the parking structure, and the actual application and re-application rates of architectural coatings will inform more accurate operational emissions.

Specific to vehicle emissions, the proposed project is an infill project, utilizing significant existing transit infrastructure, and resulting in significant reductions in commute trips. Additional off-site mitigation is not considered suitable for this type of project.

The University has an active program of transit and other transportation demand management programs which will continue campus wide.

The project also includes mitigation (fair-share contributions towards road improvements), which would address intersection performance locally upon implementation (refer to TC/mm-1).

Improving intersection performance may improve air quality parameters by reducing idling and queuing of vehicles. However, as addressed in Section 2.3, there are limitations on the feasibility of the above mitigation associated with potential funding constraints or delays and, therefore, implementation of the mitigation cannot be assured.

Thus, there are no feasible mitigation measures that would reduce all identified air quality impacts to less than significant. Therefore, these impacts must be considered unavoidably significant even after implementation of all feasible mitigation measures. Pursuant to Public Resources Code §21081, subdivision (a)(3), as described in the Statement of Overriding Considerations, the Board of Trustees has determined that specific economic, legal, social, technological, or other considerations make infeasible additional mitigation measures and the alternatives identified in the EIR and the identified air quality impacts are thereby acceptable because of specific overriding considerations (see **Section 6.0**, below), which outweigh the significant unavoidable air quality impacts of the project.

2.3 TRAFFIC AND CIRCULATION

2.3.1 Unavoidable Significant Impacts

TC Impact 1 The project would result in a loss of campus parking and the redistribution of trips to alternative parking lots in the project area, which would add trips to streets and intersections in the project vicinity. The additional trips could result in an exceedance of acceptable operational standards at intersections in the project vicinity, resulting in a potentially significant environmental impact.

TC Impact 4 The project will have significant impacts when considered along with cumulative development.

2.3.2 Mitigation Measures

TC/mm-1 CSU/Cal Poly shall pay to the City of San Luis Obispo its fair-share of the identified infrastructure improvement costs to construct the following improvements located within the City's jurisdiction, provided that: (a) the state Legislature appropriates the funds for the improvements as requested by CSU in the state budget process, (b) a capital improvement plan or similar plan has been adopted to ensure implementation of the improvements, and (c) the City's (or other agency's) share of the mitigation improvement cost has been allocated and is available for expenditure, thereby triggering CSU's fair-share contribution payment:

- Foothill & Santa Rosa: Intersection widening as identified in the Highway 1 Major Investment Study (Fair Share Percentage: Existing + project (1.9%) and cumulative (1.6%)).
- California & Taft: Signalization or roundabout control upgrade (Fair Share Percentage: Existing + project (2.6%) and cumulative (2.0%)).

- US 101 & California: Modification of painted median / two-way left turn lane to accommodate a two stage left turn. (Fair Share Percentage: Existing + project (2.5%)); and signalization or roundabout control upgrade (Fair Share Percentage: Cumulative 1.8%).
- Walnut Street and Santa Rosa Street. The university estimates its fair share for the improvements of this intersection to be 2.4 percent cost of the improvements using the existing plus project condition. Physical improvements for this intersection have not been identified to the university at this time.
- Highland Drive and Santa Rosa Street. The university estimates its fair share for the improvements of this intersection to be 2.3 percent cost of the improvements using the existing plus project condition. Physical improvements for this intersection have not been identified to the university at this time.

As to those improvements identified above that are located within the jurisdiction of Caltrans, CSU/Cal Poly will support Caltrans in its efforts to obtain the appropriate funding through the state budget process, and will look to the City of San Luis Obispo to join in that support.

2.3.3 Findings

The significant impacts to traffic and intersection operations related to the project are a result of the redistribution of existing vehicle trips associated with the closure of the parking lot, and a small number of new trips associated with freshmen residents. The redistributed trips are not new trips to the campus; the modeling analysis accounts for these existing trips that would access the campus and other existing, available parking from different entry points. To be conservative, the modeling assumed a minor trip generation rate for residents, primarily during off peak hours for shopping and recreation. The project would capture a significant number of student commute trips by providing on campus housing.

In order to provide information about the efficiency of the local system, and provide information about consistency with local guidelines, Caltrans and City thresholds and findings are outlined in the EIR. The City and Caltrans apply a no net increase threshold related to trips at intersections operating at deficient levels of service. Therefore, even one trip added to a deficient intersection is considered a significant impact under the thresholds. Based on application of these thresholds, the EIR identified significant impacts at the following five intersections: (1) Foothill & Santa Rosa; (2) California & Taft; (3) US 101 & California; (4) Walnut & Santa Rosa; and (5) Highland & Santa Rosa. Of note, and for information purposes, under the CSU Traffic Impact Study Manual Guidelines, the project's direct impacts would be less than significant, and one intersection would be significantly impacted under cumulative conditions— Foothill Boulevard and Santa Rosa Street.

The following mitigation measures and/or project modifications were considered in an effort to reduce the identified significant impacts:

On-Site Parking Replacement. Providing additional parking at the project site would facilitate trips to campus using existing travel patterns, thus reducing the redistribution of vehicle trips to California Boulevard and Santa Rosa Street and reducing impacts on intersections along those streets. In this regard, the proposed Parking Structure may include up to 500 spaces at the project site, as referenced in the Project Description.

However, development of a 500-space parking area alone would not be sufficient to mitigate project-related impacts at nearby intersections to a less than significant level, as detailed in the TIA (refer to EIR Appendix F). Incorporating a 500-space garage as part of the project would reduce parking redistribution and lessen the severity of the intersection impacts, but because the project would continue to produce a net addition of trips to impacted study intersections, it would not fully mitigate the intersection impacts to a less than significant level under City and Caltrans thresholds. In order to reduce potential impacts to less than significant, the project-related trips at affected study intersections currently operating at deficient levels would need to be reduced to zero. The financial feasibility of a 500-space parking structure has yet to be determined; therefore, development of such a structure cannot be counted towards mitigation for the project's impacts.

TDM Program. Cal Poly already implements TDM measures that could be enhanced and improved upon by expanding the current program. The University could also implement additional TDM measures. Examples of TDM measures include: modifications to the number or price of residential parking permits; an expansion of existing carsharing or ridesharing programs; development of bicycle and pedestrian improvements to areas of high trip attraction; and development of increased amenities on campus to reduce the need for off-campus travel by students and faculty. However, as noted above, pursuant to the City and Caltrans thresholds identified above, the addition of even one trip to an intersection that currently operates at an unacceptable LOS would be considered a potentially significant impact. Therefore, implementation of any recommended TDM program would need to result in a zero net trip increase at the impacted study intersections in order to reduce the impacts to less than significant.

A combination of on-site parking replacement and a monitored TDM program could reduce intersection impacts. However, because the project site plan has not been finalized and the level of parking replacement on-site is still to be determined, development of a TDM and monitoring plan of appropriate detail and scope is not possible at this time. There are additional limits on the feasibility of TDM as mitigation for the effects of this project. These include the following: (1) funding cannot be guaranteed, most TDM programs on campus are grant-funded, (2) the effectiveness of TDM as it relates to the particular impacts of this project cannot be quantified and (3) participation and funding of TDM cannot be guaranteed long-term. For these reasons, the implementation of TDM does not constitute feasible mitigation for the project.

Reduced Housing Alternative. Reduced projects are typically addressed as alternatives (refer to Chapter 5, Alternatives Analysis). In this case, a reduced project would lessen the beneficial commute trip reduction associated with moving students onto campus, potentially exacerbating intersection impacts. For this reason, implementation of a reduced size project as mitigation would not be feasible since it would preclude meeting project objectives.

Roadway Improvements. Impacts to area intersections could alternately be addressed by improvements in physical capacity or performance. The City has identified several improvements to impacted intersections in several planning documents. These include:

- Foothill & Santa Rosa: Intersection widening (identified in the Highway 1 Major Investment Study.)
- California & Taft: Signalization or roundabout control upgrade.
- US 101 & California: Modification of painted median / TWLTL to accommodate a two-stage left turn. Cumulative signalization or roundabout control upgrade.

No physical improvements have been identified by the City for the Walnut and Santa Rosa Street or Highland and Santa Rosa intersections.

Intersection improvements, including widening Santa Rosa Street to three lanes in each direction, would improve affected intersection operations, but would not reduce the number of project-related trips traveling through the intersections. Physical improvements may also have secondary impacts associated with the improvement, such as increasing pedestrian crossing distances, and environmental impacts associated with construction, including additional air quality, erosion, and noise impacts. Increasing the crossing distances would necessitate signal timing adjustments along the corridor which may lead to degradation in intersection operations. Widening could also be physically infeasible in constrained areas due to right-of-way limitations, existing development, requirements for land acquisition and eminent domain proceedings.

Physical improvements identified above are ultimately the jurisdiction of the City and/or Caltrans, and may involve the County of San Luis Obispo or SLOCOG. The impact of project-related trips could be offset by participation in funding through CSU fair-share percentage contribution to the costs to construct identified improvements.

Under the California Supreme Court's decision in *City of Marina v. Board of Trustees of the California State University* (2006) 39 Cal.4th 341, CSU is obligated to request funding from the state Legislature to pay its fair-share of the mitigation costs associated with the identified significant impacts. (*City of Marina* at 367; see also Public Resources Code §21106.) As implemented through mitigation measure TC/mm-1, pursuant to its obligation under *City of Marina*, CSU will, following the normal state budget timelines and process, submit a budget request that will include a mitigation dollar amount consistent with CSU's fair-share amount towards implementation of the necessary roadway improvements within the jurisdiction of the City of San Luis Obispo. As to those improvements identified above that are located within the jurisdiction of Caltrans, CSU will support Caltrans in its efforts to obtain the appropriate funding through the state budget process, and will look to the City of San Luis Obispo to join in that support.

The CSU has negotiated in good faith with the City of San Luis Obispo regarding its fair-share of the costs to construct improvements in the city's jurisdiction related to this project. While agreement with the city was not reached, the campus is seeking trustee approval to request a total of \$534,000 in capital funding from the governor and legislature for the identified off-site

mitigation measures below. Payment is contingent upon (a) the state Legislature appropriating the funds for said improvements as requested by the CSU in the state budget process; and (b) the city allocating its share of the mitigation improvement costs and ensuring said amount is available for expenditure, thereby triggering the CSU's fair share contribution payment. The improvements which have been identified by the city and included as mitigation measures in the EIR are as follows:

- Foothill Boulevard and Santa Rosa Street: The existing conditions are already at a Level of Service D and will be at Level of Service F under cumulative conditions (due to planned city and other projects). Therefore, due to cumulative conditions and the addition of the project, the intersection needs widening as identified in the City of San Luis Obispo's State Route 1 Major Investment Study. The university estimates its fair share for the improvements of this intersection to be \$342,166 based on the project contributing a 1.9 percent increase to the number of existing intersection trips.
- California Boulevard & Taft Street: The existing conditions are already at a Level of Service F and will be at Level of Service F under cumulative conditions. Therefore, due to cumulative traffic and the addition of the project, the intersection needs signalization or a roundabout control upgrade. The university estimates its fair share for the improvements of this intersection to be \$97,547 based on a 2.6 percent net trip increase in existing conditions.
- US Highway 101 & California Boulevard: The existing conditions are already at a Level of Service F and will be at Level of Service F under cumulative conditions. Therefore, due to the project traffic, the intersection needs modification to provide a painted median and two-way left turn lane to accommodate a two-stage left turn, while due to cumulative traffic the intersection needs improved signalization, or roundabout control upgrade. The University estimates its fair share for the improvements of this intersection to be \$93,795 based on a 2.5 percent net trip increase to existing conditions.

In addition, the EIR indicated that the project will have a significant impact on the following intersections:

- Walnut Street and Santa Rosa Street. The existing conditions are already at a Level of Service E in the a.m. peak and Level of Service D in the p.m. peak. The university estimates its fair share for the improvements of this intersection to be 2.4 percent based on the net trips added to existing conditions. Physical improvement plans for this intersection have not been identified to the university at this time.
- Highland Drive and Santa Rosa Street. The university estimates its fair share for the improvements of this intersection to be 2.3 percent cost of the improvements using the existing plus project condition. Physical improvement plans for this intersection have not been identified to the university at this time.

The net trips added by the project to the above intersections range from -5 (meaning trips were reduced) during the morning peak period and up to 79 trips added at intersections during the afternoon peak period.

If all of the improvements identified in mitigation measure TC/mm-1 were constructed, including as yet identified improvements to the intersections of Walnut Street and Santa Rosa Street and Highland Drive and Santa Rosa Street, the project's impacts would be reduced to less

than significant since overall system performance would improve to acceptable levels. However, because the Legislature may not provide funding to CSU in the amount requested, or because funding may be delayed, or because even if the requested funding is appropriated, the City and/or applicable transportation agencies may not obtain the remaining funds necessary to implement the improvements, the above mitigation cannot be relied upon to reduce impact findings to a less than significant level. There are no other feasible mitigation measures that would reduce the identified impacts to less than significant applying the City and Caltrans thresholds. Therefore, there are no feasible mitigation measures that will reduce the identified significant impacts to a level below significant and these impacts are considered significant and unavoidable even after implementation of all feasible transportation/circulation mitigation measures.

Likewise, there are limits on the feasibility of Transportation Demand Management (TDM) as mitigation for the effects of this project. These include the following: (1) funding cannot be guaranteed, most TDM programs on campus are grant-funded, (2) the effectiveness of TDM as it relates to the particular impacts of this project cannot be quantified and (3) participation and funding of TDM cannot be guaranteed long-term, and are not sufficient to reduce the impact severity to a less than significant level. Therefore, there are no feasible mitigation measures that will reduce the identified significant impacts to a level below significant and these impacts are considered significant and unavoidable even after implementation of all feasible transportation/circulation mitigation measures.

Therefore, the Board of Trustees finds, pursuant to Public Resources Code §21081, subdivision (a)(3), that even with adoption of mitigation measure TC/mm-1, as described in the Statement of Overriding Considerations, specific economic, legal, social, technological, or other considerations make infeasible additional mitigation measures and the alternatives identified in the EIR and the identified transportation/circulation impacts are thereby acceptable because of specific overriding considerations, which outweigh the significant unavoidable transportation-related impacts of the project.

3.0 FINDINGS ON SIGNIFICANT BUT MITIGATED IMPACTS

This section identifies significant adverse impacts of the project that require findings to be made under Public Resources Code §21081 and State CEQA *Guidelines* §15091. Based on substantial record evidence, the Board of Trustees finds that adoption of the mitigation measures set forth below will reduce the identified significant impacts to less-than-significant levels.

3.1 AESTHETIC RESOURCES

3.1.1 Potential Significant Impacts

AES Impact 3 During construction of the project, visibility of the site, equipment, materials, and related activities would cause visual clutter and reduce the visual quality of the area as seen from Slack Street and neighborhoods to the south, resulting in a direct short-term impact to the visual character of the site and surroundings.

AES Impact 4 Project lighting has the potential for glare caused by direct visibility of the light sources, light spill-over into areas other than the intended area, and for general atmospheric light pollution. The project's prominent location and building heights could increase noticeability of light sources and glare. Inappropriate lighting design, including light placement and height, luminaire type, housing, reflectors, lenses and shields could create a new source of substantial light and glare which would adversely affect nighttime views in the area, resulting in a direct long-term impact.

3.1.2 Mitigation Measures

AES/mm-3 As soon as practical after commencement of construction, the University shall install fencing and/or landscape screening along the Slack Street frontage of the site to screen construction activities from view. Staging areas will be located generally away from Slack Street, and the southern end of the project site shall be planted as soon as practical.

AES/mm-4 Prior to approval of the development plan, the University shall submit a comprehensive lighting plan for review and approval by the CSU. The Lighting Plan shall be prepared by a qualified engineer who is an active member of the Illuminating Engineering Society of North America (IESNA) using guidance and best practices endorsed by the International Dark Sky Association. The lighting plan shall address all aspects of the lighting, including but not limited to all buildings, infrastructure, surface parking lots, parking garage decks, portals and driveways, paths, recreation areas, safety, and signage. The lighting plan shall include the following in conjunction with other measures as determined by the illumination engineer:

- a. The point source of all exterior lighting shall be shielded from off-site views;
- b. Light trespass from exterior lights shall be minimized by directing light downward and utilizing cut-off fixtures or shields;

- c. Illumination from exterior lights shall be the lowest level allowed by public safety standards;
- d. Exterior lighting shall be designed to minimize illumination onto exterior walls;
- e. Any signage visible from off-site shall not be internally illuminated; and
- f. The use of reflective materials on the exterior of all structures shall be minimized.

3.1.3 Findings

The Board of Trustees finds that the above mitigation measures are feasible, are adopted, and will reduce the potential aesthetic impacts of the project identified above (AES Impact 3 and AES Impact 4) to less- than-significant levels. Impacts associated with visual access to construction activities are temporary, and would be sufficiently addressed through fencing or early vegetation of the project's southern boundary. Implementation of mitigation for lighting, in addition to implementation of mitigation carried forward from the Master Plan, would ensure light emanating from the project was contained on site to the extent feasible.

3.2 AIR QUALITY

3.2.1 Potential Significant Impacts

AQ Impact 3. The project may result in short term nuisance dust and exposure to diesel emissions at sensitive receptors.

AQ Impact 4. The operation of the parking structure may result in objectionable odors or emissions at the retail establishments proposed to wrap portions of the structure.

3.2.1 Mitigation Measures

AQ/mm-2 In order to minimize DPM impacts to sensitive receptors proximate to the project site, the following mitigation is proposed in conjunction with measures included in the project, and AQ/mm-1.

- a. Staging and queuing areas shall be located as distant as possible from sensitive receptors.
- b. No idling is permitted.
- c. Signs specifying the no idling limitations shall be installed on-site for the duration of construction.

AQ/mm-3 In order to minimize potential effects associated with construction dust, the following mitigation is proposed in conjunction with measures included in the Master Plan EIR and built into the project description:

- a. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site.
- b. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.

AQ/mm-4 If previously undocumented pipe is encountered during excavation, a preliminary evaluation of the pipe composition will be performed. If transite pipe is suspected, a qualified handler will be retained to oversee preparation, removal, and disposal of the material in accordance with existing regulations.

AQ/mm-5 Demolition of existing infrastructure shall be conducted in compliance with applicable regulatory requirements, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40 CFR 61, Subpart M – asbestos NESHAP). These requirements include, but are not limited to, notification to the APCD, an asbestos survey conducted by a Certified Asbestos Inspector, and applicable removal and disposal requirements of identified asbestos containing materials.

AQ/mm-5a Prior to commencement of construction, the University shall file an exemption request for absence of Naturally Occurring Asbestos.

AQ/mm-5b Provide EV charging stations in the parking lot or structure.

AQ/mm-6 Prior to final design a qualified consultant shall review the proposed parking structure design, including the ancillary buildings and determine that the natural or mechanical ventilation systems are designed so as to minimize exposure to vehicle generated air pollution and prevent the buildup of emissions in the area around the ancillary building.

Implement *AQ/mm-1.a*.

3.2.2 Findings

The Board of Trustees finds that the above mitigation measures are feasible, are adopted, and will reduce the potential air quality impacts of the project identified above (AQ Impact 3 and AQ Impact 4) to less than significant levels. The implementation of dust control measures during construction would ensure emissions levels and nuisances remain at less than significant levels. Implementation of existing requirements for abatement and notification of asbestos-containing materials would ensure impacts related to such materials are less than significant. Assessment and design of the parking structure and ancillary buildings to address odors and emissions build-up will reduce impacts related to health and safety to a less than significant level. Accordingly, the Board of Trustees finds that, pursuant to Public Resources Code §21081, subdivision (a)(1), and State CEQA Guidelines §15091, subdivision (a)(1), changes or alterations

have been required in, or incorporated into, the project that mitigate or avoid the potentially significant air quality impacts of the project identified in the Final EIR.

3.3 BIOLOGICAL RESOURCES

3.3.1 Potential Significant Impacts

BR Impact 1 Tree removal conducted during the nesting season (March through September) could directly or indirectly impact nesting or roosting birds and bat species.

BR Impact 2 Tree removal and lighting could affect movement patterns of wildlife on site.

3.3.2 Mitigation Measures

BR/mm-1 Prior to commencement of construction or tree removal, if such activities are scheduled to begin during the typical bird nesting season (from March 1 to August 31) a qualified biologist shall be retained to conduct a pre-construction survey (approximately one week prior to construction) to determine presence/absence for tree nesting birds or bats. If no nesting activities are detected within the proposed work area, construction activities may proceed and no further mitigation is required. If nesting activity on site is confirmed during pre-construction nesting surveys, work activities shall be delayed within 300 feet (500 feet if raptors) of active nests until the young birds have fledged and left the nest. To the extent feasible, tree removal shall be scheduled outside of typical nesting seasons to prevent impacts.

Implement **AES/mm-3**.

3.3.3 Findings

The Board of Trustees finds that the above mitigation measures are feasible, are adopted, and will reduce the potential biology-related impacts of the project to less-than-significant levels. The project site is bordered by mature trees which may provide nesting habitat; avoidance of activity during the nesting season, and pre-construction survey will ensure nesting birds are not adversely affected by the project. Additionally, mitigation measure AES/mm-3, which requires that the southern end of the project site be planted as soon as practical, will further reduce potential impacts. Accordingly, the Board of Trustees finds that, pursuant to Public Resources Code §21081, subdivision (a)(1), and State CEQA *Guidelines* §15091, subdivision (a)(1), changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the potentially significant biology-related impacts of the project identified in the Final EIR.

3.4 CULTURAL RESOURCES

3.4.1 Potential Significant Impacts

CR Impact 1 Should the ultimate project design and construction methodologies require installation of caissons or otherwise require disturbance of bedrock formations, impacts to paleontological resources may occur.

3.4.2 Mitigation Measures

CR/mm-1 If soil excavation associated with grading activities requires disturbance of bedrock formations, a qualified paleontologist will be retained to monitor construction activities in those areas. Should any vertebrate fossils or potentially significant finds (e.g., numerous well-preserved invertebrate or plant fossils) be encountered during work on the site, all activities in the immediate vicinity of the find shall cease until the qualified paleontologist evaluates the find for its scientific value. If deemed significant, the paleontological resource(s) shall be salvaged and deposited in an accredited and permanent scientific institution where they will be properly curated and preserved.

3.4.3 Findings

The Board of Trustees finds that the above mitigation measure is feasible, is adopted, and will reduce the potential paleontology-related impacts of the project to less-than-significant levels. In the unlikely event that paleontological resources exist on site, and the project significantly disturbs bedrock, retaining a monitor will ensure resources are identified, recorded, and curated properly. Accordingly, the Board of Trustees finds that, pursuant to Public Resources Code §21081, subdivision (a)(1), and State CEQA *Guidelines* §15091, subdivision (a)(1), changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the potentially significant paleontology-related impacts of the project identified in the Final EIR.

3.5 GEOLOGY AND SOILS

3.5.1 Potential Significant Impacts

GS Impact 1 The proposed structures would be exposed to the effects of unstable earth conditions during a ground-shaking event, potentially exposing people and structures to risk of injury, loss or death.

GS Impact 2 The proposed project would expose people and structures to the effects of liquefaction during a ground-shaking event.

GS Impact 3 Project development will not expose people or structures to risks associated with landslides. On site slope stability is addressed through recommendations of the geotechnical studies prepared for the project.

GS Impact 4 Short-term grading and excavation required for construction of the project would expose substantial amounts of soil to risk of wind and water erosion.

GS Impact 5 The project would be located in a potentially unstable geologic unit or soil, exposing people and structures to unstable site conditions.

GS Impact 6 The project would be located in an area of moderately expansive soils, creating a risk of foundational and structural damage.

3.5.2 Mitigation Measures

GS/mm-1 Prior to final plan approval, Cal Poly shall incorporate into the project design and implement all recommendations identified in the Soils Engineering Report (Earth Systems Pacific 2013), including any subsequent revisions or modifications, and/or all recommendations included in the final geotechnical report prepared for the project. All recommendations shall be shown on final plans and/or included as project specifications.

GS/mm-2 Prior to final plan approval, plans shall demonstrate implementation of standard construction-related erosion control measures that identify how disturbed soils will be stabilized to prevent wind and water erosion during construction and immediately following construction until revegetation activities are initiated, including, i.e., through the use of temporary soil stabilizers, timing of construction activities to avoid the rainy season (if feasible), use of water for dust control, appropriate siting or hydro-seeding of stockpiles, limits on the amount and length of time material can be stockpiled onsite prior to removal and disposal or reuse elsewhere on campus, and implementation of all measures identified in the all BMPs identified in the RWQCB-approved SWPPP. All erosion control measures shall be listed on final grading plans and proper implementation shall be confirmed by the environmental compliance monitor throughout project construction.

3.5.3 Findings

The Board of Trustees finds that the above mitigation measures are feasible, are adopted, and will reduce the potential geology-related impacts of the project to less- than-significant levels. The mitigation reiterates existing requirements for the project; essentially, that the project proceed in accordance with a geotechnical report prepared by a licensed engineer, and that the project prepare, obtain approval for, and implement, a Storm Water Pollution Prevention Plan (SWPPP). Accordingly, the Board of Trustees finds that, pursuant to Public Resources Code §21081, subdivision (a)(1), and State CEQA *Guidelines* §15091, subdivision (a)(1), changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the potentially significant geology-related impacts of the project identified in the Final EIR.

3.6 HAZARDS AND HAZARDOUS MATERIALS

3.6.1 Potential Significant Impacts

HAZ Impact 1 Proximity of sensitive receptors poses special conditions which warrant mitigation to address idling of construction equipment and potential for discovery of manmade asbestos containing materials.

3.6.2 Mitigation Measures

Implement *AQ/mm-2*, *AQ/mm-4*, and *AQ/mm-5*.

3.6.3 Findings

The Board of Trustees finds that the above mitigation measures are feasible, are adopted, and will reduce the potential hazards-related impacts of the project to less- than-significant levels. Requirements outlined in the mitigation, which include restrictions on idling, sensitive siting of staging areas, and proper treatment of manmade asbestos-containing materials, if encountered, will ensure these specific sources of risk to the population are reduced to a less than significant level. Accordingly, the Board of Trustees finds that, pursuant to Public Resources Code §21081, subdivision (a)(1), and State CEQA *Guidelines* §15091, subdivision (a)(1), changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the potentially significant hazards-related impacts of the project identified in the Final EIR.

3.7 NOISE

3.7.1 Potential Significant Impacts

N Impact 1 Nighttime amplified noise events south of the central lawn may conflict with City noise ordinances.

3.7.2 Mitigation Measures

N/mm-1 The University shall not allow use of areas south of the Great Lawn for amplified outdoor events after 10:00 p.m.

3.7.3 Findings

The Board of Trustees finds that the above mitigation measure is feasible, is adopted, and will reduce the potential noise-related impacts of the project to less- than-significant levels. The University sets specific guidelines for outdoor events, with or without amplified sound. The University has the discretion on a case-by case basis to approve or set special conditions for, outdoor events, depending on location. Therefore, the University can establish special conditions for events at the proposed housing site. Implementation of the above mitigation would ensure consistency with City noise ordinances. Accordingly, the Board of Trustees finds that, pursuant to Public Resources Code §21081, subdivision (a)(1), and State CEQA *Guidelines* §15091, subdivision (a)(1), changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the potentially significant noise-related impacts of the project identified in the Final EIR.

3.8 TRAFFIC AND CIRCULATION

3.8.1 Potential Significant Impacts

TC Impact 2 The addition of 1,475 students at the project location would substantially increase pedestrian trips on surrounding streets, resulting in potential safety hazards due to the lack of standard sidewalks along the project perimeter.

Pedestrian and Cycling Facilities. The development of housing in this location may result in a localized increase in pedestrian and bicycle activity, particularly in those areas that front an arterial roadway. Off-campus pedestrian and bicycle trips associated with the project would be concentrated along Grand Avenue and, via internal campus roads, California Boulevard, and

Foothill Boulevard, as those streets are equipped with pedestrian and bicycle facilities and provide more convenient connections.

The project would result in a reduction in peak hour vehicle trips through the Grand Avenue campus gateway. The reduction in commuter trips would ultimately provide a more comfortable travel environment in the local area as the number of potential conflicts during the periods of heaviest vehicle travel would be reduced.

The relocation of the public Teach School program will incrementally alter traffic patterns during morning drop-off and afternoon pick-up periods. The Student Housing South project has a net effect of reducing vehicle traffic in the vicinity of Grand Avenue and Slack Street. Potential impacts are limited to conflicts and safety considerations associated with project-related cyclists and pedestrians, as well as events such as move-in/move-out days.

Substantial bicycle facilities exist in the project vicinity as described in Section 4.6.1.2, above, and would provide adequate connection to areas where trips are likely to occur, including downtown San Luis Obispo, surrounding parks and recreational areas, and surrounding arterial roadways and access routes.

TC Impact 3 The addition of 1,475 students at the project location would substantially increase pedestrian and cycling trips near an elementary school, increasing potential for conflict during pick-up and drop-off periods.

3.8.2 Mitigation Measures

TC/mm-2 Prior to final plan approval, Cal Poly shall develop and incorporate into project design plans a pedestrian and cyclist management plan. As project specifications, the plan should include the following improvements. All improvements shall be designed in consultation with a qualified traffic engineer and shall meet or exceed applicable standards for the development of similar structures.

- a. Sidewalks shall be provided around the frontage of the project site, including along Pacheco Way and along the north side of Slack Street.
- b. Marked crosswalks shall be provided to transition pedestrians from the existing off-site sidewalk network to the on-site pedestrian facility network. The location of crosswalks should be determined in consultation with a qualified traffic engineer and shall be sited to sufficiently deter pedestrians from leaving separated pedestrian facilities and entering surrounding roadways to access adjacent areas.
- c. Appropriate pedestrian-scale lighting shall be provided along Slack Street.

- d. Forecasted heavily traveled pedestrian areas, such as the Pacheco Way pedestrian crossing that provides access to the campus core, shall be identified. The need to implement feasible measures to improve visibility of the facilities and promote comfortable walking and bicycling access to other areas of the campus shall be discussed. Recommendations shall be made by a qualified traffic engineer as to the need for such improvements, which could include enhanced bulbouts, raised crossings, lighting, or similar features. Planning will be coordinated with City and San Luis Coastal Unified School District efforts to improve circulation and safety in the area.

3.8.3 Findings

The Board of Trustees finds that the above mitigation measures are feasible, are adopted, and will reduce the potential pedestrian and cycling-related impacts of the project to less-than-significant levels. The mitigation requires both specific measures within the University's purview and existing jurisdiction, and coordination with local agencies. The mitigation is subject to the review and approval of a qualified traffic engineer, ensuring current standards are met. Accordingly, the Board of Trustees finds that, pursuant to Public Resources Code § 21081, subdivision (a)(1), and State CEQA *Guidelines* § 15091, subdivision (a)(1), changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the potentially significant traffic and circulation-related impacts of the project identified in the Final EIR.

3.9 UTILITIES

UTIL Impact 1 Continued growth on campus will exceed the University's existing share of the wastewater treatment plant by 2035.

3.9.1 Mitigation Measures

UTIL/mm-1 The University will continue to monitor wastewater volumes and purchase additional shares in the treatment plant prior to exceedance of current agreement limits.

3.9.2 Findings

The Board of Trustees finds that the above mitigation measure is feasible, is adopted, and will reduce the potential cumulative wastewater impacts of the project to less-than-significant levels. The potential exceedance of current agreement limits for wastewater treatment by 2035 is sufficiently addressed by continued monitoring of wastewater volumes, and renegotiation of the University's share of the treatment plant. Accordingly, the Board of Trustees finds that, pursuant to Public Resources Code § 21081, subdivision (a)(1), and State CEQA *Guidelines* § 15091, subdivision (a)(1), changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the potentially significant cumulative wastewater-related impacts of the project identified in the Final EIR.

4.0 FINDINGS ON LESS THAN SIGNIFICANT IMPACTS

4.1 GREENHOUSE GAS EMISSIONS

4.1.1 Less Than Significant Impacts

AQ Impact 5 The project would exceed the bright-line threshold for GHG emissions, but would be under the more representative service population threshold.

Cumulative Impacts. GHG impacts all contribute cumulatively with those produced worldwide, to affect climate change. Compliance with identified air quality, energy efficiency, and water conservation mitigation measures would reduce the project's contribution to cumulative GHG emissions, and subsequent climate change and, therefore, GHG-related impacts would be less than significant.

4.1.2 Mitigation Measures

Consistent with State CEQA *Guidelines* § 15126.4(a)(3), mitigation measures are not required for effects which are not found to be significant.

4.1.3 Findings

The Board of Trustees finds that the project will have a less-than-significant impact related to greenhouse gas emissions; therefore, no mitigation is required.

4.2 BIOLOGICAL RESOURCES

4.2.1 Less Than Significant Impacts

Master Plan Consistency. The proposed project is located in the developed campus instructional core, on an existing surface parking lot. Development of infill areas is consistent with Master Plan policy for protection of biological resources.

4.2.2 Mitigation Measures

Consistent with State CEQA *Guidelines* § 15126.4(a)(3), mitigation measures are not required for effects which are not found to be significant.

4.2.3 Findings

The Board of Trustees finds that the project will have a less-than-significant impact related to consistency with biology-related components of applicable plans; therefore, no mitigation is required.

4.3 CULTURAL RESOURCES

4.3.1 Less Than Significant Impacts

Historic and Archaeological Resources. There are no known or suspected historic or archaeological resources within the project site, based on documentation and records searches performed for the Master Plan. The fill diminishes the potential for discovery of buried resources during the majority of the excavation effort.

Cumulative Impacts. The project would not impact historic or prehistoric resources, and would have less than significant impacts to paleontological resources after mitigation. The project would not contribute to a cumulative impact to any of these resources.

4.3.2 Mitigation Measures

Consistent with State CEQA *Guidelines* § 15126.4(a)(3), mitigation measures are not required for effects which are not found to be significant.

4.3.3 Findings

The Board of Trustees finds that the project will have a less-than-significant impact on historic and archaeological resources; therefore, no mitigation is required.

4.4 GEOLOGY AND SOILS

4.4.1 Less Than Significant Impacts

Fault Rupture. The site is not at significant risk of impacts due to fault rupture.

Cumulative Impacts. No cumulative impacts related to these issues would occur as a result of additional development within the campus or city of San Luis Obispo adjacent to the project site and no additional measures are necessary.

4.4.2 Mitigation Measures

Consistent with State CEQA *Guidelines* § 15126.4(a)(3), mitigation measures are not required for effects which are not found to be significant.

4.4.3 Findings

The Board of Trustees finds that the project will have a less-than-significant impact related to fault rupture; therefore, no mitigation is required.

4.5 HAZARDS AND HAZARDOUS MATERIALS

4.5.1 Less Than Significant Impacts

Fire Risk. Conformance with existing regulations will ensure less than significant impacts related to fire hazards.

Other Hazards. Phillips 66 maintains an easement for a petroleum pipeline in the project area, but it does not extend into the Student Housing South site. Construction of the project will not require disturbance of off-campus pipeline infrastructure. Contractors are required to identify all utilities and infrastructure in the vicinity of the project prior to construction, and to notify affected companies. The project will not increase risks related to potential spills and spill response.

Cumulative Impacts. Due to the type of project proposed, and lack of hazards or hazardous materials within or near the project site, construction and operation of the project would not contribute substantially to environmental impacts related to hazards.

4.5.2 Mitigation Measures

Consistent with State CEQA *Guidelines* § 15126.4(a)(3), mitigation measures are not required for effects which are not found to be significant.

4.5.3 Findings

The Board of Trustees finds that the project will have a less-than-significant impact related to wildland fire and other hazards; therefore, no mitigation is required.

4.6 HYDROLOGY AND WATER QUALITY

4.6.1 Less Than Significant Impacts

Violation of Standards or Degradation of Water Quality. The use proposed for the site is not considered a substantive risk to water quality. Risks to water quality associated with ongoing operation of the site are limited to leaking hydrocarbons from vehicles. The project will not increase impervious surfaces over existing conditions, and would result in fewer cars parked on site.

The project is greater than 1 acre in size, and the University or its designee is, therefore, required to prepare a SWPPP which will cover site preparation, active construction, and post-construction conditions. The preparation and implementation of a SWPPP will be sufficient to reduce risks of water quality standard violation.

Impacts to Groundwater. The project will not be served by groundwater. The project will increase the infiltration capacity of the site compared to existing conditions.

Alterations in Drainage. The project will include the design and installation of new stormwater collection and conveyance systems pursuant to building code standards. The project will also be subject to measures outlined in the SWPPP. Compliance with existing codes and regulations will be sufficient to ensure the project does not result in sediment traveling off-site, or flooding off-site.

Stormwater Capacity. The project will not increase stormwater reaching existing drainage systems; the site is currently paved and runoff is directed to developed stormwater systems. The project will include the design and installation of new stormwater collection and conveyance systems pursuant to building code and Low Impact Development standards. The project will also be subject to measures outlined in the SWPPP. Compliance with existing codes and regulations will be sufficient to ensure stormwater systems are designed to accommodate the flow anticipated.

Cumulative Impacts. Stormwater and water quality impacts are site-specific, and mitigated by on-site permitting and design. The project will not contribute to cumulatively significant impacts to hydrology and water quality.

4.6.2 Mitigation Measures

Consistent with State CEQA *Guidelines* § 15126.4(a)(3), mitigation measures are not required for effects which are not found to be significant.

4.6.3 Findings

The Board of Trustees finds that the project will have a less-than-significant impact on hydrology and water quality; therefore, no mitigation is required.

4.7 NOISE

4.7.1 Less Than Significant Impacts

Short-term Noise. During construction activity, noise would potentially impact sensitive land uses, including schools and residences, in the vicinity. Construction noise will be temporary, restricted to daylight hours, and further conditioned by the application of Master Plan mitigation outlined in EIR Appendix B, including limits on construction noise levels, special scheduling for work with unusual noise levels, restrictions of noise operating hours in the vicinity of residence halls, and location of stockpiling/staging areas in more remote portions of the site. Existing measures also include designation of haul routes away from sensitive receptors. Compliance with existing regulations will ensure less than significant impacts.

Permanent Noise. The residential component of the project will not generate substantive ambient noise over existing conditions once operational. The proposed parking program would reduce the total number of parking spaces on-site, and reduce the number of vehicles accessing the site, and associated noise. Operational impacts are, therefore, considered less than significant. The project will not conflict with the policies of the City regarding transportation or land use as sources of noise in the community.

Exposure. Based on the Acoustical Study prepared for the project, existing and predicted ambient noise levels are within accepted parameters for development of student housing. Structural ventilation (operable windows versus mechanical ventilation) will be designed in accordance with existing code requirements.

Ground borne Vibration or Noise. The project will not be subjected to, or be a generator of, ground borne vibration or noise.

Nuisance Noise. The site has been designed to generally orient buildings north or internal to the site, and to locate potential noise sources such as the parking structure, internal to campus. The University, as outlined in EIR Section 4.5.1.2, has established regulations for nuisance noise events, in addition to regulations outlined by City law enforcement. This type of noise is considered highly sporadic and variable, and therefore does not constitute a permanent or temporary change in ambient noise levels.

Plan Consistency. Based on the discussions above, the project would not conflict with plans or policies related to noise.

Cumulative Impacts. Continued increases in enrollment and staffing at the University, and implementation of proposed facility projects listed in the cumulative development scenario would incrementally increase noise in the area. The project would not add perceptibly to the long-term ambient noise environment in the area

4.7.2 Mitigation Measures

Consistent with State CEQA *Guidelines* § 15126.4(a)(3), mitigation measures are not required for effects which are not found to be significant.

4.7.3 Findings

The Board of Trustees finds that the project will have a less-than-significant impact on noise; therefore, no mitigation is required.

4.8 POPULATION AND HOUSING

4.8.1 Less Than Significant Impacts

Growth Inducement. The project consists of the development of approximately 1,475 beds of student housing to serve the existing freshman population. The project will serve an existing student population, and will not result in extension of infrastructure to new locations. The project does not increase enrollment. Approximately 30 new staff positions will be created by the project. This is not considered substantial growth within the region. The project will not, therefore, induce substantial population growth.

4.8.2 Mitigation Measures

Consistent with State CEQA *Guidelines* § 15126.4(a)(3), mitigation measures are not required for effects which are not found to be significant.

4.8.3 Findings

The Board of Trustees finds that the project will have a less-than-significant impact related to population and housing; therefore, no mitigation is required.

4.9 PUBLIC SERVICES AND RECREATION

4.9.1 Less Than Significant Impacts

Fire. The City of San Luis Obispo expressed concerns about the impacts of the Student Housing South project on the Police and Fire Departments. Specifically, the city has conveyed that the project will increase demands on Fire Station Number 2. With respect to this issue, the EIR analysis concluded that there were no significant environmental impacts that warrant off-site improvements. As identified in the EIR analysis, consistent with CEQA guidelines, the city's desire for additional staffing and facilities related to implementation of the proposed project do not constitute a significant impact under the CEQA guidelines, and therefore do not require fair share mitigation by the university.

Police. The project will not generate increased call volumes which would result in the need for the construction of additional equipment or facilities, which would cause an environmental impact.

Public Safety. Pursuant to CEQA, impacts are considered significant if the project would result in environmental impacts associated with the provision of additional structures or facilities to support police and other public services. Incremental changes associated with the location of nuisance activity in the community will not result in the need for such facilities; alterations in police may include redistribution of patrols and additional personnel.

Off-Site Recreation. Based on the proximity of substantial existing recreational facilities on campus, the provision of on-site recreational facilities, and the primacy of tenants and organized groups as facility users, the project is not expected to contribute substantially to deterioration of off-site recreation facilities, or increase use substantially such that additional recreational resources would need to be constructed to offset the impact.

Master Plan Consistency. The project provides housing and parking pursuant to objectives of the Master Plan. The project would not conflict with policies and programs related to fire, police, or recreation.

Cumulative Impacts. Continued development on and near campus would incrementally increase demand for fire protection services and recreational facilities. The University will continue to work with the City regarding public safety issues in the surrounding community; however, physical environmental impacts associated with facilities expansion are not anticipated.

4.9.2 Mitigation Measures

Consistent with State CEQA *Guidelines* § 15126.4(a)(3), mitigation measures are not required for effects which are not found to be significant.

4.9.3 Findings

The Board of Trustees finds that the project will have a less-than-significant impact on public services; therefore, no mitigation is required.

4.10 TRAFFIC AND CIRCULATION

4.10.1 Less Than Significant Impacts

Pedestrian and Bicycle Circulation. The overall increase in pedestrian and bicycle traffic would not result in substantial congestion or significantly impact internal campus circulation.

Transit. Overall student enrollment is not expected to increase as part of the project; therefore peak hour transit ridership is not expected to increase. Off-peak transit trips originating from campus will increase due to an increase in the on-campus residential population. This will not substantially disrupt transit service, nor will it conflict with transit planning.

Emergency Access. In conjunction with project development, the University will be required, under existing regulations, to document sufficient emergency access, subject to a determination by the State Fire Marshal.

Construction Traffic. Construction of the project will generate ongoing traffic associated with worker vehicles, equipment delivery and use, and materials delivery and haul-off. Compliance with incorporated Master Plan mitigation will be sufficient to address impacts.

Cumulative Pedestrian, Bicycle, and Transit. The project is not expected to result in a substantial contribution to cumulative impacts to pedestrian, bicycle or transit facilities in the project area.

Cumulative Access. Impacts related to access are site-specific.

4.10.2 Mitigation Measures

Consistent with State CEQA *Guidelines* § 15126.4(a)(3), mitigation measures are not required for effects which are not found to be significant.

4.10.3 Findings

The Board of Trustees finds that the project will have a less-than-significant impact on internal pedestrian and bicycle circulation, transit, emergency access, construction-related traffic, and cumulative impacts related to pedestrian, bicycle, transit and access; therefore, no mitigation is required.

4.11 UTILITIES

4.11.1 Less Than Significant Impacts

Wastewater. Sufficient capacity exists within both the University's share and the City's treatment plant for the total wastewater projected. The project would not create conditions in the waste stream which would adversely affect treatment processes or requirements.

Water. Based on the evidence presented in the EIR, there is sufficient capacity within existing water facilities and water treatment facilities to serve the proposed project.

Power. The project will not require the expansion of power generating infrastructure. Impacts are limited to upgraded transmission systems within the project site.

Master Plan Consistency. The project would develop housing consistent with bed count predicted in the Master Plan. The project would not conflict with planning for utilities.

4.11.1 Mitigation Measures

Consistent with State CEQA *Guidelines* § 15126.4(a)(3), mitigation measures are not required for effects which are not found to be significant.

4.11.2 Findings

The Board of Trustees finds that the project will have a less-than-significant impact on utilities; therefore, no mitigation is required.

5.0 FEASIBILITY OF PROJECT ALTERNATIVES

5.1 PROJECT ALTERNATIVES

The alternatives section of the Final EIR contains an analysis of alternatives to the project, including the "No Project" alternative. For a detailed discussion of these alternatives, please see **Section 5.0, Alternatives**, of the Final EIR. Based on the analysis, the Board of Trustees finds as follows:

5.1.1 The No Project Alternative

The No Project Alternative would include none of the components of the proposed project. The site would remain a surface parking lot, and the residential community would not be built. This alternative does not meet any of the basic objectives of the project, and is inconsistent with the 2001 Master Plan. The Board of Trustees therefore finds this alternative infeasible. The Master

Plan identified the need for substantive additional housing on campus to meet existing and projected demand; failure to develop additional housing would negate many of the principles stated in the Master Plan.

5.1.2 No Project – Pursue Existing Residential Communities Element (Existing Master Plan)

This alternative would consist of development of the Residential Communities Element as adopted in the 2001 Master Plan (refer to Figure ES-4). This alternative would not meet many of the project objectives in that projects previously identified in the Residential Communities Element have been deemed infeasible due to site limitations identified in EIR Chapter 2, Project Description. The Board of Trustees further finds site limitations would render this alternative economically infeasible. The Board of Trustees also finds this alternative would not meet stated objectives to co-locate freshman housing.

5.1.3 Location Alternative – H-12 and H-16 Parking Lot

This alternative would consist of relocation of the proposed development to the current site of the H-12 and H-16 parking lots, north of Highland Drive and Brizzolara Creek. The existing surface parking lots in this location would be removed, and the 1,475 beds and 300- to 500-space parking structure would be constructed. This alternative may require additional components such as a new common dining facility. This alternative would meet many, but not all, of the project objectives. This alternative is considered infeasible in that it would:

- Require the development of dining and additional activity/gathering space, exceeding the available budget and increasing impacts related to construction.
- Require taller buildings - the program requirements and the addition of a dining facility with a site area of 8.7 acres would most likely require some if not all of the buildings be increased to 6 stories. Costs to construct six stories are exponentially higher due to code requirements.
- Not achieve objectives of the Housing Program to expand and co-locate the freshman housing program
- Require the replacement of the bridge at Via Carta.
- Require the conversion of Prime agricultural land. (note: see page 55 of the Master Plan)
- Increase the project budget by approximately \$25,000,000 with the addition of a project specific dining hall, with additional costs related to code requirements and bridge replacement.

5.1.4 Site Layout Alternative A – Slack Street Parking Structure

Members of the public suggested analysis of an alternative that would locate the parking structure at the southern end of the site, nearest Slack Street. The intent would be to provide a buffer between the neighborhoods and the student residences. This alternative would alter the proposed site plan to locate the parking structure at Slack Street and shift residential buildings to the north. This alternative would meet the stated objectives of the project. However, implementation of this alternative would not reduce potentially significant impacts identified in

the EIR and therefore this alternative is not environmentally superior to the proposed project and for that reason is rejected.

5.1.5 Reduced Project Alternative – Bed Count

The principal significant and unavoidable impacts of the project identified in the EIR consist of aesthetics (view blockage), traffic (off-campus intersection impacts from redistributed trips), and operational air quality. Typically, the severity of traffic and air quality impacts would be reduced by reducing the size of the project. However, a reduced project, in this case, results in several indirect effects; for example, the EIR Traffic Impact Analysis (TIA) (Fehr and Peers 2013) states that reduced trip generation associated with a lower number of beds would be more than offset by a lower student commute trip reduction (i.e., commute trips would increase as a result of the reduced number of students living on campus). A reduced size Parking Structure potentially would result in decreased air quality impacts associated with ROG and NO_x, but also would increase redistributed vehicle trips potentially resulting in increased traffic impacts. This alternative would provide opportunities to reduce the scale of the project near the neighborhoods to the south. However, this alternative would not meet the purpose and objectives of the project related to bed count and, therefore, is infeasible.

5.1.6 Reduced Project Alternative – No Parking Garage

The San Luis Obispo Council of Governments (SLOCOG) suggested inclusion of an alternative which would eliminate the parking garage entirely, in order to further goals related to use of alternative transportation. This alternative would remove the parking garage currently sited in the northwestern portion of the project location. This alternative assumes relocation of residential structures to more northern portions of the site or reduced scale of residential structures. This alternative would lower bed count and not meet key project objectives.

The No Parking Garage Alternative would remove replacement parking, but would significantly increase redistributed trips at area intersections. This alternative is infeasible because of the many concurrent events on campus that require parking in the general proximity. Should the campus have an event at the Performing Arts Center and the Robert A. Mott Gymnasium, the closest large parking lot would be north of Brizzolara Creek.

5.1.7 Location Alternative – Via Carta

This alternative would locate the project in an area of pasture north of the H-12 and H-16 parking lots. Development of the site would include relocation of the Agriculture Arena programmed in the Master Plan, and relocation of Horticulture and Crops Science facilities and existing barns. Development of this alternative would also require the development of dining facilities and replacement of the bridge at Via Carta. This alternative would meet most of the project objectives, except for utilization of land for “highest and best use.” This alternative would require relocation of agricultural facilities, and preempt use of the site for agricultural instruction. This alternative does not involve reallocation of underutilized parking facilities. The above requirements to develop this site render it economically infeasible.

5.1.8 Reduced Scale Alternative

This alternative would reduce the overall scale of the project, mainly through restriction of building heights, in order to address significant and unavoidable impacts related to aesthetics. In order to completely alleviate project aesthetic impacts related to view obstruction, the scale of

the project would generally need to be reduced to one to three stories throughout much of the site. This would significantly reduce potential bed count, particularly if the parking garage is retained. This significant reduction is inconsistent with the stated purpose of the project, which is to provide approximately 1,475 beds in on-campus housing. This alternative would likewise not meet many of the project objectives due to reduced bed count, including reducing triple-bed configurations in existing housing, and reallocating beds currently occupied by freshman in upperclassmen housing and, therefore, is infeasible.

5.1.9 Location Alternative – R-1 Lot

This alternative would locate the project on the existing R-1 parking lot, near the Cerro Vista Apartments. This alternative was considered during site selection but rejected due to constraints associated with economic feasibility, particularly related to heights of buildings. In order to achieve bed count objectives, building heights would exceed seven or eight stories, significantly increasing costs of construction. This alternative is a slight variation on the existing H-5 site identified in the Master Plan, and shifts the footprint of development to the R-1 lot, which would be removed (refer to EIR Figure 5-2). It is assumed that parking demand would be accommodated in existing infrastructure, including the Poly Canyon Village parking garages and the Grand Avenue lot. This alternative would achieve many of the project objectives, but is economically infeasible.

6.0 STATEMENT OF OVERRIDING CONSIDERATIONS

CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of the project against its unavoidable environmental risks when determining whether to approve a project. If the specific economic, legal, social, technological or other benefits of the project outweigh the unavoidable adverse environmental effects, those effects may be considered "acceptable." (State CEQA *Guidelines* §15093, subdivision (a).) CEQA requires the agency to support, in writing, the specific reasons for considering a project acceptable when significant impacts are not avoided or substantially lessened. Those reasons must be based on substantial evidence in the Final EIR or elsewhere in the administrative record. (State CEQA *Guidelines* §15093, subdivision (b).)

In accordance with the requirements of CEQA and the State CEQA *Guidelines*, the Board of Trustees finds that the mitigation measures identified in the Final EIR and the MMRP, when implemented, will avoid or substantially lessen most of the significant effects identified in the Final EIR for the Student Housing South Project. However, certain significant impacts of the project are unavoidable even after incorporation of all feasible mitigation measures. These significant unavoidable impacts include aesthetic impacts related to transitions in visual character and view blockage, air quality impacts associated with ROG and NOx emissions during both construction and operation, and transportation related impacts associated with increased vehicle trips at City and Caltrans intersections (see **Section 2.0**, Findings On Significant Unavoidable Adverse Impacts Of The Project).

The Board of Trustees finds that all feasible mitigation measures identified in the Final EIR that are within the purview of the University will be implemented with the project, and that the remaining significant unavoidable effects are outweighed and are found to be acceptable due to the following specific overriding economic, legal, social, technological, or other benefits, based upon the facts set forth above, the Final EIR, and the record, as follows:

- (a) CSU has identified the need to serve the higher education needs of the historically under-represented populations and cultures of the State of California, and, the project will enable Cal Poly to meet existing student demand for higher education by providing additional on-campus student housing.
- (b) The project provides additional on-campus student housing, thereby reducing the demand for student housing in off-campus areas and furthering smart development principles by placing students in close proximity to academic uses and existing support facilities.
- (c) The project alleviates occupancy pressures on existing housing and neighborhoods off-campus.
- (d) The project provides compact, infill growth within the campus instructional core, in accordance with Master Plan principles
- (e) It has been proven that student success is substantially related to living on campus freshman year. This project expands opportunities for student success.
- (f) The project replaces existing parking facilities, which are currently underused, to address housing capacity needs and design goals for the campus.
- (g) The project provides highly energy and water efficient structures that achieve a LEED rating, and incorporates Low Impact Development techniques in accordance with RWQCB guidelines.
- (h) The project creates both cost- and space-efficient residential development.
- (i) The project is a dense infill development that furthers smart growth principles by avoiding sprawl and connecting to existing infrastructure and complementary uses.
- (j) The project helps CSU/Cal Poly accommodate the demand for campus-sponsored, affordable student housing options in close proximity to the campus.

On balance, the Board of Trustees finds that there are specific economic, legal, social, technological and other considerations associated with the project that serve to override and outweigh the project's significant unavoidable effects and, thus, the adverse effects are considered acceptable.