COMMENTS AND RESPONSES TO COMMENTS

This chapter of the final environmental impact report (Final EIR) contains the comment letters received during the public review period for the Draft EIR, which concluded on February 3, 2020. In conformance with Section 15088(a) of the State CEQA Guidelines, written responses were prepared to address comments on significant environmental issues received from reviewers of the Draft EIR.

COMMENTERS ON THE DRAFT EIR

Table 1 lists the comment letters received, and the alpha-numerical designation, author, and date of each letter. Comment letters are numbered in the order in which they were received by Cal Poly.

Table 1 List of Commenters

Letter Number	Commenter	Date	Agency/Organization
State			
S1	Patricia Abel	December 26, 2019	California Department of Conservation
S2	Gavin McCreary	January 20, 2020	California Department of Toxic Substances Control
S3	John Olejnik	February 3, 2020	California Department of Transportation
S4	Jim Vang	February 3, 2020	California Department of Fish and Wildlife
Local/Regional			
L1	Sara Sanders	January 9, 2020	San Luis Obispo Council of Governments
L2	Brendan Clark	January 28, 2020	San Luis Obispo County Department of Public Works
L3	Elizabeth Kavanaugh	January 30, 2020	San Luis Obispo County Parks and Recreation Department
L4	Jackie Mansoor	February 3, 2020	San Luis Obispo County Air Pollution Control District
L5	Pete Rodgers	February 3, 2020	San Luis Obispo Council of Governments
L6	Keith Miller	February 3, 2020	San Luis Obispo County Department of Public Works
L7	Geoff Straw	February 3, 2020	San Luis Obispo Regional Transit Authority
L8	Brian Leveille	February 3, 2020	City of San Luis Obispo
L9	Chuck Stevenson	February 4, 2020	San Luis Obispo County Healthy Communities Work Group
Individuals			
I1	Eric Greening	December 20, 2019	
I2	Ellen Sturtz	December 20, 2019	
I3	Matt Moelter	December 19, 2019	
I4	David Sheiber	December 20, 2019	
I5	David Blakely	December 22, 2019	
I6	David Blakely	December 22, 2019	
I7	Aaron Kirby	December 22, 2019	
I8	Dominic Chequer	December 27, 2019	
I9	Dylan Stephens	December 29, 2019	
I10	Peter VanderBloomer	January 5, 2020	
I11	Eric Greening	January 7, 2020	

Letter Number	Commenter	Date	Agency/Organization
I12	Christine Mulholland	January 9, 2020	
I13	Nickie Gurnie	January 17, 2020	
I14	Katie Rose	January 21, 2020	
I15	Georgia Crowley	January 22, 2020	
I16	Nakia Kaminski	January 25, 2020	
I17	Alli Ahern	January 27, 2020	
I18	David Blakely	January 27, 2020	
I19	Sarah Spann	January 29, 2020	
I20	Eric Greening	January 31, 2020	
I21	Eric Greening	February 1, 2020	
I22	Mona Tucker	February 2, 2020	
I23	Brian Clark	February 3, 2020	
I24	Austin Gandler	February 3, 2020	

MASTER RESPONSES

Several comments raised similar issues. Rather than responding to each individual comment separately, master responses have been developed to address the comments comprehensively and, where possible, avoid repetition. Master responses are provided for the following topics: extension of public review period, level of detail, enrollment projections for the Cal Poly 2035 Master Plan, the analysis of vehicle miles traveled, socioeconomic impacts, and the Chorro Valley Trail within the Master Plan Area. A reference to the master response is provided, where relevant, in responses to comments.

Master Response 1: Extension of Public Review Period

Several comments expressed concern regarding the degree of public notice that was provided upon release of the Draft EIR and that the ability to review the Draft EIR may be impaired due to the initiation of public review in mid-December, and requested extension of the public review period to provide adequate time for comment. While Cal Poly understands that the timing of public review may have inconvenienced some people, others may have benefited from it spanning an academic break. In accordance with Section 15105 of the State CEQA Guidelines, a Draft EIR is required to be available for review for a period of no less than 45 calendar days. With more than 6 weeks to review, including four weeks following the beginning of the Winter term on January 6, 2020, it is reasonable to assume that interested parties were able to find an adequate window of time to review and comment.

With respect to public noticing of the availability of the Draft EIR for review, Cal Poly exceeded CEQA requirements (refer to Section 15087 of the State CEQA Guidelines). On December 19, 2019, Cal Poly posted a public notice in the San Luis Obispo Tribune of the release of the Draft EIR for public review. In addition, Cal Poly provided an electronic mail notification to all contacts on the Master Plan EIR distribution list, including over 300 individual student/faculty/staff/neighbor email addresses. The list includes several campus organizations and all individuals who requested notice about the master planning process and provided contact information. The list has been and continues to be maintained by Cal Poly, with the intent of further informing students/faculty/staff of the Master Plan and EIR processes. Campus organizations that received the notice include the Cal Poly Academic Senate, the Cal Poly Alumni Association, the Cal Poly Corporation Board, the Cal Poly Crops Club, the Cal Poly International Graduate Extended Education Program, the Cal Poly Library Information Technology Advisory Council, Cal Poly Parent Advisory Council, Cal Poly President's Council of Advisors, the University Housing Administration, and the Cal Poly Associated Students, Inc. (ASI) Board.

No information was provided nor any specific environmental issues raised in the comments requesting an extension of public review to suggest unusual circumstances that prevented timely review of the Draft EIR by stakeholders and interested members of the public, such that the comment period warranted an extension in excess of the legally required review period under CEQA.

Cal Poly has been engaged in its Master Plan process for 4 years, far longer than anticipated, during which time four open house/informational sessions were held to solicit the input of stakeholders and interested parties, including the campus community, with two sessions being held on-campus and two off-campus in downtown San Luis Obispo. Most recently, Cal Poly publicly posted the draft Cal Poly Master Plan on the Master Plan website in June of 2019 for review by interested parties. In addition, over the summer and fall of 2019, the revised Master Plan was presented to, and input solicited from, university student, faculty, and staff representatives and stakeholders including:

- All university divisions: Academic Affairs, Administration & Finance, Student Affairs, Development, Information Technology Services, Office of University Diversity & Inclusivity
- All colleges as well as International, Graduate & Extended Education and the Office of Research and Economic Development
- Associated Students Inc. Board and University Union Advisory Board
- Academic Senate Leadership
- Housing and Athletics

The revised plan was also presented to the City and County of San Luis Obispo, as well as the San Luis Obispo Chamber of Commerce.

It is essential that the process continue to move forward to accommodate anticipated enrollment increases and to provide a plan that meets housing, academic/program, sustainability, and other goals in support of Cal Poly's academic mission to foster teaching, scholarship, and service in a "Learn by Doing" environment. Cal Poly has a pressing need for many of the elements of the Master Plan (e.g., housing, academic space, and support space, including utility upgrades like the proposed Wastewater Reclamation Facility [WRF]). Therefore, it is essential that Cal Poly move ahead so it can complete the CEQA process in a timely manner and accommodate anticipated enrollment increases over the life of the master plan, as mandated by the Trustees of the California State University.

Master Response 2: Level of Detail

Several comments were received regarding the level of project detail provided in the Draft EIR regarding on-campus development and enrollment growth under the 2035 Master Plan, including phasing, site-specific project details, and commitments to development. This response addresses comments pertaining to the level of detail, specificity, and approach to the program EIR for the 2035 Master Plan. As described on page 1-2 of the Draft EIR, the analysis presents a programmatic assessment of the potential impacts of the 2035 Master Plan, focusing on the potential impacts of development that may occur to accommodate growth in Cal Poly's student, faculty, and staff campus population while preserving and enhancing the quality of campus life. Initial sites for development of future campus buildings have been identified, however, as design and engineering of each structure/facility have yet to occur, individual development sites are not addressed in detail. Rather, the focus of the EIR is on the entire 2035 Master Plan and potential impacts resulting from construction and operation of anticipated land uses consistent with the plan. For those projects that have been identified as near-term projects (as shown in Table 2-12, beginning on page 2-46 of the Draft EIR), additional detail and analysis is provided where appropriate.

A program EIR is defined (State CEQA Guidelines Section 15168) as one that addresses "a series of actions that can be characterized as one large project and are related either:

(1) Geographically,

(2) As logical parts in the chain of contemplated actions,

(3) In connection with the issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program, or

(4) As individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental impacts which can be mitigated in similar ways."

A key reason for preparing a program EIR is to allow the lead agency to consider broad policy alternatives and program-wide mitigation measures early in the planning process when the agency has greater flexibility to deal with basic problems or cumulative impacts. Accordingly, a program EIR is distinct from a project EIR, which is prepared for a specific project and must examine in detail site-specific considerations. As stated on page 1-2 of the Draft EIR, a program-level EIR focuses on the broader impacts expected to follow the implementation of the plan and need not be as detailed as an EIR or other CEQA document for a specific construction project that will follow. (State CEQA Guidelines Section 15146). "The level of specificity of an EIR is determined by the nature of the project and the 'rule of reason'" (*Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 407). "[W]here an EIR covers several possible projects that are diverse and geographically dispersed, the agency has discretion to evaluate the potential environmental impacts of the individual projects in general terms in the EIR" (*California Oak Foundation v. Regents of University of California* (2010) 188 Cal.App.4th 227, 271, citing *In re Bay-Delta* (2008) 43 Cal.4th 1143, 1170–1171). In addition, an EIR is not required to speculate about the environmental consequences of future development that is unspecified or uncertain or where the design and siting details have not yet been established.

Here, the 2035 Master Plan addresses land use development for the next several years within the Cal Poly "Master Plan Area" or "campus." Accordingly, the EIR analyzes implementation of the proposed plan at a programmatic level, taking into consideration the potential environmental impacts that can reasonably be determined at this time. The 2035 Master Plan makes reasonable predictions, but does not mandate, about the phasing and level of growth that would occur. It is intended to serve as a guide to the land development patterns and associated physical infrastructure that could be built to support a forecasted level of enrollment and growth. This approach is not dissimilar to city and county general plan efforts and is considered appropriate for a long-term planning effort like the 2035 Master Plan.

The 2035 Master Plan EIR in intended to be used in conjunction with review of individual Master Plan projects, consistent with CEQA's tiering provisions. Program EIRs are commonly used in conjunction with the process of tiering. Tiering is the coverage of general matters in broader EIRs (such as on general plans or here a master plan) with subsequent environmental analysis. Public Resources Code § 21068.5; CEQA Guidelines §§ 15152(a), 15385. Tiering is proper when it helps a public agency to focus upon the issues ripe for decision at each level of environmental review and in order to exclude duplicative analysis of environmental effects examined in previous environmental impact reports. In addressing the appropriate amount of detail required at different stages in the tiering process, the CEQA Guidelines state that where a lead agency is using the tiering process in connection with an EIR for a large-scale planning approval, the development of detailed, site-specific information may not be feasible but can be deferred, in many instances, until such time as the lead agency prepares a future environmental document in connection with a project of a more limited geographic scale. See CEQA Guidelines § 15152(c).

A number of the public comments on the Draft EIR requested a detailed project specific analysis of individual Master Plan projects, including the University Based Retirement Community, the student housing complex located in the North Campus Subarea, and the Wastewater Reclamation Facility (WRF). It is premature to consider these projects on a project-specific level at this time, as these projects have not yet been sited or designed, access routes have not been determined, and other key project components that would influence potential environmental impacts have not yet been determined. Accordingly, it would be speculative to conduct a project-specific analysis at this juncture. As discussed on page 2-47 of the Draft EIR, the programmatic analysis provided in the Draft EIR may be used during consideration and evaluation of project-level analysis of specific projects identified in this EIR. If, and when, individual projects are proposed for development, additional project-level studies and CEQA review will be conducted, as necessary. This may include the development of "within-the-scope" findings pursuant to State CEQA Guidelines Section 15168(c), tiered initial studies or EIRs, or other supplemental/subsequent environmental analysis, consistent

with CEQA requirements. All subsequent analysis would require consideration of project-level impacts and consideration of alternatives and additional mitigation, where appropriate.

Master Response 3: Enrollment Projection and Housing for 2035 Master Plan

Several comments requested background information to better understand the enrollment growth projection in the 2035 Master Plan and why that was considered a reasonable projection. As stated in Section 2.4 of the Draft EIR, the 2035 Master Plan planning effort anticipates that the on-campus student population (i.e., "enrollment") could grow from a baseline of 21,812 (in the 2018-2019 academic year) to approximately 25,000 by the 2035-2036 academic year, and that its faculty and staff population could increase from 3,266 to 3,935 during the same time frame.

Several comments questioned whether a higher rate of enrollment growth should be anticipated based on past enrollment growth rates. These comments assert that past enrollment growth rates could indicate a potential for enrollment growth that would exceed the 2035 Master Plan projection of 25,000 students by the 2035–2036 academic year. The projection of enrollment growth under the 2035 Master Plan is based on historical data, as noted in Chapter 2, "Project Description" and provided in the 2035 Master Plan. As evidenced by information provided on page 2-15 of the Draft EIR and the 2035 Master Plan's presentation of historical enrollment data over the past 25 years, enrollment growth of approximately 200 students per year is a reasonable forecast of future conditions. Under CEQA, although an EIR can and should include a reasonable degree of forecasting, "'crystal ball' inquiry is not required," and the agency preparing the EIR may rely on reasonable forecasts that are supported by fact and expert opinion. (*Residents Ad Hoc Stadium Comm. v. Board of Trustees* (1979) 89 Cal.App.3d 274, 286.)

Cal Poly has also identified a number of other factors it anticipates will lead to a modest slowing (between 0 and 5 percent) of historical rates of enrollment growth, such as increased use of on-line learning technology, shifting preferences to community college transfer opportunities, and potential decreases in federal funding supporting university research. Similar to other universities within the CSU and University of California (UC) systems, Cal Poly expects that increased on-line learning, which has increased by 25 percent over the past 3 years within the CSU system [CSU n.d.]) could change overall campus population levels. Based on these trends, Cal Poly anticipates that, while enrollment will increase during the implementation period of the 2035 Master Plan, the rate of enrollment growth will be slower than in the recent past. In addition, due to the COVID-19 pandemic, CSU campuses, including Cal Poly, have been directed by the Chancellor's Office to assume zero growth in the coming academic year.

Additionally, comments received on the 2035 Master Plan Draft EIR suggest that the increases in student enrollment prior to the development of on-campus housing to accommodate the enrollment increase will result in additional impacts in the local communities, including the City of San Luis Obispo. As noted in Section 3.11, "Population and Housing," vacancy rates in the vicinity of campus have fluctuated between 9.28 percent and 13.59 percent between 1990 and 2016 (SLOCOG 2017) and the current (2018) vacancy rate for the County, including the City of San Luis Obispo, is 12.3 percent with 15,015 vacant units (California Department of Finance 2019). An additional 450 residential units are identified as future development within one-half mile of campus (see page 4.14 of the Draft EIR). Further, as shown in Table 2 below, provision of additional on-campus housing under the 2035 Master Plan would result in approximately 2,000 additional student beds by 2022. Prior to that, Cal Poly anticipates that fewer than 300 additional students may seek off-campus housing, which could be accommodated by existing and future available housing within the City and/or County of San Luis Obispo, based on the aforementioned vacancy rates. Thereafter and through 2035, Cal Poly anticipates that on-campus housing would be available to more students and to a greater percentage of the overall student population, further reducing the number of students seeking off-campus housing.

Table 2 Projected On-Campus Student Housing and Students Seeking Off-Campus Housing

Year[1]	Cal Poly Total Enrollment	Cal Poly Students Living in Campus-Provided Housing	Projected Increase in Student Enrollment	Projected Increase in On-Campus Housing	Cal Poly Students Seeking Off-Campus Housing Compared to 2018 Conditions
2018	21,812	7,762	(570)	50	
2019	21,242	7,812	113	50	(620)
2020	21,925	7,812	318	50	63
2021	22,130	7,812	523	2,050	268
2022	22,335	9,812[2]	728	2,050	(1,527)
2023	22,540	9,812	933	2,650	(1,322)
2024	22,745	10,412[3]	1,138	2,650	(1,717)
2025	22,950	10,412	1,343	2,650	(1,512)
2026	23,155	10,412	1,548	4,150	(1,307)
2027	23,360	11,912[4]	1,753	4,150	(2,602)
2028	23,565	11,912	1,958	4,150	(2,397)
2029	23,770	11,912	2,163	4,150	(2,192)
2030	23,975	11,912	2,368	5,650	(1,987)
2031	24,180	13,412[5]	2,573	5,650	(3,282)
2032	24,385	13,412	2,778	5,650	(3,077)
2033	24,590	13,412	2,983	5,650	(2,872)
2034	24,795	13,412	3,188	7,250	(2,667)
Master Plan Projections 2035	25,000	15,012[6]	-570	50	(4,062)

[1] Information presented for 2000-2019 represents actual student beds on-campus based on the Cal Poly Registration Monitor, Office of Institutional Research. Information presented for 2020-2035 was projected as part of the 2035 Master Plan and based on an average annual increase of 205 students in total enrollment per year.

[2] Projected additional of on-campus housing with up to 2,000 new student beds.

[3] Projected additional of on-campus housing with up to 600 new student beds.

[4] Projected additional of on-campus housing with up to 1,500 new student beds.

[5] Projected additional of on-campus housing with up to 1,500 new student beds.

[6] Projected additional of on-campus housing with up to 1,600 new student beds.

Source: Cal Poly 2004a, 2004b, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017a, 2018a, 2019a, 2019b.

In total, between the accommodation of more beds than students in the 2035 Master Plan and more proposed capacity in the local housing market, student-generated pressure on the housing market is expected to ease during implementation of the 2035 Master Plan.

It should also be noted that Cal Poly will continue to actively manage student housing on campus, and will appropriately utilize the elasticity built into the campus' current housing stock. This includes transitioning one bed units to two bed units, and two bed units to three bed units, as appropriate. Cal Poly has utilized this practice successfully in the past to accommodate on-campus housing needs, particularly for freshmen and sophomore students. Thus, to the extent there would be any meaningful shortage of housing in the surrounding community as enrollment increases on campus (which, as explained above, is not anticipated), Cal Poly has mechanisms available to further accommodate on-campus housing through its existing housing facilities and thereby reduce student-generated pressure on the local housing market.

Commenters have also raised objections asserting the Draft EIR's analysis is flawed because it is possible that enrollment increasing academic facilities could be constructed ahead of planned student housing facilities. As a threshold matter, such comments are based upon speculation and are not supported by substantial evidence. These

comments also run counter to Cal Poly's demonstrated commitment to the provision of on-campus housing. As reflected on page 2-29 of the Draft EIR, in the past 20 years, Cal Poly has increased its on-campus housing supply by 4,973 beds, which has outpaced enrollment growth by more than 600 beds or approximately three years of annual student enrollment increase.

Moreover, Cal Poly's assumptions regarding the balance in growth between on-campus housing facilities and enrollment inducing academic facilities are supported by substantial evidence and consistent with CEQA. The Draft EIR and as reflected in Table 2 above, includes a projected schedule of Master Plan development, including near term and longer term on-campus housing developments, academic facilities and infrastructure improvements. This schedule reflects an educated and informed projection of reasonable development schedules taking into consideration historic and projected facility needs, enrollment growth, planning, design and construction schedules and funding sources and mechanisms. As a result, this schedule provides a good faith and reasonable forecast of campus growth. See e.g., CEQA Guidelines Section 15144 and *Citizens for a Sustainable Treasure Island v. City & County of San Francisco* (2014) 227 Cal. App.4th 1036.

It is not feasible for Cal Poly, or CSU, to commit to a fixed schedule of Master Plan development at this time, and CEQA does not require any such commitment for a program level analysis. The precise timing and order of development of individual Master Plan projects cannot be determined at this time due to factors beyond Cal Poly and CSU's control, including the variable rate of student enrollment and housing (as shown in Figure 2-7 on page 2-15 of the Draft EIR), financing and budgetary constraints and other factors. There is not sufficient information known or available at this time to provide guarantees related to student housing construction in relation to student enrollment projections or enrollment supporting projects. Rather than speculating on these unknown factors, which CEQA and case law strongly discourages, the EIR focuses its programmatic analysis on implementation of the entire 2035 Master Plan, with mitigation established based on resources that may be affected by overall buildout, on the location of where development may occur, and/or on performance criteria, as appropriate for a programmatic analysis under CEQA.

CEQA also prescribes the process to address potential environmental impacts in the event enrollment inducing academic Master Plan projects proceed ahead of the projected on-campus housing projects. As detailed in Master Response 2, as individual 2035 Master Plan projects are proposed for development, those projects will undergo project-level studies and CEQA compliance review which will, as appropriate, tier from the 2035 Master Plan EIR. This project-specific CEQA analysis will take into consideration the project's consistency with the Master Plan EIR's projected schedule of development and the identify any significant conflict with that schedule, including as it relates to the provision of on-campus housing relative to enrollment inducing academic or other Master Plan projects. If this analysis reveals a new significant impact, consistent with the requirements of CEQA, the project will be required to implement appropriate feasible mitigation measures and/or alternatives to reduce this impact to a less than significant level.

The Draft EIR accurately reflects expected environmental impacts of the 2035 Master Plan with respect to housing. No substantial evidence has been provided to refute the analysis, nor to suggest that any physical environmental impacts associated with housing were not sufficiently addressed. For these reasons, the comments on the 2035 Master Plan Draft EIR related to housing planning do not necessitate new analysis or substantive changes to the EIR. The 2035 Master Plan EIR adequately assesses potential environmental impacts of the proposed project.

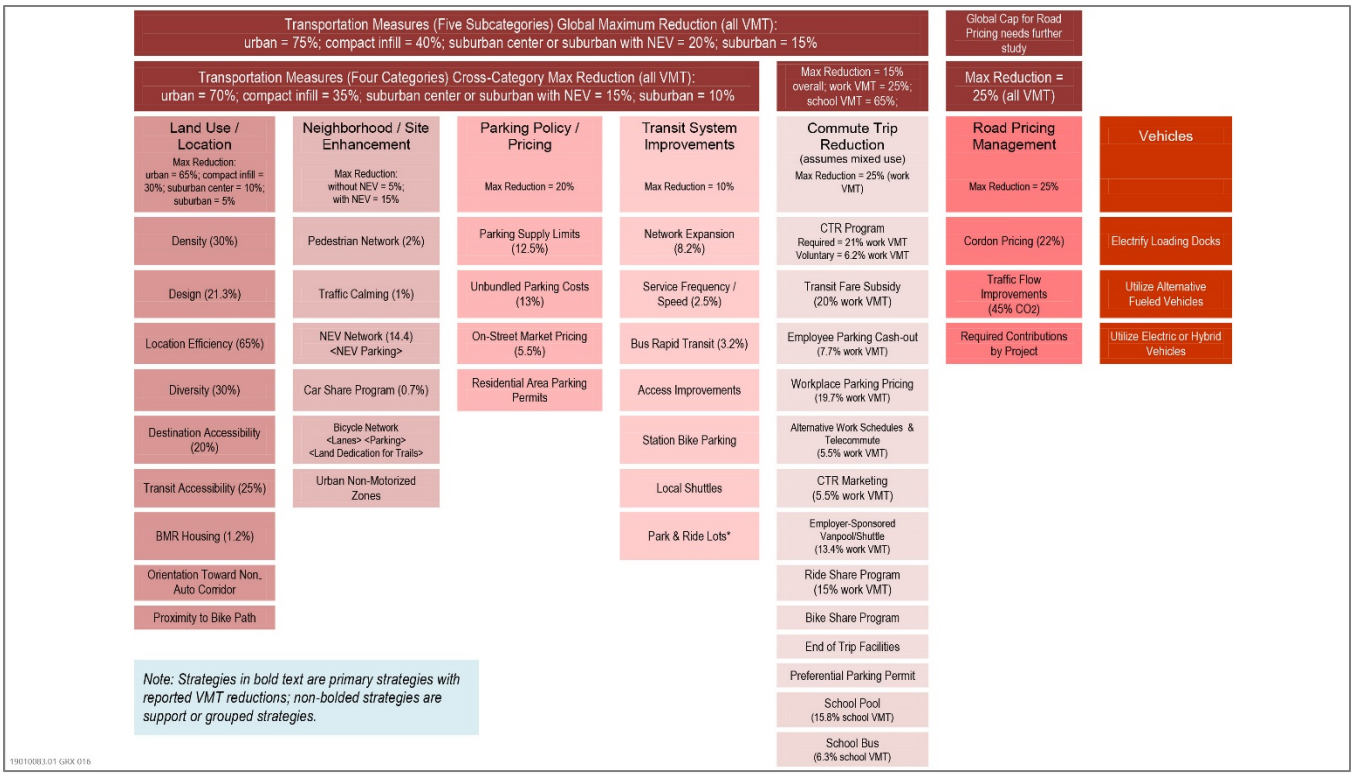
Master Response 4: Vehicle Miles Traveled Analysis and Transportation Demand Management

Several comments were received that requested additional information regarding the Transportation Demand Management (TDM) plan to be developed and implemented as part of Mitigation Measure 3.13-1 on page 3.13-13 of the Draft EIR. One of the cornerstones of the Master Plan is an aggressive plan targeted at increasing transit and other alternative modes of transportation with the specific goal of achieving a minimum countywide VMT per service population target of 19.22 (15 percent below existing regional VMT per service population). In addition to the VMT reducing benefits that will be achieved through the balanced development contemplated in the Master Plan (as

detailed in the Draft EIR Impact 3.13-1 discussion), the Master Plan and EIR require the preparation and implementation of transportation demand management measures and mitigation that would further reduce project VMT by at least 5.04 VMT per service population and achieve the performance threshold of 19.22 VMT per service population. To reach this goal, the EIR requires preparation and implementation of a TDM Plan based on the menu of TDM options outlined in the CSU TDM Manual and in the Draft EIR, which are intended to evolve over the life of the Master Plan, taking into consideration campus specific travel attributes, success (or lack thereof) of TDM measures, ongoing coordination with RTA and SLO Transit, and evolving technologies. The Cal Poly TDM Plan will identify specific TDM strategies that Cal Poly will implement to reduce campus-wide vehicle travel, with an emphasis on proven TDM measures that have been or are likely to be more effective than other TDM practices employed on campus in order to achieve and maintain the 19.22 VMT per service population standard. Further, due to the anticipated evolution of travel patterns over the life of the 2035 Master Plan, understanding which strategies will be the most effective requires comprehensive analysis (with regular updates) of faculty/staff, student, and visitor travel patterns. The TDM Plan will be designed to take these evolving patterns into account and adjusted for to ensure the success of the plan. Accordingly, one of the mainstays of the TDM Plan and its implementation will be continuous monitoring to ensure the performance threshold of 19.22 VMT is achieved and maintained. In addition to the campus directed TDM measures, Cal Poly also appreciates and is committed to working and further coordinating with local transit agencies that connect/share multimodal facilities, including the City of San Luis Obispo, the County of San Luis Obispo, and Caltrans.

Several comments requested a more robust discussion of which TDM mitigation measures are realistic and a timeline for how and when they will be implemented. The menu of TDM mitigation measures identified in Draft EIR constitutes a robust set of proven measures capable of encouraging and achieving reductions in single occupant vehicle trips, increasing the use of alternative travel modes, and achieving lower per capita VMT (California Air Pollution Control Officers Association [CAPCOA] 2010). The initial set of TDM measures to be documented and implemented in the TDM Plan would include, but not be limited to, the strategies highlighted in the CSU TDM Manual, the Draft EIR, and those identified in Figure 1, below, from *Quantifying Greenhouse Gas Mitigation Measures* (Nelson Nygaard 2012, CAPCOA 2010). In addition to these strategies, the TDM Plan would also address new mobility options including bike sharing, e-bike sharing, and e-scooter sharing which are emerging transit modes that increase the viable travel choices in a community while reducing vehicle trips. These mitigation measures intentionally do not specify the exact location and/or the particular VMT reducing benefits because each of these measures' efficacy will evolve over time, and it is important to allow for the continued and/or expanded use of certain measures or use of different measures to effectively adapt to changing conditions within the campus, and changing conditions and approaches by other agencies in the area to achieve Cal Poly's commitment to the stated performance standard of 19.22 VMT per service population. Nonetheless, all the strategies and measures identified in the description of the mitigation measure are feasible and would be implemented as part of the TDM plan to achieve and maintain the performance standard of reducing per-service-population VMT by a further 5.04 VMT. The implementation of the outlined TDM strategies would also serve to minimize the need to expand the existing roadway system by improving the efficiency of existing transportation resources.

As shown below in Figure 1, VMT reductions can range from 15 percent to 75 percent, depending on the number and type of TDM measures implemented. As currently envisioned, the TDM Plan required by Mitigation Measure 3.13-1 would be developed and implemented immediately following approval of the 2035 Master Plan during the summer of 2020 with monitoring and annual surveys beginning in the fall of 2020. As further noted in the discussion of Mitigation Measure 3.13-1, the efficacy of the measures/actions would be evaluated every 2 years and adjustments to the various TDM actions and their level of implementation would be made to ensure that Cal Poly achieves the performance standard (i.e., 5.04 VMT per service population below pre-mitigation conditions of 19.22 VMT per service population or a 20.8 percent reduction in per-service-population VMT). As necessary, Cal Poly would add new or adjust the implementation level of certain measures. Based on the suite of transportation measures available to Cal Poly and the known levels of effectiveness of individual measures, it is reasonable to conclude that, through implementation, monitoring, and adaptive management in response to project- and site-specific conditions, Cal Poly can achieve the performance standard to which it is committed.



Source: CAPCOA 2010

Figure 1 Transportation Strategies Organization

Master Response 5: Socioeconomic Impacts

Several commenters raised concerns regarding potential social or economic impacts associated with the implementation of the 2035 Master Plan. This includes comments related to broader needs for affordable housing, health care, job opportunities and the funding or provision of public services.

An EIR is required to evaluate the environmental impacts of a project (Public Resources Code § 21100); the "economic and social effects of a project shall not be treated as significant effects on the environment." (CEQA Guidelines § 15131(a). Thus, under CEQA and the implementing guidelines, economic or social effects that are not related to physical impacts need not be evaluated in an EIR. The focus on physical impacts is reflected throughout CEQA, including Appendix G of the CEQA Guidelines which outlines the thresholds of significance for various impact areas. Each of these thresholds' focus is on physical environmental impacts, and not on social or economic impacts. General social and economic effects, such as affordable housing opportunities and crime, are not considered physical environmental effects under CEQA because they do not affect the physical environment. Thus, for example, a project that triggers the need to expand a public facility, such as a police or fire station, must evaluate whether that expansion in turn could have significant adverse environmental impact under CEQA. However, CEQA does not require an EIR to consider the cost of providing such services, as that is not an environmental impact under CEQA but is instead an economic consideration that need not be addressed in an EIR.

The Guidelines require an EIR to consider secondary environmental impacts that may arise from social or economic impacts when there is substantial evidence available to show a causal connection between direct economic/social impacts and subsequent indirect environmental impacts. Direct effects are effects that are caused by a project and occur at the same time and place. An indirect environmental effect is a change in the physical environment that is not immediately caused by a project, but can be closely linked to a project. For example, a major discount store on the edge of downtown could have indirectly caused a cluster of smaller stores in a downtown area to close, and the area to become physically blighted. Thus, while the direct impact in that scenario is economic, the physical blight that

follows would be considered a secondary indirect impact that the courts have explained should be considered in an EIR. With this, however, it is generally acknowledged that secondary impacts are typically difficult to predict absent clear causal connections, and an EIR need not speculate about such impacts. The EIR prepared for the 2035 Master Plan appropriately evaluated the potential direct and indirect impacts (if/where applicable) associated with implementation of the project, in accordance with CEQA requirements.

Master Response 6: Chorro Valley Trail through the Master Plan Area

Several comments were received related to the regional Chorro Valley Trail and the potential need for the 2035 Master Plan to identify a trail alignment that runs through campus. As noted in those comments, the Chorro Valley Trail was originally evaluated as part of a SLOCOG-funded study in 2014 and would connect to existing trail networks within and between the cities of San Luis Obispo and Morro Bay. The study evaluated several potential routes, which were then refined by SLOCOG to reflect the most feasible alignments. Based on the updated alignments prepared by SLOCOG and with respect to routing through Cal Poly and the Master Plan Area, which are available at https://www.slocog.org/programs/regional-planning/chorro-valley-trail , the Chorro Valley Trail could either extend from Cuesta College's main campus southeast along the northern shoulder of State Route (SR) 1 or farther north, largely within Cheda Ranch and other Cal Poly agricultural research land. More specifically, the second alignment would generally extend southward along an existing agricultural road at the western edge before proceeding east/southeast to Mt. Bishop Road. The trail would follow Mt. Bishop Road to the Academic Core subarea of the main campus, generally terminating at the intersection of Mt. Bishop Road and California Boulevard. None of the trail alignments identified in the SLOCOG documents would conflict with development of future campus facilities identified in the 2035 Master Plan, nor would proposed campus facilities limit implementation of the Chorro Valley Trail. Cal Poly is supportive of the implementation and completion of the Chorro Valley Trail and looks forward to working with the various stakeholders on its completion. Cal Poly is also supportive of active transportation improvements, such as and including the Chorro Valley Trail; however, the Chorro Valley Trail is not a component of the Master Plan.

It is noted that the Chorro Valley Trail is not expected to serve a significant commuter population for users traveling to and from campus, nor is it anticipated to result in a substantial reduction in air emissions associated with a change in commute patterns. The Chorro Valley Trail, as envisioned, would span an approximately 12-mile-long corridor. A reasonably conservative assumption of acceptable bicycle commute distance is approximately 4.5 miles (one-way), based on the City of Morro Bay's Bicycle and Pedestrian Master Plan (City of Morro Bay 2012), as well as the City of San Luis Obispo's statement in their Bicycle Transportation Plan that bicycle commutes are generally less than 4 minutes (City of San Luis Obispo 2013). Therefore, based on local data regarding average commute distances and times, the Chorro Valley Trail may be utilized by some as a method of daily commute but is not anticipated to be a primary or significant route of access to and from the campus. In addition, the Choro Valley Trail is still in preliminary planning stages, would travel through multiple jurisdictions, and funding has not yet been secured. For these reasons, the Master Plan EIR does not rely upon the completion of the trail segment or account for the use of this trail as part of its transportation, including VMT, and air quality and greenhouse gas analysis.

COMMENTS AND RESPONSES ON THE DRAFT EIR

The written comments received on the Draft EIR and the responses to those comments are presented below. Each comment is reproduced in its entirety and is followed by the response. Comment letters in their original form are included in Appendix A; individual comments are bracketed and numbered, and correspond to the comments presented in this section.

State

Letter S1 California Department of Conservation

Patricia Abel
December 23, 2019

Comment S1-1

The Division of Oil, Gas, and Geothermal Resources (Division) appreciates the opportunity to submit comments on the project referenced above (Project), received December 19, 2019.

The Division's authority is set forth in Division 3 of the Public Resources Code (PRC), and Title 14 of the California Code of Regulations (CCR). PRC § 3208.1 establishes well reabandonment responsibility when a previously plugged and abandoned well may be impacted by planned property development or construction activities. Local permitting agencies, property owners, and/or developers should be aware of, and fully understand, that significant and potentially dangerous issues may be associated with development near oil, gas, or geothermal wells.

The Division has reviewed the Project location, as depicted on Figure 2-1 of the Draft EIR. To assist local permitting agencies, property owners, and developers in making wise land use decisions regarding potential development near oil, gas, or geothermal wells, the Division provides the following information.

Response S1-1

This comment describes the role of the Division of Oil, Gas, and Geothermal Resources and its various regulatory requirements. The comment does not raise any environmental issues related to the adequacy of the EIR analysis, and no further response is required.

Comment S1-2

Our records indicate there are no known oil wells located where the Project is proposed. For comment and well review for future proposed development in areas where wells are located please contact the Division. Records and locations for oil, gas, and geothermal wells located in California are available online at https://www.conservation.ca.gov/dog/Pages/Wel1Finder.aspx

Response S1-2

The comment confirms that no known oil wells are located within the Master Plan Area, consistent with the findings of the Draft EIR. The comment does not raise any environmental issues related to the adequacy of the EIR analysis, and no further response is required. The comment is included within the record for consideration by the decisionmakers as part of the 2035 Master Plan approval process.

Comment S1-3

The Division categorically advises against building over, or in any way impeding access to, oil, gas, or geothermal wells. Access is considered the ability for a well servicing unit and associated necessary equipment to reach a well from a public street or access way, solely over the parcel on which the well is located. A well servicing unit, and any necessary equipment, should be able to pass unimpeded along and over the route, and should be able to access the well without disturbing the integrity of surrounding infrastructure. Items that can affect well access include, but are not limited to, buildings, housing, fencing, hardscape, landscape, trees, pools, patios, sidewalks, roadways, parking

lots, waterways or channels, and decking. Impeding access to a well could result in the need to remove any structure or obstacle that prevents or impedes access.

There are no guarantees a well abandoned in compliance with current Division requirements will not start leaking in the future. It always remains a possibility that any well may start to leak oil, gas, and/or water after abandonment, no matter how thoroughly the well was plugged and abandoned. The Division acknowledges wells plugged and abandoned to the most current standards have a lower probability of leaking in the future, however there is no guarantee that such abandonments will not leak.

The Division advises that all wells identified on development parcels prior to, or during, development activities be tested for liquid and gas leakage. Surveyed locations should be provided to the Division in Latitude and Longitude, NAD 83 decimal format. The Division expects any wells found leaking to be reported to it immediately.

PRC § 3208.1 gives the Division the authority to order or permit the re-abandonment of any well where it has reason to question the integrity of the previous abandonment, or if the well is not accessible or visible. Failure to plug and re-abandon a well may result in enforcement action, including an order to perform re-abandonment well work, pursuant to PRC § 3208.1, and 3224. Responsibility for re-abandonment costs may be affected by the choices made by the local permitting agency, property owner, and/or developer in considering the general advice set forth in this letter. The PRC continues to define the person or entity responsible for re-abandonment as:

1. The property owner - If the well was plugged and abandoned in conformance with Division requirements at the time of plugging and abandonment, and in its current condition does not pose an immediate danger to life, health, and property, but requires additional work solely because the owner of the property on which the well is located proposes construction on the property that would prevent or impede access to the well for purposes of remedying a currently perceived future problem, then the owner of the property on which the well is located shall obtain all rights necessary to re-abandon the well and be responsible for the re-abandonment.
2. The person or entity causing construction over or near the well - If the well was plugged and abandoned in conformance with Division requirements at the time of plugging and abandonment, and the property owner, developer, or local agency permitting the construction failed either to obtain an opinion from the supervisor or district deputy as to whether the previously abandoned well is required to be re-abandoned, or to follow the advice of the supervisor or district deputy not to undertake the construction, then the person or entity causing the construction over or near the well shall obtain all rights necessary to re-abandon the well and be responsible for the re-abandonment.
3. The party or parties responsible for disturbing the integrity of the abandonment - If the well was plugged and abandoned in conformance with Division requirements at the time of plugging and abandonment, and after that time someone other than the operator or an affiliate of the operator disturbed the integrity of the abandonment in the course of developing the property, then the party or parties responsible for disturbing the integrity of the abandonment shall be responsible for the re-abandonment.

To view PRC § 3208.1 in its entirety, please visit: https://www.conservation.ca.gov/index/Documents/DOGGR-SR-1%20Web%20Copy.pdf

No well work may be performed on any oil, gas, or geothermal well without written approval from the Division. Well work requiring written approval includes, but is not limited to, mitigating leaking gas or other fluids from abandoned wells, modifications to well casings, and/or any other abandonment or re-abandonment work. The Division also regulates the top of a plugged and abandoned well's minimum and maximum depth below final grade. CCR § 1723.5 states well casings shall be cut off at least 5 feet but no more than 10 feet below grade. If any well needs to be lowered or raised (i.e., casing cut down or casing riser added) to meet this regulation, a permit from the Division is required before work can start.

The Division makes the following additional recommendations to the local permitting agency, property owner, and developer:

1. To ensure that present and future property owners are aware of (a) the existence of all wells located on the property, and (b) potentially significant issues associated with any improvements near oil or gas wells, the Division recommends that information regarding any identified well(s), and any other pertinent information obtained after the issuance of this letter, be communicated to the appropriate county recorder for inclusion in the title information of the subject real property.
2. The Division recommends that any soil containing hydrocarbons be disposed of in accordance with local, state, and federal laws. Please notify the appropriate authorities if soil containing significant amounts of hydrocarbons is discovered during development.

As indicated in PRC § 3106, the Division has jurisdictional authority over the drilling, operation, maintenance, and abandonment of oil, gas, and geothermal wells, and attendant facilities, to prevent, as far as possible, damage to life, health, property, and natural resources, damage to underground oil, gas, and geothermal deposits, and damage to underground and surface waters suitable for irrigation or domestic purposes. In addition to the Division's authority to order work on wells pursuant to PRC § 3208.1 and 3224, it has authority to issue civil and criminal penalties under PRC § 3236, 3236.5, and 3359 for violations within the Division's jurisdictional authority. The Division does not regulate grading, excavations, or other land use issues.

Response S1-3

The comment describes regulatory requirements related to oil, gas, and geothermal wells, as well as associated facilities. The comment does not raise any environmental issues related to the adequacy of the EIR analysis, and no further response is required. The comment is included within the record for consideration by the decisionmakers as part of the 2035 Master Plan approval process.

Comment S1-4

If during development activities any wells are encountered that were not part of this review, a Division engineer in the Coastal District - Orcutt office is to be notified immediately, and an amended site plan with well casing diagrams for Division review shall be filed. After appropriate review, the District office will send a follow-up well evaluation letter to the property owner, applicant, and local permitting agency.

Response S1-4

The comment states that if a previously unidentified well is discovered during development under the Master Plan, Cal Poly should notify the Division of Oil, Gas, and Geothermal Resources immediately. If an oil, gas, or geothermal well is discovered within the Master Plan Area, Cal Poly would coordinate with the Division as appropriate regarding closure, access, and other safety measures related to the previously unknown well. The comment does not raise any environmental issues related to the adequacy of the EIR analysis, and no further response is required. The comment is included within the record for consideration by the decisionmakers as part of the 2035 Master Plan approval process.

Letter S2 California Department of Toxic Substances Control

Gavin McCreary
January 3, 2020

Comment S2-1

The 2035 Master Plan project would include approximately 7,200 new student housing bedrooms; an additional 1.29 million gross square feet (gsf) of academic, administrative, and support space; 380 residential units; and a 200-unit university-based retirement community. In addition, 455,000 gsf of existing academic, administrative, and support space would be redeveloped and replaced with new facilities. The 2035 Master Plan proposes circulation infrastructure improvements to provide for the safe and efficient movement of pedestrians, bicycles, and vehicles around campus, while also encouraging a more complete shift to an active transportation approach. Further, the 2035 Master Plan also proposes improvements to utility infrastructures, such as new water, wastewater, and storm drainage infrastructures.

Response S2-1

This comment describes the Department of Toxic Substances Control's (DTSC's) understanding of the 2035 Master Plan. The comment does not raise any environmental issues related to the adequacy of the EIR analysis, and no further response is required. The comment is included within the record for consideration by the decisionmakers as part of the 2035 Master Plan approval process.

Comment S2-2

DTSC recommends that the following issues be evaluated in the EIR, Hazards and Hazardous Materials section:

1. The ND should acknowledge the potential for project site activities to result in the release of hazardous wastes/substances. In instances in which releases may occur, further studies should be carried out to delineate the nature and extent of the contamination, and the potential threat to public health and/or the environment should be evaluated. The EIR should also identify the mechanism(s) to initiate any required investigation and/or remediation and the government agency who will be responsible for providing appropriate regulatory oversight.

Response S2-2

This comment requests that the EIR include a discussion of the potential for development under the 2035 Master Plan to result in the release of hazardous wastes/substances, as well as the mechanism by which future development would be investigated prior to construction. As noted on page 1-3, impacts related to hazards and hazardous materials as a result of 2035 Master Plan implementation were addressed in the Initial Study (IS) prepared for the project and did not warrant further evaluation in the EIR due to the level of existing regulatory requirements and the lack of extenuating or special circumstances that would make such regulatory requirements insufficient to address potential Master Plan impacts associated with hazards and hazardous materials. Through compliance with existing regulations and requirements governing hazards and hazardous materials, including governing DTSC rules and regulations, impacts associated with development under the 2035 Master Plan would be less than significant. More specifically, as individual projects are proposed for development under the 2035 Master Plan by Cal Poly, environmental conditions at each project site would be evaluated as part of Cal Poly's due diligence and in accordance with established CSU safety procedures (as stated on page 18 of the Initial Study [Appendix A of the Draft EIR]) and the CSU State University Administrative Manual (SUAM) for Capital Planning, Design, and Construction. Such evaluations will be conducted in accordance with existing CSU programs and requirements, as well as other applicable rules and regulations (including the aforementioned DTSC requirements), during the planning and design of future Master Plan projects and in order to determine the potential presence of hazards or hazardous materials, including pesticide residue, asbestos, and lead-based paint. This due diligence could include, but is not limited to, preparation of a Phase I environmental site assessment. If hazardous materials are identified, Cal Poly would conduct additional analysis as may be warranted and would comply with all applicable regulatory requirements and guidance, including that of DTSC related to the appropriate treatment, removal, transport, and disposal of such materials. In addition, other measures identified in the Draft EIR would further ensure the control of pollutants and/or materials from affecting public health, including compliance with National Pollutant Discharge Elimination System (NPDES) requirements related to the preparation and implementation of a stormwater pollution prevention plan (SWPPP), as stated on page 3.9-3 of the Draft EIR. The Facilities Management and Development unit of Cal Poly would be responsible for ensuring the oversight and execution of any investigations related to hazards and hazardous materials in compliance with existing regulation and would coordinate with other agencies, including DTSC, as appropriate and in accordance with such regulations.

Comment S2-3

2. If any sites within the project area or sites located within the vicinity of the project have been used or are suspected of having been used for mining activities, proper investigation for mine waste should be discussed in the EIR. DTSC recommends that any project sites with current and/or former mining operations onsite or in the project site area should be evaluated for mine waste according to DTSC's 1998 Abandoned Mine Land Mines Preliminary Assessment Handbook (https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/11/aml_handbook.pdf.

Response S2-3

This comment recommends that if any historic mining operations are identified on or near sites proposed for development under the 2035 Master Plan, Cal Poly should adhere to DTSC's guidance related to the evaluation of potential hazards associated with abandoned mines. No abandoned mines were identified within the Master Plan Area, and as a result, no hazards associated with development near abandoned mines are anticipated to result from development under the 2035 Master Plan.

Comment S2-4

3. If buildings or other structures are to be demolished on any project sites included in the proposed project, surveys should be conducted for the presence of lead-based paints or products, mercury, asbestos containing materials, and polychlorinated biphenyl caulk. Removal, demolition and disposal of any of the above-mentioned chemicals should be conducted in compliance with California environmental regulations and policies. In addition, sampling near current and/or former buildings should be conducted in accordance with DTSC's 2006 *Interim Guidance Evaluation of School Sites with Potential Contamination from Lead Based Paint, Termiticides, and Electrical Transformers* (https://dtsc.ca.gov/wpcontent/uploads/sites/31/2018/09/Guidance_Lead_Contamination_050118.pdf).

Response S2-4

This comment describes existing regulatory requirements related to the removal, demolition, and disposal of structures that could include potentially hazardous materials. As noted in the response to Comment S2-2, Cal Poly, as part of its design and planning process for any development contemplated in the 2035 Master Plan , would evaluate site conditions (and, if necessary, would remediate, remove and/or contain any potential hazardous materials in accordance with appropriate California environmental regulations and policies.

Comment S2-5

4. If any projects initiated as part of the proposed project require the importation of soil to backfill any excavated areas, proper sampling should be conducted to ensure that the imported soil is free of contamination. DTSC recommends the imported materials be characterized according to DTSC's 2001 *Information Advisory Clean Imported Fill Material* (https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/SMP_FS_Cleanfill-Schools.pdf).

Response S2-5

The comment states that any imported soils should be evaluated prior to their use as backfill material. As noted in the response to Comment S2-2, Cal Poly would comply with appropriate California environmental regulations and policies regulating hazardous materials, including the import and export of soil associated with the development of projects under the 2035 Master Plan. Any imported fill would meet applicable governmental requirements related to chemical composition.

Comment S2-6

5. If any sites included as part of the proposed project have been used for agricultural, weed abatement or related activities, proper investigation for organochlorinated pesticides should be discussed in the EIR. DTSC recommends the current and former agricultural lands be evaluated in accordance with DTSC's 2008 *Interim Guidance for Sampling Agricultural Properties (Third Revision) (*https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/Ag-Guidance-Rev-3-August-7-2008-2.pdf).

Response S2-6

The comment recommends evaluation of agricultural or other soils that may contain pesticides per DTSC's 2008 Interim Guidance. Refer to the response to Comment S2-2.

Letter S3 California Department of Transportation

John Olejnik
February 3, 2020

Comment S3-1

The California Department of Transportation (Caltrans) appreciates the opportunity to review the DEIR for the Cal Poly 2035 Master Plan. The master plan estimates approximately 3,188 additional students by 2035 and includes the addition of 7,200 student beds (to house 63% of students on campus); 380 faculty and staff housing units; a 200-unit retirement community; 4,000-seat stadium expansion; 1.29 million sq. ft of academic, administrative and support space; bicycle, pedestrian, and transit improvements; and water and wastewater infrastructure improvements.

Caltrans supports planning efforts that are consistent with State planning priorities intended to promote equity, strengthen the economy, protect the environment, and promote public health and safety. We accomplish this by working with our State partners and local jurisdictions to achieve a shared vision of how the transportation system should and can accommodate inter-regional and local travel.

Projects that support smart growth principles which include improvements to pedestrian, bicycle, and transit infrastructure (or other key Transportation Demand Strategies) are supported by Caltrans and are consistent with our mission, vision, and goals. To this point, Cal Poly has an excellent opportunity to increase multi-modal use by improving its internal and external circulation through completion of pedestrian linkages/sidewalks and bicycle infrastructure on and adjacent to the campus. Additionally, the stage is set for Cal Poly to partner with City of San Luis Obispo Transit (SLO Transit) and San Luis Obispo Regional Transit Authority (SLORTA) to improve services to/from and around campus. The proposed master plan would provide a framework over the next few decades to guide campus development, student growth, and meaningful off-site multimodal improvements to address project specific impacts of the student population. With that in mind Caltrans offers the following comments:

Response S3-1

This comment summarizes Caltrans's understanding of the 2035 Master Plan. It expresses support for smart growth principles and identifies opportunities for improving multi-modal use both internal to the campus and, through partnerships with local agencies, to and from the campus. The comment does not raise any environmental issues related to the adequacy of the EIR analysis, and no further response is required. The comment is included within the record for consideration by the decisionmakers as part of the 2035 Master Plan approval process.

Comment S3-2

Housing

The housing market in San Luis Obispo County, as in most areas of the State, proves itself difficult to balance all the needs of its' residents. A consistent concern is off-campus housing of students in neighborhoods surrounding the campus. This drives a high demand for a limited number of units in the community. The master plan seeks to partially address this by increasing the number of on-campus units by an additional 7,200 beds. The master plan also identifies a few locations on the edges of campus for non-students housing projects. Both residential neighborhoods would not only provide needed housing, but in theory reduce vehicle miles traveled (VMT) and greenhouse gas (GHG) emissions by locating them close to campus and for people who otherwise may have been commuting long distances.

The first proposed residential neighborhood located at Slack Street and Grand Avenue would include 380 residential units to primarily serve faculty and staff with some availability offered to the public. We appreciate the project is providing workforce housing to promote a jobs-housing balance. This will aid in accomplishing local and State goals and is consistent with the Caltrans' *Strategic Management Plan* 2015-2020 and State planning priorities. However, while the master plan does mention that faculty and staff would have priority over the public, there is no discussion of how this will be regulated.

The second proposed residential neighborhood is located immediately west of SR 1 between Westmont Avenue and Stenner Creek Road. This neighborhood would serve as a university-based retirement community with approximately 200 senior living units. The community would prioritize Cal Poly retired faculty, staff, and alumni, but would also make

some units available to the public. From a mobility, VMT reduction, and access standpoint this proposal may not be situated in the best location. The site is roughly a mile from the nearest shopping and services. Mobility can decline as we age and many seniors, even active ones, stop driving or prefer to walk when there is a viable option. At the proposed site residents will find it difficult to access amenities without the use of a vehicle. The Master Plan should address this issue.

The EIR notes that a portion of the property is currently occupied by the CAL FIRE station and will remain so. However, the EIR does not discuss access to the residential neighborhood. Access to this proposed residential neighborhood is of great interest to Caltrans. As stated in previous correspondence, we do not support intensified use of the CAL FIRE driveway for this purpose as it would add an unsustainable number of trips to an unsignalized intersection with sight distance concerns and impacts to emergency response.

Cal Poly should work with the City of San Luis Obispo on circulation to make a road connection to Westmont Avenue or Stanford Drive as the local street that provides access to the site. Additional discussion regarding access for this proposed residential neighborhood is needed.

Response S3-2

The comment expresses support for the provision of additional student housing, in general, but also expresses specific concerns related to two residential developments included as part of the plan, Slack and Grand faculty and staff housing project and the University-Based Retirement Community. With respect to Slack and Grand housing project and with how the development would be managed, units would be offered first to faculty and staff; if faculty and staff do not occupy all the available units, vacant units would be made available to interested community members. This method is currently employed at the Bella Montaña development west of campus and is anticipated to be employed at the proposed Slack and Grand housing project. Of the 69 units at Bella Montaña, 56 are currently occupied by faculty and staff with the remaining 13 occupied by local community members. As noted on page 3.11-15 of the Draft EIR, preference for available units at Bella Montaña is first given to Cal Poly faculty and staff; however, if a unit remains available for more than 120 days, vacant units may be made available to members of the general public.

The comment also expresses concern over the proposed location of the University-Based Retirement Community. The siting discussion and siting opinions offered by the commenter do not address the adequacy of the EIR analysis or its discussion of potential environmental impacts, and no further response is required. The comment is included within the record for consideration as part of the 2035 Master Plan.

Regarding the University-Based Retirement Community, the design, layout and access points have not yet been determined, as stated in the Draft EIR Project Description on page 2-32 (University-Based Retirement Community). These project features would be considered and analyzed as part of project-specific CEQA compliance review at a later stage when the University-Based Retirement Community is proposed for development. At this time, however, Cal Poly is contemplating that a separate vehicular access point that is independent of the California Department of Forestry and Fire Protection [CAL FIRE] station would be provided. As currently envisioned, the retirement community would connect to the existing Westmont Avenue roadway segment located at the southwestern corner of the retirement community site. This concept is reflected in Figure 2-9 on page 2-23 of the Draft EIR. As the design and planning of the retirement community proceeds, Cal Poly will coordinate with the City regarding necessary infrastructure connections, including roadway connections, as appropriate to ensure that adequate and safe access to and from the University-Based Retirement Community would be provided. This coordination and the proposed final layout and infrastructure connections would be part of required subsequent project-specific CEQA analysis that would accompany the University Based Retirement Community development and approval process, as stated in the Draft EIR on page 2-31 (Faculty/Staff and Retirement Housing). Accordingly, for the reasons set forth in Master Response 2, it would be premature and speculative to conduct this site-specific review at this time.

Comment S3-3

Traffic/Transportation

With the passage of Senate Bill (SB) 743, the CEQA Guidelines dictating traffic studies changed from analysis using level of service (LOS) to one of VMT. This is a new method of assessing the traffic impacts of a project that all

jurisdictions in California are implementing. We appreciate the VMT study developed for the Master Plan includes many proposed TDM and parking management strategies as mitigation measures. That being said, this programmatic EIR will serve as a foundation for subsequent projects on campus. Caltrans believes the EIR should and can more strongly commit to the mitigations discussed in the VMT report and the transportation section in the EIR. There should be a more robust discussion of which mitigations are realistic, and a timeline for how and when they will be implemented. Additionally, funding sources and partner agencies should be more clearly identified.

Caltrans conceptually supports improvements to the transportation network that reduce VMT and GHG emissions and encourage multimodalism such as reduced headways for transit, limitations on parking to incentivize alternative modes of transportation, a campus shuttle system, improvements to pedestrian and bicycle safety, and access. The VMT report and transportation section of the EIR mentions several potential policies that we highly support and would encourage the Master Plan to detail further and more strongly commit to.

Response S3-3

The comment expresses support for the proposed TDM, parking management strategies, and other measures that will reduce Master Plan related VMT and GHG emissions, but requests that the EIR more strongly commit to and provide a more robust discussion of specific TDM measures, including a projected timeline for each. Please refer to Master Response 4 for a discussion of the TDM program identified as mitigation in the Draft EIR, as well as the anticipated timeline for implementation. The comment also asks for a description of the funding sources for the mitigation. This does not address an environmental impact; rather, it is a social or economic concern that is outside the scope of the EIR. Therefore, as noted in Master Response 5, regarding the need to evaluate socioeconomic impacts under CEQA, no further response to this issue is required.

Comment S3-4

Foothill Boulevard Corridor

The Master Plan, and specifically the Foothill Boulevard Corridor, is an opportunity area that Cal Poly, City of San Luis Obispo, and Caltrans should forge a strong partnership on to seek improvements to address the student population impact. The corridor is a major multimodal connector for students; it provides access to campus, off-campus housing, work, and shopping opportunities. A large amount of off-campus housing exists in the Foothill neighborhood and retail and commercial services on Foothill largely cater to the student population. A specific area of concern is the intersection of Santa Rosa Street (SR 1) and Boysen Avenue. Boysen Avenue is an uncontrolled, partially mid-block intersection, that is highly traversed by students (pedestrian and bicyclist). Student traffic crossing Santa Rosa and Boysen to access shopping and services could impact operations with an increase in traffic generated by the expanded student enrollment. Caltrans advocates and believes there is consensus for developing a plan and implementing a grade separated facility for the student need in this vicinity. The SLOCOG RTP identifies bicycle and pedestrian improvements on SR 1 near this location as a needed project, however funding has not been programmed yet.

Response S3-4

The comment expresses general concern regarding pedestrian and bicyclist safety west of campus and a desire to develop a multi-agency plan for a grade-separated facility to improve pedestrian and bicyclist safety. The EIR evaluated travel safety in the vicinity of campus and determined that potential pedestrian- and bicycle-related impacts would be less than significant with mitigation (see Mitigation Measures 3.13-3 and 3.13-4 on pages 3.13-17 and 3.13-18, respectively of the Draft EIR). As noted on page 3.13-8 of the Draft EIR, between 12 and 16 bicycle-related incidents and between three and five pedestrian-related incidents occur every year within a half-mile of campus, including locations near and within the Foothill neighborhood of the City of San Luis Obispo. However, as noted in the Draft EIR on page 3.13-8, no locations experienced more than one collision per year nor consistent collisions year over year, including at the intersection of SR 1/Boysen Avenue. As a result, the potential impacts identified in this comment were considered/evaluated but specific improvements to existing facilities were not considered warranted based on available evidence (e.g., bicycle- and pedestrian-related accident information for a single location, involving either multiple incidents within one year or consecutive years). Further, the 2035 Master Plan does not include the provision of student housing or other facilities proximate to Foothill Boulevard that would substantially affect travel safety at this location. However, Cal Poly acknowledges existing efforts by the San Luis Obispo Council of

Governments (SLOCOG), San Luis Obispo County, and the City to improve transportation safety. Cal Poly is committed to the safety of its students and will continue to coordinate with, including potentially making funding contributions as appropriate to, these agencies.

As future projects are proposed/evaluated under the 2035 Master Plan, Cal Poly will conduct subsequent and project-level environmental review for individual projects, in accordance with CEQA requirements, as noted on page 2-47 of Chapter 2, "Project Description" of the Draft EIR. As a regional partner, Cal Poly will consult with Caltrans, where appropriate and outside the CEQA process (due to recent changes to the CEQA Guidelines as noted by the commenter in Comment S3-3), to solicit input concerning and addressing potential deficiencies associated with facilities under their jurisdiction to which a project under the 2035 Master Plan may be determined to contribute.

Comment S3-5
Stenner Creek/West Campus Improvements

The Master Plan indicates the redevelopment of agricultural facilities will take place near the SR 1/Stenner Creek Road intersection. This is discussed briefly in terms of west campus and the farm stand being improved (page 2-26). To better assess potential impacts to the intersection, we would appreciate further details pertaining to these improvements. In the previous 2035 EIR this area of the campus was going to include a residential neighborhood which would have greatly increased traffic at the SR 1/Stenner Creek Road intersection. If intensification of use is anticipated on this part of campus, then Cal Poly should consider the expansion of a parallel route to enter the main portions of campus to the southeast. The installation of a traffic signal or roundabout at SR 1/Stenner Creek Road will not be allowed.

Response S3-5
The comment identifies a change that occurred between the previous draft 2035 Master Plan and the current one evaluated in the 2035 Master Plan EIR and requests additional details regarding proposed facilities within the West Campus and western portion of the Master Plan Area. As noted in Figure 2-11, on page 2-28 of the Draft EIR, most of the development under the 2035 Master Plan would occur within the Campus Core subarea. The proposed Farm Shop (a near-term project), identified as a farm stand by the commenter, is intended as a replacement facility closer to existing agricultural operations on campus and would not result in an intensification of use. As a result, the consideration of expansion of a parallel route to enter campus was not determined to be necessary or appropriate as part of the Master Plan EIR and consistent with the level of environmental analysis conducted for the 2035 Master Plan (refer to Master Response 2). However, as noted in response to Comment S3-4, Cal Poly will coordinate with Caltrans and other agencies, where appropriate, if deficiencies at specific facilities are identified and to determine whether modification/expansion of existing roadway facilities is needed. Caltrans' assertion regarding the infeasibility of a traffic signal or roundabout at SR 1/Stenner Creek Road is noted and will be considered as part of future campus planning efforts.

Comment S3-6
Chorro Valley Trail

In an effort to facilitate pedestrian/bicycle connectivity locally, Cal Poly should work closely with SLOCOG, the City and County of San Luis Obispo to complete the Chorro Valley Trail. This trail would connect the City of Morro Bay with the City of San Luis Obispo via a grade separated pedestrian/bicycle trail parallel to SR 1. The County and SLOCOG have adopted a Chorro Valley Trail Plan; however, consensus on the alignment of the trail to and through campus has not been reached. The Master Plan should identify a complete alignment for the Chorro Valley Trail through Cal Poly land in coordination with the City and County. A completed trail could help to offset traffic and air quality impacts from the Master Plan and improve internal and external connectivity.

Response S3-6
The comment requests consideration and reflection of the Chorro Valley Trail in the 2035 Master Plan. Refer to Master Response 6, "Chorro Valley Trail through the Master Plan Area", in this Final EIR, for detailed discussion of this topic.

Comment S3-7
Event Venue Expansion

The Master Plan includes a 4,000-seat expansion of Alex Spanos Stadium and the development of new sports fields and sports and recreation facilities implying that the university intends to hold more concerts and sporting events. Cal Poly President Jeff Anderson stated in his June 2019, *A Note from the President* address that "Implementing the Master Plan will allow us to host even more events open to the wider community… "

It is unclear whether these additional events and the trips associated with them were included in the VMT analysis. Traffic impacts from the facility expansions would generate thousands of additional trips in relatively short time periods, and there are no identified policies or programs that would limit the use of these facilities. It is recommended that the Master Plan be updated to include policies and programs which govern the use of these facilities and require advance notification and coordination with Caltrans and City staff to minimize impacts to operations or the road infrastructure. A detailed Traffic Management Plan should be developed as part of the EIR for event traffic handling. Additionally, there may be the need to develop an enhanced transportation conflict analysis at key on- and off- ramp locations along Highway 101 to deal with additional campus events.

Response S3-7
The comment raises concerns regarding additional vehicle trips to and from the campus attributable to additional special events and the proposed expansion of Alex Spanos Stadium. With respect to transportation management and safety during special events, Cal Poly currently implements event management protocols, some of which are implemented by the Cal Poly Office of Conference and Event Planning and the Cal Poly Risk Management program. When events are proposed, potential risks, including those related to accessibility, access, traffic control, parking, and shuttling, are identified and evaluated by the Event Planning and/or Risk Management teams. Event-specific guidance and requirements are then provided by Cal Poly to the event organizers, who can then arrange for appropriate signage, traffic controls, and other event-based transportation management measures. Cal Poly will continue to implement these existing campus policies and procedures for special events that require consideration of event-specific timing and conditions to ensure safety and adequate traffic control to and from the event. As a result, preparation of a traffic management plan for potential new special events is not warranted or appropriate as part of the 2035 Master Plan. Cal Poly would evaluate the need for a facility-specific transportation management plan as individual events or event-related development projects are proposed, including Spanos stadium. This could also include an update to the existing protocols/planning efforts performed by Cal Poly, including coordination with the City of San Luis Obispo and Caltrans, as needed. However, it would be premature to prepare such a plan now as the timing, scope/size, intensity of use, access points and other features of the event facilities have yet to be developed. Refer to Master Response 2 regarding the appropriate level of detail and analysis presented in the 2035 Master Plan EIR.

With respect to VMT, VMT was calculated using the SLOCOG travel model and based on VMT metric guidance provided in the *CSU Transportation Impact Study Manual* to evaluate the VMT from all trip purposes (e.g., work commute trips for students, faculty and staff, residential trips by on-campus residents, deliveries, campus operations trips [including special events]) and vehicle types (e.g., light-duty, medium duty, and heavy-duty vehicles) for a typical day during the academic school year. As a result, VMT related to special events is included as part of the overall assessment of VMT for the campus.

Comment S3-8
Hydrology

The Master Plan proposes development that could increase flows to Caltrans facilities on SR 1, particularly the Residential Neighborhood directly adjacent to it. Mitigation Measures 3.9-3 of the EIR states, in part:

- *Off-site runoff will not exceed existing flow rates during storm events.*
- *If required to maintain the current flow rate, detention/retention basins will be installed to reduce local increases in runoff, particularly on frequent runoff events (up to 10-year frequency).*

These two statements appear contradictory, as one states that runoff will not exceed existing flow rates, and the other that existing flow rates will be maintained only if required. Regardless, development should not increase any flows towards the highway, up to the 100-year frequency.

Response S3-8

The comment raises concerns regarding potentially conflicting statements in the discussion of Mitigation Measure 3.9-3. Future development in the Master Plan Area would result in additional impervious surfaces, which could increase the volume of stormwater flows and rate of runoff. However, through compliance with existing regulations and implementation of Mitigation Measure 3.9-3, flows to Caltrans facilities on SR 1 would not substantially increase. Further, the specific statements within Mitigation Measure 3.9-3 are not contradictory. The first bulleted item expresses the commitment to a performance standard: no increase in flow rates during storm events. The second bulleted item pertains to the design and engineering of a particular project to achieve that performance standard. If, based on design calculations, a particular project is projected to increase the stormwater flows because of increased impermeable surfaces or other reasons, Cal Poly shall include, as part of the project's design, features to reduce any projected increases in runoff such that off-site runoff would not exceed existing flow rates. This would include the construction and maintenance of detention/retention basins on-campus to regulate (i.e., capture and hold) stormwater flow consistent with current levels.

Comment S3-9

Permits

Any work within, over, or under the State's ROW, including but not limited to landscaping, landscape maintenance, and utility work, will require an encroachment permit from Caltrans and must be done to our engineering and environmental standards, and at no cost to the State. The conditions of approval and the requirements for the encroachment permit are issued at the sole discretion of the Permits Office, and nothing in this letter shall be implied as limiting those future conditioned and requirements. For more information regarding the encroachment permit process, please visit our Encroachment Permit Website at: https://dot.ca.gov/caltrans-near-me/district-5/district-5-programs/d5-encroachment-permits.

Caltrans requests to be included in any future public noticing regarding this project to allow us to prepare for and participate in the public process.

Response S3-9

The comment identifies specific requirements for any work within, over, or under the State's right-of-way (ROW). The process for applying for Caltrans encroachment permits, as it applies to construction at the project site, is noted. The comment does not raise any environmental issues related to the adequacy of the EIR analysis, and no further response is required. The comment is included within the record for consideration by the decisionmakers as part of the 2035 Master Plan approval process.

Letter S4 California Department of Fish and Wildlife

Julie Vance
February 3, 2020

Comment S4-1

The California Department of Fish and Wildlife (CDFW) received a Draft Environmental Impact Report from the California State Polytechnic University, San Luis Obispo (Cal Poly), for the above-referenced Project pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines[1].

[1]CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, CDFW appreciates the opportunity to provide comments

regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under Fish and Game Code.

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statue for all the people of the State (Fish and G. Code, §§ 711 .7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (*Id*., § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code may be required. Please be advised that issuance of a Lake or Streambed Alteration Agreement (LSAA) (Fish & G. Code, § 1602) or an Incidental Take Permit (ITP) (Fish & G. Code, § 2081 (b)) is a discretionary approval that will require the appropriate level of CEQA environmental review to support CDFW's Responsible Agency authority. If inadequate or no environmental review occurs, CDFW will not be able to issue the LSAA or the ITP until CEQA for the project is complete.

In this role, CDFW is responsible for providing, as available, biological expertise during public agency environmental review efforts (e.g., CEQA), focusing specifically on project activities that have the potential to adversely affect fish and wildlife resources. CDFW provides recommendations to identify potential impacts and possible measures to avoid or reduce those impacts.

PROJECT DESCRIPTION SUMMARY

Proponent: California State Polytechnic University, San Luis Obispo

Objective: The proposed Project is a long-range planning document that guides the development and use of campus lands to accommodate growth in student enrollment and in fulfillment of Cal Poly's academic mission. The university anticipates growth in the student body of approximately 200 new students per year on average, for an additional of approximately 3,188 by 2035. The Project provides for the anticipated increase in demand for academic facilities, additional housing on campus, recreation and athletics facilities, and other support facilities and services on campus to accommodate the increase in enrollment at Cal Poly and university needs through 2035.

Development under the Project would include approximately 7,200 new student beds; an additional 1.29 million gross square feet (gsf) of academic, administrative, and support space; 380 residential units intended primarily for faculty/staff with supporting uses (retail and recreational space); and a 200-unit university-based retirement community. In addition, 455,000 gsf of existing academic, administrative, and support space would be redeveloped and replaced with new facilities. The Project proposes circulation infrastructure improvements, to provide for the safe and efficient movement of pedestrians, bicycles, and vehicles around the Project site, while also encouraging a more complete shift to an active transportation approach. Further, utilities infrastructure improvements, such as new water, wastewater, and storm water drainage infrastructure, are also proposed to accommodate growth under the Project.

Location: Located in San Luis Obispo County, the Project is located at the Cal Poly campus in the City of San Luis Obispo.

Timeframe: Approximately the first 10 years of the Project.

COMMENTS AND RECOMMENDATIONS

CDFW offers the following comments and recommendations to assist Cal Poly, in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the CEQA document prepared for this Project.

There are many special-status resources present in and adjacent to the Project area that these resources may need to be evaluated and addressed prior to any approvals that would allow ground-disturbing activities or land use changes. CDFW has concerns about the Project-related impacts that could result in activities occurring in close proximity to ponds and creeks/streams, and the associated impacts to species that utilize these habitat types. In particular, CDFW is concerned regarding potential impacts to special-status species including, but not limited to, the State candidate-listed as threatened foothill yellow-legged frog (*Rana boylii*), the State and federally endangered Chorro Creek bog thistle (*Cirsium fontinale* var. *obispoense*), and the State species of special concern burrowing owl (*Athene cunicularia*), California red-legged frog (*Rana draytonii*), and western pond turtle (*Actinemys marmorata*). In order to adequately assess any potential impact to biological resources, CDFW recommends focused biological surveys be conducted by a qualified wildlife biologist/botanist during the appropriate survey period(s) in order to determine whether any special-status species may be present within the Project area. Properly conducted biological surveys, and the information assembled from them, are essential to identify any mitigation, minimization, and avoidance measures and/or the need for additional or protocol-level surveys, especially in the areas not in irrigated agriculture and to identify any Project-related impacts under CESA and other species of concern. Biological survey results may be submitted to CDFW.

Response S4-1

The comment describes elements of the proposed Master Plan and the role of CDFW as a Trustee and Responsible Agency, and is noted. The comment also provides an overview of more specific comments contained in the letter, which are addressed in detail below. As noted in Master Response 2, the Draft EIR is a programmatic assessment of potential development within the Master Plan Area under the 2035 Master Plan. If, and when, individual projects are proposed for development, additional project-level studies, CEQA review, and agency coordination will be conducted, as necessary. Further, the EIR's mitigation measures (e.g., Mitigation Measures 3.3-1a through 3.3-1b, 3.3-2b, 3.3-2e, 3.3-2j, 3.3-2k, 3.3-2o, 3.3-2q, 3.3-2u and 3.3-2w) related to biological resources appropriately include specific requirements for when and how Cal Poly will be required to coordinate with CDFW regarding site- and species-specific considerations.

Comment S4-2

I. Environmental Setting and Related Impact

Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or the United States Fish and Wildlife Service (USFWS)?

COMMENT 1: Foothill Yellow-Legged Frog (FYLF) and California Red-Legged Frog (CRLF)

> **Issue:** CRLF is addressed in the DEIR but excludes FYLF. FYLF are primarily stream dwelling and require shallow, flowing water in streams and rivers with at least some cobble-sized substrate; CRLF primarily inhabit ponds but can also be found in other waterways including marshes, streams, and lagoons, and the species will also breed in ephemeral waters (Thomson et al. 2016). FYLF and CRLF have been documented to occur in the vicinity of the Project site (CDFW 2020). The Project site contains habitat that may support both species. Avoidance and minimization measures are necessary to reduce impacts to FYLF and CRLF to a level that is less than significant.
>
> **Specific impact:** Without appropriate avoidance and minimization measures for FYLF and CRLF, potentially significant impacts associated with the Project's activities include burrow collapse, inadvertent entrapment, reduced reproductive success, reduction in health and vigor of eggs, larvae and/or young, and direct mortality of individuals.

Evidence impact would be significant: FYLF and CRLF populations throughout the State have experienced ongoing and drastic declines and many have been extirpated; historically, FYLF occurred in mountain streams from the San Gabriel River in Los Angeles County to southern Oregon west of the Sierra-Cascade crest (Thomson et al. 2016). Habitat loss from growth of cities and suburbs, invasion of nonnative plants, impoundments, water diversions, stream maintenance for flood control, degraded water quality, and introduced predators, such as bullfrogs are the primary threats to FYLF and CRLF (Thomson et al. 2016, USFWS 2017). Project activities have the potential to significantly impact both species.

Recommended Potentially Feasible Mitigation Measure(s)

To evaluate potential impacts to FYLF and CRLF, CDFW recommends conducting the following evaluation of the Project site, incorporating the following mitigation measures into the EIR prepared for this Project, and that these measures be made conditions of approval for the Project.

Recommended Mitigation Measure 1: FYLF and CRLF Surveys

While CDFW agrees with Mitigation Measure 3.5-2c in the DEIR that habitat assessment for CRLF will follow the USFWS "*Revised Guidance on Site Assessment and Field Surveys for the California Red-legged Frog*" (USFWS 2005), CDFW recommends that a qualified wildlife biologist conduct surveys for FYLF and CRLF using the same USFWS survey protocol to determine if FYLF and CRLF are within or adjacent to the Project area; while this survey is designed for CRLF, the survey may be used for FYLF with focus on stream/river habitat.

Recommended Mitigation Measure 2: FYLF and CRLF Avoidance

If any FYLF and/or CRLF are found during preconstruction surveys or at any time during construction, consultation with CDFW is warranted to determine if the Project can avoid take. CDFW recommends that initial ground-disturbing activities be timed to avoid the period when FYLF and CRLF are most likely to be moving through upland areas (November 1 and March 31). When ground-disturbing activities must take place between November 1 and March 31, CDFW recommends a qualified biologist monitor construction activity daily for FYLF and CRLF.

Recommended Mitigation Measure 3: FYLF Take Authorization

Species such as FYLF with a Candidate listing are treated as threatened or endangered by CDFW. If through surveys it is determined that FYLF are occupying or have the potential to occupy the Project site and take cannot be avoided, take authorization would be warranted prior to initiating ground-disturbing activities. Take authorization would occur through issuance of an ITP by CDFW, pursuant to Fish and Game Code section 2081(b).

Response S4-2

Potential impacts to foothill yellow-legged frog (FYLF) were evaluated in the Draft EIR in Appendix E, Table 2; this table summarizes the regulatory status, habitat associations, and potential for occurrence in the main campus for each special-status wildlife species evaluated. The CNDDB record from the project vicinity referenced in the comment represents an historic occurrence from 1958. FYLF has not been documented anywhere in San Luis Obispo County since 1999, and the species is now considered nearly extirpated from the entire County (Center for Biological Diversity 2016). Additionally, various project-level surveys for aquatic resources and amphibians (e.g., California red-legged frog) conducted on the Cal Poly campus in recent decades have not reported any incidental detections of FYLF, and the iNaturalist database contains no records of FLYF in San Luis Obispo County. Therefore, FYLF is not expected to occur within the Master Plan Area or be affected by implementation of the 2035 Master Plan, including potential take of this species. To further clarify the assumed absence of the species from the Master Plan Area, the "Potential for Occurrence within the Analysis Area" column of Table 2 in Appendix E for FYLF was revised as follows:

> **Not expected to occur**. ~~The analysis area does not provide suitable habitat for this species.~~ The CNDDB contains one historic record of foothill yellow-legged frog (FYLF) from the vicinity of the Master Plan Area; however, this record is from 1958 and the species has not been documented in the vicinity since then. As reported in the CNDDB record, expert opinion is that the species was extirpated from this area around 1975-1978. FYLF has not been documented anywhere in San Luis Obispo County since 1999, and the species is now considered nearly extirpated from the entire County (Center for Biological Diversity 2016). Additionally, the

iNaturalist database contains no records of FLYF in San Luis Obispo County. The Master Plan Area is not considered suitable habitat for this species.

Regarding California red-legged frog, the impact minimization and avoidance measures, survey and documentation requirements, monitoring requirements, and consultation process described in Mitigation Measures 3.5-2c, 3.5-2d, 3.5-2e, 3.5-2f, 3.5-2g, 3.5-2h, and 3.5-2i are consistent with the recommendations provided in the comment. No revisions to the Draft EIR are required.

Comment S4-3
COMMENT 2: Special-Status Plants

Issue: Special-status plant species have been documented to occur in the vicinity of the Project site (CDFW 2020). The Project site contains habitat that may support special-status plant species meeting the definition of rare or endangered under CEQA Guidelines section 15380 including, but not limited to, the State and federally endangered Chorro Creek bog thistle. Avoidance and minimization measures are necessary to reduce impacts to these special-status plant species to a level that is less than significant.

Specific impact: Without appropriate avoidance and minimization measures for special-status plants, potential significant impacts resulting from ground- and vegetation-disturbing activities following Project approval include inability to reproduce and direct mortality.

Evidence impact would be significant: Special-status plant species known to occur in the vicinity of the Project site are threatened by residential development, road maintenance, vehicles, grazing, trampling, and invasive, non-native plants. In addition, remaining populations of these plants are very small (CNPS 2019). Therefore, impacts to existing populations have the potential to significantly impact these species.

Recommended Potentially Feasible Mitigation Measure(s)

To evaluate potential impacts to special-status plant species, CDFW recommends incorporating the following mitigation measures into the Environmental Impact Report (EIR) prepared for this Project, and that these measures be made conditions of approval for the Project.

Recommended Mitigation Measure 4: State-listed Plant Avoidance

Mitigation Measure 3.5-1 b of the DEIR proposes to avoid special-status plant species by a 40-foot no-disturbance buffer around the outer edge of plant population(s) or specific habitat type(s) required by Chorro Creek bog thistle and other special-status plant species observed in the Project site. CDFW recommends the 40-foot no-disturbance buffer include indirect impacts such as excessive dust, excessive runoff, or other disturbances that may not result from direct ground-disturbance but could also impact habitat quality. If buffers cannot be maintained, then consultation with CDFW is warranted to determine appropriate minimization and mitigation measures for impacts to Chorro Creek bog thistle and other special-status plant species, or in the case of plant species listed pursuant to CESA or the Native Plant Protection Act (NPPA), to determine if take can be avoided.

Recommended Mitigation Measure 5: State-listed Plant Take Authorization

As stated above, if a plant species listed pursuant to CESA or the NPPA is identified during botanical surveys, consultation with CDFW is warranted to determine if the Project can avoid take. If take cannot be avoided, take authorization prior to any ground-disturbing activities may be warranted. Take authorization would occur through issuance of an ITP by CDFW, pursuant to Fish and Game Code section 2081(b).

Response S4-3
The analysis of potential effects on special-status plant species in Impact 3.5-1 of the Draft EIR, and the preconstruction survey, avoidance buffer, and other protection requirements in Mitigation Measures 3.5-1a, 3.5-1b, 3.5-1c, 3.5-1d, and 3.5-13, pertain to both direct and indirect disturbances that could lead to mortality or decreased vigor of special-status plants. As discussed in Mitigation Measure 3.5-1b, the specific avoidance/buffer distance would depend on several site-specific ecological and project-design factors. As stated in the measure, "the no-disturbance buffers shall generally be a minimum of 40 feet from special-status plants, but the size and shape of the buffer zone

may be adjusted if a qualified botanist determines that a smaller buffer is sufficient to avoid killing or damaging the plants or that a larger buffer is necessary to sufficiently protect plants from the proposed activity." Accordingly, the potential for indirect effects on special-status plant occurrences, if present, would be important considerations when determining the site- and species-specific buffer requirement.

As described in Mitigation Measure 3.5-1c, if potential impacts to a special-status plant cannot be avoided, Cal Poly will consult with CDFW. For any state-listed species such as Chorro Creek bog thistle (*Cirsium fontinale* var. *obispoense*), the consultation would involve addressing requirements for potential take, including securing incidental take authorization before implementing any project activities that would result in take.

For the reasons discussed above, the Draft EIR analysis and mitigation measures for potential effects on special-status plants are consistent with the recommendations provided in the comment. No revisions to the Draft EIR are required.

Comment S4-4

COMMENT 3: Burrowing Owl (BUOW)

Issue: BUOW may occur within the Project site. BUOW inhabit open grassland containing small mammal burrows, a requisite habitat feature used by BUOW for nesting and cover. Habitat both within and bordering the Project site, supports grassland habitat.

Specific impact: Potentially significant direct impacts associated with subsequent activities and development include burrow collapse, inadvertent entrapment, nest abandonment, reduced reproductive success, reduction in health and vigor of eggs and/or young, and direct mortality of individuals.

Evidence impact is potentially significant: BUOW rely on burrow habitat year-round for their survival and reproduction. Habitat loss and degradation are considered the greatest threats to BUOW in California's Central Valley (Gervais et al. 2008). The Project site contains and is bordered by some of the only remaining undeveloped land in the vicinity, which is otherwise intensively managed for agriculture or housing developments. Therefore, subsequent ground-disturbing activities associated with Project approval have the potential to significantly impact local BUOW populations. In addition, and as described in CDFW's "Staff Report on Burrowing Owl Mitigation" (CDFG 2012), excluding and/or evicting BUOW from their burrows is considered a potentially significant impact under CEQA.

Recommended Potentially Feasible Mitigation Measure(s) (Regarding Environmental Setting and Related Impact)

To evaluate potential impacts to BUOW, CDFW recommends conducting the following evaluation of the Project site, incorporating the following mitigation measures into the EIR prepared for this Project, and that these measures be made conditions of approval for the Project.

Recommended Mitigation Measure 6: BUOW Avoidance

CDFW recommends no-disturbance buffers, as outlined in the "Staff Report on Burrowing Owl Mitigation" (CDFG 2012), be implemented prior to and during any ground-disturbing activities. Specifically, CDFW's Staff Report recommends that impacts to occupied burrows be avoided in accordance with the following table unless a qualified biologist approved by CDFW verifies through non-invasive methods that either: 1) the birds have not begun egg laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

Location	Time of Year	Level of Disturbance Low	Level of Disturbance Med	Level of Disturbance High
Nesting sites	April 1-Aug 15	200 m*	500 m	500 m
Nesting sites	Aug 16-Oct 15	200 m	200 m	500 m
Nesting sites	Oct 16-Mar 31	50 m	100 m	500 m

* meters (m)

Recommended Mitigation Measure 7: BUOW Passive Relocation and Mitigation

If BUOW are found within these recommended buffers and avoidance is not possible, it is important to note that according to the Staff Report (CDFG 2012), exclusion is not a take avoidance, minimization, or mitigation method and is considered a potentially significant impact under CEQA. However, if necessary, CDFW recommends that burrow exclusion be conducted by qualified biologists and only during the non-breeding season, before breeding behavior is exhibited and after the burrow is confirmed empty through non-invasive methods, such as surveillance. CDFW recommends replacement of occupied burrows with artificial burrows at a ratio of one burrow collapsed to one artificial burrow constructed (1 :1) as mitigation for the potentially significant impact of evicting BUOW. BUOW may attempt to colonize or re-colonize an area that will be impacted; thus, CDFW recommends ongoing surveillance, at a rate that is sufficient to detect BUOW if they return.

Response S4-4

Effects of implementing the 2035 Master Plan on burrowing owl are addressed in Impact 3.5-2 of the Draft EIR; potential impacts were determined to be significant. As described in Mitigation Measure 3.5-2u, where suitable habitat for burrowing owl is present, preconstruction surveys shall be conducted by biologists adhering to the standards recommended in the CDFW Staff Report on Burrowing Owl Mitigation (CDFW 2012), and nest-avoidance measures would be implemented for any occupied burrows. Additionally, Cal Poly shall initiate consultation with CDFW as required and shall mitigate for the loss of breeding and foraging habitat as determined by consultation. If applicable and required, as determined during consultation with CDFW, the specific standards recommended in the comment would be implemented.

Comment S4-5

COMMENT 4: Western pond turtle (WPT)

Issue: WPT have the potential to occur in the Project site. WPT are known to nest in the spring or early summer within 100 meters of a water body, although nest sites as far away as 500 meters have also been reported (Thomson et al. 2016).

Specific impact: Without appropriate avoidance and minimization measures for WPT, potentially significant impacts associated with Project activities could include inadvertent entrapment, reduced reproductive success, reduction in health or vigor of eggs and/or young, and direct mortality.

Evidence impact is potentially significant: The Project involves ground-disturbing activities in and adjacent to ponds and creeks/streams. Additionally, noise, vegetation removal, movement of workers, and ground-disturbance as a result of Project activities have the potential to significantly impact WPT populations.

Recommended Potentially Feasible Mitigation Measure(s)

To evaluate potential impacts to WPT, CDFW recommends conducting the following evaluation of the Project site, incorporating the following mitigation measures into the EIR prepared for this Project, and that these measures be made conditions of approval for the Project.

Recommended Mitigation Measure 8: WPT Surveys

CDFW recommends that a qualified biologist conduct focused surveys for WPT no more than ten days prior to Project implementation. In addition, CDFW recommends that focused surveys for nests occur during the egg-laying season (March through August) and that any nests discovered remain undisturbed until the eggs have hatched.

Response S4-5

Effects of implementing the 2035 Master Plan on western pond turtle are addressed in Impact 3.5-2 of the Draft EIR; potential impacts were determined to be significant. Mitigation Measure 3.5-2t, which were developed based on CDFW and other industry-standard guidance related to western pond turtle, describes the preconstruction surveys and nest avoidance requirements for this species. As discussed in the measure, if western pond turtle nests are

identified, construction shall be delayed until the eggs have hatched and individuals are capable of vacating the site or being relocated, consistent with suggestions made in this comment. No revisions to the Draft EIR are required.

Comment S4-6

II. Editorial Comments and/or Suggestions

Lake and Streambed Alteration: Ground-disturbing activities that have the potential to change the bed, bank, and channel of streams, or alter riparian habitat, may be subject to CDFW's regulatory authority pursuant Fish and Game Code section 1600 et seq. Fish and Game Code section 1600 et seq. requires an entity to notify CDFW prior to commencing any activity that may (a) substantially divert or obstruct the natural flow of any river, stream, or lake; (b) substantially change or use any material from the bed, bank, or channel of any river, stream, or lake (including the removal of riparian vegetation); or (c) deposit debris, waste or other materials that could pass into any river, stream, or lake. "Any river, stream, or lake" includes those that are ephemeral or intermittent as well as those that are perennial. CDFW is required to comply with CEQA in the issuance of a LSAA. For additional information on notification requirements, please contact our staff in the Lake and Streambed Alteration Program at (559) 243-4593.

Response S4-6

As addressed in Mitigation Measure 3.5-4 of the Draft EIR, for any project-related disturbance to an aquatic resource subject to CDFW jurisdiction under Fish and Game Code 1600 et seq., Cal Poly would consult with CDFW and prepare a Lake and Streambed Alteration Agreement, if needed, and comply with all special conditions of the permit.

Comment S4-7

Nesting birds: CDFW has jurisdiction over actions with potential to result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections that protect birds, their eggs and nests include, §§ 3503 (regarding unlawful take, possession or needless destruction of the nest or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird).

The Project area likely provides nesting habitat for birds. CDFW encourages that Project implementation occur during the bird non-nesting season. However, if ground-disturbing or vegetation-disturbing activities must occur during the breeding season (February through mid-September), the Project applicant is responsible for ensuring that implementation of the Project does not result in violation of the Migratory Bird Treaty Act or relevant Fish and Game Codes as referenced above.

To evaluate Project-related impacts on nesting birds, CDFW recommends that a qualified wildlife biologist conduct pre-activity surveys for active nests no more than 10 days prior to the start of ground-disturbance to maximize the probability that nests that could potentially be impacted are detected. CDFW also recommends that surveys cover a sufficient area around the work site to identify nests and determine their status. A sufficient area means any area potentially affected by the Project. In addition to direct impacts (i.e. nest destruction), noise, vibration, and movement of workers or equipment could also affect nests. Prior to initiation of construction activities, CDFW recommends a qualified biologist conduct a survey to establish a behavioral baseline of all identified nests. Once construction begins, CDFW recommends a qualified biologist continuously monitor nests to detect behavioral changes resulting from the Project. If behavioral changes occur, CDFW recommends the work causing that change cease and CDFW consulted for additional avoidance and minimization measures.

If during ground- or vegetation activities continuous monitoring of identified nests by a qualified wildlife biologist is not feasible, CDFW recommends a minimum no-disturbance buffer of 250 feet around active nests of non-listed, non-raptor bird species in addition to the buffers listed in Mitigation Measure 3.5-2u. All buffers are advised to remain in place until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or on-site parental care for survival. Variance from these no-disturbance buffers is possible when there is compelling biological or ecological reason to do so, such as when the Project site would be concealed from a nest site by topography. CDFW recommends that a qualified wildlife biologist advise and support any variance from these buffers and notify CDFW in advance of implementing a variance.

Response S4-7

The comment recommends amendment of Mitigation Measure 3.5-2u to include common bird species. Unlike special-status bird species, the CEQA Guidelines do not consider potential impacts to common nesting bird species (i.e., bird species without a special-status designation) as a potentially significant environmental impact under CEQA. Under CEQA requirements and thresholds identified in Appendix G, the loss of active nests of common species during project construction would not substantially reduce the abundance of any species, nor cause any species to drop below self-sustaining levels. As such, potential effects of construction on common birds would not constitute a significant impact as defined by the significance criteria established in the CEQA Guidelines Appendix G and in the Draft EIR. Consistent with CEQA requirements, the effects of implementing the 2035 Master Plan on special-status bird species are addressed in Impact 3.5-2 of the Draft EIR.

Outside of the CEQA context, as the comment states, implementation of projects under the 2035 Master Plan could adversely affect common nesting birds through disturbance during the breeding season and removal of active nests, if nesting birds are present during construction. Cal Poly will be required to comply with regulatory requirements governing these nesting birds. Specifically, loss of active nests of raptors and other bird species would be inconsistent with the Sections 3503 and 3503.5 of the California Fish and Game Code. Cal Poly would achieve regulatory compliance with these and other applicable Fish and Game Code through preconstruction surveys and appropriate avoidance measures, which could be completed at the same time as surveys for nesting special-status species conducted as part of Mitigation Measure 3.5-2u. The survey and avoidance approach to be implemented would be reflective of recommendations provided in the comment, however, amendment of Mitigation Measure 3.5-2u, as provided on pages 3.5-37 and 3.5-38 of the Draft EIR, is not considered necessary.

Comment S4-8

Federally Listed Species: CDFW recommends consulting with the USFWS on potential impacts to federally listed species including, but not limited to, Chorro Creek bog thistle and CRLF. Take under the Federal Endangered Species Act (FESA) is more broadly defined than CESA; take under FESA also includes significant habitat modification or degradation that could result in death or injury to a listed species by interfering with essential behavioral patterns such as breeding, foraging, or nesting. Consultation with the USFWS in order to comply with FESA is advised well in advance of any ground disturbing activities.

Response S4-8

Analysis of potential for take of federally listed animal and plant species such as California red-legged frog and Chorro Creek bog thistle, and the USFWS consultation process and requirements proposed for the 2035 Master Plan, are addressed in Impact 3.5-1 and Impact 3.5-2 of the Draft EIR. In sum, Cal Poly will consult with USFWS as required for any activities that may result in take of a federally listed species.

Comment S4-9

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special-status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDB). The CNDDB field survey form can be found at the following link: https://www.wildlife.ca.gov/Data/CNDDB/Submitting-Data. The completed form can be mailed electronically to CNDDB at the following email address: CNDDB@wildlife.ca.gov. The types of information reported to CNDDB can be found at the following link: https://www.wildlife.ca.gov/Data/CNDDB/Plants-and-Animals.

Response S4-9

For special-status species documented during surveys conducted for projects under the 2035 Master Plan, Cal Poly intends to submit the applicable occurrence records to the CNDDB in accordance with the process requested in the comment.

Comment S4-10
FILING FEES

If it is determined that the Project has the potential to impact biological resources, an assessment of filing fees will be necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089).

Response S4-10
Cal Poly acknowledges the requirements for applicable filing fees.

Local/Regional

Letter L1 San Luis Obispo Council of Governments

Sara Sanders
January 9, 2020

Comment L1-1

I heard that Cal Poly might be extending the comment period for the 2035 Master Plan Draft EIR. Is that true?

Response L1-1

This comment inquires as to an extension of the public review period of the Draft EIR for the 2035 Master Plan. Please refer to Master Response 1 for a response to this comment.

Letter L2 San Luis Obispo County Department of Public Works

Brendan Clark
January 28, 2020

Comment L2-1

Thanks for taking my call this morning. In the future, please use the following to formally notify the County of San Luis Obispo Department of Public Works regarding environmental review documents for the Master Plan:

1. pwd@co.slo.ca.us
2. Brendan Clark (Supervising Water Resources Engineer, Department of Public Works, County Government Center, Room 206, SLO CA 93408. 805-788-2316; bclark@co.slo.ca.us)
3. Keith Miller (Environmental Division Manager, Department of Public Works, County Government Center, Room 206, SLO, CA 93408; 805-781-5715; klmiller@co.slo.ca.us)

Keith should also be the official contact for all subsequent environmental notices from Cal Poly. Thank you!

As we discussed, the Public Works Department intends to provide comments on or as close as possible to Feb 3rd. Specifically, the Public Works Water Resources Division will be providing comments regarding the connection between the Master Plan and the City/County *Waterway Management Plan* for San Luis Obispo Creek. There are specific guidelines in this document for flood control and hydrology planning and design that are relevant to the DEIR evaluation. The Department will combine all of our comments into a single document to the extent that time allows.

Response L2-1

The comment presents contact information and summarizes the Public Works Department's intent to provide comment at a later date. Cal Poly has amended its contact information for the San Luis Obispo County Public Works Department and will use the information provided in this comment when providing future environmental documents to San Luis Obispo County for review and comment.

Letter L3 San Luis Obispo County Parks and Recreation Department

Elizabeth Kavanaugh
January 30, 2020

Comment L3-1

Thank you for the opportunity to review this Draft Environmental Impact Report (DEIR). I appreciate this draft addressing some of our previous comments in our letter on the previous DEIR for this Master Plan from January 2018. These comments were in 3 general areas:

1) lack of review and/or analysis of the Master Plans' consistency or inconsistency with the County's General Plan and other land use and circulation documents,

2) lack of review and/or analysis of impacts implementation of the Master Plan will have or not have to the City and County's recreational sites, and

3) absence of the adopted Chorro Valley Trail alignment through campus.

Response L3-1

The comment expresses gratitude for addressing previous comments related to the 2017 Draft EIR and generally summarizes those comments. No further response is necessary.

Comment L3-2

Cal Poly's campus is located within the County of San Luis Obispo. Reference to the County's General Plan, Bike Plan and other related county land use documents have been noted in some sections of this DEIR and left out of other sections. The below Master Plans' Guiding Principles and Implementation Policies leave out reference to the County and the County's land use documents. Please include the bolded language in the following sections of the Master Plan to include reference to the County:

- DC 11: Campus design and wayfinding should reflect an enhanced connection to, and interaction with. the surrounding City **and County** of San Luis Obispo.
- IP 20: Cal Poly should partner with the City **and County** to help develop off-campus bicycle improvements as prescribed in the city's and **county's General Plans** and bike plan**s** and that improve connections between the campus and community.

Response L3-2

This comment requests revision to the Master Plan itself and does not address the environmental analysis of the Draft EIR. As such, no further response is necessary within the context of CEQA. The comment is included within the record for consideration by Cal Poly and the decision makers as part of the 2035 Master Plan approval process. Further, as discussed on page 3-3 of the Draft EIR, Cal Poly is an entity of the CSU system, which is a constitutionally created state agency and therefore is not subject to local government planning and land use plans, policies, or regulations, including the County of San Luis Obispo's General Plan. Cal Poly may consider, for coordination purposes, aspects of local plans and policies for the communities surrounding the campus when it is appropriate but is not bound by local or regional planning regulations or documents. These documents are referenced where appropriate and are included in the record for consideration as part of the 2035 Master Plan approval process.

Comment L3-3

Especially problematic is section 3.13 Transportation where there is no mention or consistency analysis of the County's General Plan or transportation policies. Please add this analysis to this important section.

Once this analysis is complete, I suspect you will find inconsistencies with the County's General Plan and transportation documents, the Guiding Principles and Implementation Policies of this Master Plan along with a missed opportunity with regards to the County and SLOCOG adopted Chorro Valley Trail.

The Master Plan includes part of the Chorro Valley trail on the west campus section up to Stenner Creek Road, with a side note that the trail will extend onto Cal Poly lands. Previous conversations between the County and Cal Poly regarding this trail have stalled because extending this trail beyond this point is perceived as problematic for Cal Poly's agriculture lands in that area. A trail that ends in the middle of Cal Poly lands provides no connection to the adjacent property, does not provided the connection needed to make this trail useable and is inconsistent with many of the Master Plans Guiding Principles and Implementation Policies outlined in Attachment 1.

Our concern is that without a complete Chorro Valley Trail alignment called out in this Master Plan, the trail will never become the multi-modal connection it is planned to be. Please identify a complete alignment for the Chorro Valley Trail through Cal Poly lands to ensure this needed facility is feasible. County Parks is available to assist in this task and to find an alignment that meets the needs of your students and faculty along with the community at large.

This missed opportunity of the development of the Chorro Valley Trail, that goes all the way through Cal Poly lands, can help offset the significant impact the Master Plan's build out will have to the Net Increase in Long-Term

Operational Criteria Air Pollutant and Precursor Emissions threshold (Impact 3.3-3). The County Air Pollution Control District provided mitigations for this impact that include:

- Increase bicycle accessibility and safety in the vicinity of the project; for example: provide interconnected bicycle routes/lands or construction of bikeways, and
- To provide recreational facility (e.g., parks, trails, gym, pool, etc.) within one-quarter of a mile from site.

Development of a complete Chorro Valley Trail through Cal Poly lands meets these recommended mitigations. Please include development of this trail as part of the Master Plan to offset the increase in long-term operational air pollution and emissions.

I have attached a map of the Chorro Valley Trail for your review along with a link to the County of San Luis Obispo Planning and Building Department's website where the County's General Plan documents can be found.

http://www.slocounty.ca.gov/Departments/Planning-Building/Forms-Documents/Plans/General-Plan.aspx

Response L3-3

The comment expresses concern related to the development of the Chorro Valley Trail. Please refer to Master Response 6 for a detailed discussion of the trail and its relationship to the Master Plan. The comment also states that the Draft EIR should include an assessment of consistency with the County's General Plan and transportation policies. As noted in the response to Comment L3-2, Cal Poly is not subject to local government planning and land use plans, policies, or regulations, including the County of San Luis Obispo's General Plan. Cal Poly may consider, for coordination purposes, aspects of local plans and policies for the communities surrounding the campus when it is appropriate. However, Cal Poly is not bound by local or regional planning regulations or documents, such as the County's General Plan, and inclusion of a consistency analysis is neither necessary nor required as part of the 2035 Master Plan EIR.

Letter L4 San Luis Obispo County Air Pollution Control District

Jackie Mansoor
February 3, 2020

Comment L4-1

The San Luis Obispo County Air Pollution Control District (APCD) has completed our review of the proposed project located at California Polytechnic State University, San Luis Obispo.

According to the Draft Environmental Impact Report (DEIR), the 2035 Master Plan (Plan) would include approximately:

- 7,200 new student beds;
- 1.29 million gross square feet of academic, administrative, and support space;
- 380 residential units intended primarily for faculty/staff with supporting uses (retail and recreational space);
- 200-unit university-based retirement community; and
- 455,000 gross square feet of existing academic, administrative, and support space would be redeveloped and replaced with new facilities.

The 2035 Master Plan also proposes circulation improvements and utilities infrastructure improvements, such as new water, wastewater, and storm drainage infrastructure. Overall, the total development (i.e., building square footage) and land use types (e.g., residential, academic, recreational) included in the 2035 Master Plan were assumed to be constructed over the 15-year planning horizon. The DEIR Section 3.3 Air Quality states the following about how the air quality assessment for the project was accomplished:

> Although specific square footage and land use types were used, emissions modeling were general in nature and did not include specific construction schedules or project-specific details for each individual land use (as

such information is not available at this time). Rather, the modeling generally captured the scale of construction and operational activities that could occur with approval of the Cal Poly 2035 Master Plan.

The following comments are formatted into 3 sections – **(1) General Comments**, **(2) Air Quality**, **(3) Transportation** and **(4) Greenhouse Gas Emissions**. Comments pertain to information stated in the DEIR. The **lead agency** may contact the APCD Planning Division for questions and comments at 805-781-5912.

Response L4-1

The comment presents introductory text summarizing the Master Plan elements evaluated in the Draft EIR and the issues addressed in detail in the letter's subsequent comment.

Comment L4-2

(1) General Comments

On page 3.3-1 of the DEIR it states, "No comments regarding air quality were received in response to the Notice of Preparation (NOP)." The APCD submitted comments to Julie Hawkins regarding the NOP on October 27th, 2016. The letter is attached for your convenience. The APCD would like to note the APCD did not receive notice that the DEIR was available. Please direct all future notices and environmental documents to Jacqueline Mansoor at jmansoor@co.slo.ca.us.

Response L4-2

The comment correctly points out that the San Luis Obispo Air Pollution Control District (APCD) submitted a letter in response to the Notice of Preparation (NOP) of a Draft EIR. In addition, the comment requests that APCD be notified of all future environmental documents. Cal Poly notes the request and will ensure APCD receives all future notices and environmental documents.

The second paragraph on page 3.3-1 of the Draft EIR is revised as follows:

~~No comments regarding air quality were received in response to the Notice of Preparation (NOP).~~ One response regarding air quality was received from the San Luis Obispo County Air Pollution Control District (APCD) in response to the Notice of Preparation (NOP). The letter specified APCD's recommendations for air quality impact analyses, which focused on conducting a qualitative plan consistency analysis with the most recent Clean Air Plan rather than a quantitative analysis, and identified potential permits needed for project implementation.

Comment L4-3

(2) Air Quality

Impact 3.3-1: Conflict with or Obstruct Implementation of an Applicable Air Quality Plan

On page 3.3-17, the DEIR discusses if the 2035 Master Plan would conflict with the APCD's 2001 Clean Air Plan (2001 CAP). According to the 2001 CAP (pg. 8-5), to determine project consistency, the consistency analysis should include the following questions:

1. Are the population projections used in the plan or project equal to or less than those used in the CAP (chapter 2) for the same area?
   Note: 2050 Regional Growth Forecast population data should be used in place of population projections provided in the 2001 Clean Air Plan. Use medium scenario figures 116 and 118.
2. Is rate of increase in vehicle trips and miles traveled less than or equal to the rate of population growth for the same area?
3. Have all applicable land use and transportation control measures from the CAP been included in the plan or project to the maximum extent feasible?

The DEIR did not answer question 1 and 2. Because of this, **determination of whether Impact 3.3-1 is significant or insignificant cannot be determined at this time**.

The DEIR partially evaluated question 3 by providing a brief summary of the land use and transportation policies, strategies, and measures that the 2035 Master Plan includes. An effective assessment involves consideration of if all applicable land use and transportation control measures from the 2001 CAP have been included in the 2035 Master Plan to the maximum extent feasible. If certain strategies are not applicable to the project, or not feasible, the DEIR should explain why. Transportation control measures and land use planning strategies can be found on pages 6-9 through 18 in the 2001 CAP.

Page 3.3-18 in the DEIR discusses CAP transportation control measure T-1B *Campus Trip Reduction Program*. Per guidance from this measure, the DEIR states a transportation coordinator has been appointed, an on-site transportation information center has been created, and a Trip Reduction Plan has been submitted to the APCD. The stated trip reduction plan was submitted to the APCD several years ago. In lieu of updating the submitted Trip Reduction Plan, the APCD has identified that implementing mitigation measure 3.13-1: Develop and Implement a Transportation Demand Management Plan would be sufficient to show consistency with transportation control measure T-1B.

The APCD would like to point out the importance of CAP transportation control measure T-3 *Bicycling and Bikeway Enhancements* and echo the concerns of the County of San Luis Obispo Parks and Recreation Department that the 2035 Master Plan should include reference to the County and County's land use documents, such as the County's General Plan and transportation policies. More specifically, the APCD agrees that an incomplete Chorro Valley Trail is a missed opportunity to *fully* implement T-3 and reduce long-term criteria pollutant emissions.

Response L4-3

The comment suggests that a significance determination for Impact 3.3-1 of the Draft EIR cannot be made because the impact discussion did not answer three specific questions posed in the 2001 Clean Air Plan to determine consistency. Additionally, the comment recommends that San Luis Obispo County's land use and transportation documents be referenced in the 2035 Master Plan. Please refer to the responses to Comments L3-2 and L3-3 regarding references to the applicability of County policy documents to the CSU and 2035 Master Plan in the Draft EIR and to Master Response 6 for a response to comments regarding the Chorro Valley Trail.

Regarding APCD's first consistency question as to whether or not the population projections used in the Draft EIR are equal to or less than those used in the 2001 Clean Air Plan, APCD recommends deriving population projections for the project area using Figures 116 and 118 in the 2050 Regional Growth Forecast prepared by the San Luis Obispo Council of Governments. Cal Poly is not identified as a separate jurisdiction in the population projections in Figures 116 and 118, but rather, it is included in the whole of the regional forecast; therefore, a specific projected population for the Master Plan area (or overall campus) cannot be derived from these figures. Importantly, the 2050 Regional Growth Forecast states that "the university is planning to expand facilities and enrollment, with the goal of accommodating 25,000 students by 2035" (SLOCOG 2017:136), which is the anticipated capacity of the 2035 Master Plan. It is therefore assumed that the 2050 Regional Growth Forecast considered the anticipated increase in Cal Poly's population in its population forecasts. As a result, the population projections used in the Master Plan would be equal to or less than those used in the CAP for the same area; the project would be consistent with the 2001 Clean Air Plan in this regard.

The second consistency question asks whether the rate of increase in vehicle trips and vehicle miles traveled for the project is less than or equal to the rate of population growth for the same area. Based on data shown in Table 3.13-3 of the Draft EIR, service population for Cal Poly would grow by 37 percent (i.e., 2.12 percent per year), while VMT (which would increase from 957,900 to 1,090,800) would increase by only 13.9 percent (i.e., 0.87 percent per year). For the campus as a whole, VMT per service population would decrease from 29.17 to 24.26 with the project, representing a 16.8 percent decrease as compared to existing conditions (before implementation of Mitigation Measure 3.13-1, which would further reduce VMT by another 5.04 VMT). Thus, the "rate of increase in vehicle trips and VMT" is less than the rate of campus service population growth and the VMT per service population would be reduced, compared to existing conditions, consistent with the 2001 Clean Air Plan.

When evaluating air emissions associated with vehicle use, VMT generally represents a much greater proportion of the emissions than the rate of increase in vehicle trips alone. Considering the anticipated decrease in VMT, trip

reduction measures incorporated as part of Mitigation 3.13-1 of the Draft EIR (explained in greater detail below), and the increase of new on-campus housing, project-generated trip rates would also be reduced compared to existing conditions as fewer students would have the need to travel between on- and off-campus locations for daily academic purposes. Thus, the 2035 Master Plan features reduce both VMT per service population and trip rates and is consistent with the 2001 Clean Air Plan in this regard.

Finally, the comment suggests that an effective plan consistency assessment should consider whether all applicable land use and transportation control measures from the 2001 Clean Air Plan have been included in the 2035 Master Plan to the maximum extent feasible. It further suggests that if certain strategies are not applicable to the project, or are not feasible, the Draft EIR should explain why.

The Draft EIR analysis reviewed the 2001 Clean Air Plan and its adopted transportation and land use control measures and compared them to the elements of the 2035 Master Plan, as discussed throughout Impact 3.3-1. The analysis determined that the 2035 Master Plan land use plan and policies that move Cal Poly away from the use of passenger vehicles toward more active transportation modes are consistent with the objectives of the 2001 Clean Air Plan. The comment does not identify any instance or example in which the 2035 Master Plan would not be consistent with the applicable measures of the 2001 Clean Air Plan.

In addition to compliance with the APCD's adopted transportation and land use control measures, the 2035 Master Plan is consistent with the overall intent of the 2001 Clean Air Plan and associated transportation strategies (e.g., the local agency transportation control measures identified on page 6-3 of the 2001 Clean Air Plan) to reduce transportation-related emissions by reducing vehicle trips through various programs, design measures, and land use planning approaches. As a whole, and as described in the Draft EIR, the project would be consistent with the overarching themes and intent of the Clean Air Plan, including the reduction of mobile source emissions by locating additional students on campus and providing additional transit support/opportunities, among other items.

The comment asks for a more detailed look at the fourteen (14) individual control measures and their applicability to the 2035 Master Plan. The 2001 Clean Air Plan identifies nine transportation control measures and five land use planning strategies. Each of these measures and their application to the 2035 Master Plan is described in Table 3, below.

Table 3 2001 Clean Air Plan Control Measure Consistency Analysis

Clean Air Plan Measure	Intent of Measure	Compliance Indicator
Transportation Control Measures		
T-1B Campus Trip Reduction Program	Reduce student commute trips to Cal Poly	See Mitigation Measure 3.13-1: Develop and Implement a Transportation Demand Management Plan. The following 2035 Master Plan principles also address the intent of this measure: GP 13, DC 05, DC 06, DC 08, IP 15, IP 16, IP 18, IP 25, IP 28, TC 02, TC 04, and TC 07.
T-1C Voluntary Commute Options Program	Reduce single-occupant vehicle trips	See Mitigation Measure 3.13-1: Develop and Implement a Transportation Demand Management Plan. The following 2035 Master Plan principles also address the intent of this measure: GP 13, IP 12, IP 13, IP 15, IP 16, and IP 18.
T-2A Local Transit System Improvements	Improve local transit services/infrastructure to increase ridership	See Mitigation Measure 3.13-1: Develop and Implement a Transportation Demand Management Plan and Mitigation Measure 3.13-2: Monitor Transit Service Performance and Support Transit Improvements. The following 2035 Master Plan principles also address the intent of this measure: IP 23, IP 24, IP 28, TC 09, and TC 11.
T-2B Regional Public Transit Improvements	Improve regional transit services/infrastructure to increase ridership	See Mitigation Measure 3.13-1: Develop and Implement a Transportation Demand Management Plan and Mitigation Measure 3.13-2: Monitor Transit Service Performance and Support Transit Improvements. The following 2035 Master

Clean Air Plan Measure	Intent of Measure	Compliance Indicator
		Plan principles also address the intent of this measure: IP 23, IP 24, and IP 28.
T-3 Bicycling and Bikeway Enhancements	Increase county-wide bicycle mode share	See Mitigation Measure 3.13-1: Develop and Implement a Transportation Demand Management Plan and Mitigation Measure 3.13-3: Monitor Bicycle-Related Collisions to Implement Countermeasures Minimizing Potential Conflicts with Bicycle Facilities. The following 2035 Master Plan principles also address the intent of this measure: GP 13, DC 06, IP 12, IP 13, IP 15, IP 18, IP 21, IP 22, IP 28, TC 01, TC 07, and TC 11.
T-4 Park and Ride	Reduce the length of a commute trip	Not Applicable; providing additional on-campus housing achieves the intent of this measure.
T-5 Motor Vehicle Inspection and Control Programs	Control vehicle tailpipe emissions	Not Applicable; this statewide program is administered by the California Bureau of Automotive Repair.
T-6 Traffic Flow Improvements	Increase traffic-calming to improve flow of non-motorized traffic	See Mitigation Measure 3.13-1: Develop and Implement a Transportation Demand Management Plan. The following 2035 Master Plan principles also address the intent of this measure: GP 13, IP 12, IP 13, and IP 15.
T-8 Teleworking, Teleconferencing, and Telelearning	Trip reduction by reducing work commute	See Mitigation Measure 3.13-1: Develop and Implement a Transportation Demand Management Plan. The following 2035 Master Plan principles also address the intent of this measure: GP 13, IP 12, IP 13, IP 15, IP 16, and IP 18.
Land Use Planning Strategies		
L-1 Planning Compact Communities	Reduce trips and vehicle miles traveled	The 2035 Master Plan provides additional on-campus housing and supporting amenities to achieve the intent of this measure. The following 2035 Master Plan principles also address the intent of this measure: AM 03, AM 04, AM 06, DC 05, DC 06, and DC 08.
L-2 Providing for Mixed Land Use	Encourage non-motorized transportation	The 2035 Master Plan provides additional on-campus housing, supporting amenities, reduced parking availability, and improved non-motorized infrastructure to achieve the intent of this measure. The following 2035 Master Plan principle also addresses the intent of this measure: UL 06.
L-3 Balancing Jobs and Housing	Reduce work commute trip length	The expansion of on-campus facilities would provide additional job opportunities while also providing additional on-campus student housing, housing intended to primarily serve Cal Poly faculty and staff at Slack and Grand, and a retirement community intended to primarily serve retired faculty, staff and alumni. This additional housing would complement the additional academic facilities proposed in the project, alleviate some of the housing demand in the City of San Luis Obispo and improving the jobs-housing balance in the city and surrounding area. Further, and as explained on page 6-3 of the Draft EIR, the on-campus population growth may induce economic growth through an increased demand for goods and services, which could create new jobs in the area, including in the downtown area of the City of San Luis Obispo. The following 2035 Master Plan principle also addresses the intent of this measure: GP 04.
L-4 Circulation Management	Support non-motorized travel	See Mitigation Measure 3.13-1: Develop and Implement a Transportation Demand Management Plan and on-campus

Clean Air Plan Measure	Intent of Measure	Compliance Indicator
		housing, reduced parking availability, and improved non-motorized infrastructure; Mitigation Measure 3.13-3: Monitor Bicycle-Related Collisions to Implement Countermeasures Minimizing Potential Conflicts with Bicycle Facilities; and Mitigation Measure 3.13-4: Monitor Pedestrian-Related Collisions to Implement Countermeasures Minimizing Potential Conflicts with Pedestrian Facilities. The following 2035 Master Plan principles also address the intent of this measure: GP 13, IP 12, IP 13, TC 01, TC 03, TC 05, TC 06, TC 07, TC 08, TC 09, and TC 10.
L-5 Communication, Coordination and Monitoring	Coordinate planning efforts to reduce vehicle miles traveled	See Mitigation Measure 3.13-3: Monitor Bicycle-Related Collisions to Implement Countermeasures Minimizing Potential Conflicts with Bicycle Facilities. The following 2035 Master Plan principles also address the intent of this measure: GP 17, GP 18, I 05, and I 06.

As shown above, incorporated mitigation measures, elements of the 2035 Master Plan, and guiding principles of the 2035 Master Plan collectively would reduce vehicle trips and VMT and promote non-motorized travel, all intended outcomes of all the measures on the 2001 Clean Air Plan.

Comment L4-4

Impact 3.3-2: Cause Construction-Generated Criteria Air Pollutant or Precursor Emissions to Exceed APCD-Recommended Thresholds (pg. 3.3-19)

On DEIR page 3.3-19, construction-generated emissions were calculated to determine if APCD thresholds were exceeded. The California Emissions Estimator Model (CalEEMod) was used to calculate emissions and the output files are found in Appendix C - Air Quality Greenhouse Gas and Energy Modeling. The APCD found that there are discrepancies between the construction calculations and operational calculations. Specifically, the construction emissions from certain land uses were not calculated into any of the 5 construction phases nor in the air quality modeling for the retirement community and faculty and staff workforce housing component (Slack and Grand neighborhood). These discrepancies are bolded in the table below.

Land Use	Construction		Operational	
General Office Building	**1,075,000**	**square feet**	**1,082,600**	**square feet**
Medical Office Building	**Omitted**	**Omitted**	**65,000**	**square feet**
Office Park	**Omitted**	**Omitted**	**125,000**	**square feet**
Library	**Omitted**	**Omitted**	**114,300**	**square feet**
General Light Industry	**Omitted**	**Omitted**	**169,200**	**square feet**
Unenclosed Parking with Elevator	706	spaces	706	spaces
Arena	1.9	Acre	1.9	Acre
City Park	**33.9**	**acres**	**69.7**	**Acre**
Health Club	**132,000**	**square feet**	**14,800**	**square feet**
Apartments Mid Rise	2,600	Dwelling Unit	2,600	Dwelling Unit
Congregate Care (Assisted Living)	80	Dwelling Unit	80	Dwelling Unit
Retirement Community	120	Dwelling Unit	120	Dwelling Unit
Convenience Market (24 hour)	7,000	square feet	7,000	square feet

Based on these discrepancies, it does not seem that the general construction-generated emissions and perhaps the operational-generated emissions were correctly calculated. The operational and construction-emission calculations should have used the same land use types and metric amounts (square feet, dwelling unit). Please provide clarifications

for these differences. **If the modeling was not accomplished properly, the potential project impact and applicable mitigation measures for the construction and operational phases are difficult to assess. The APCD recommends that Cal Poly work with APCD to refine the modeling assumptions if refined modeling will be accomplished.**

On page 3.3-22, the DEIR states "for individual projects proposed under the 2035 Master Plan, APCD screening criteria (rather than emissions modeling) shall be applied to determine if emissions from the project would be below the adopted numeric thresholds." Individual project analysis was proposed because a construction schedule is not known at this time. However, page 3.8-15 in the DEIR states:

> Although the actual construction schedule is unknown at this time, near-term and long-term projects have been identified. Near-term projects were estimated to begin construction in 2020 and assumed to last for 9 years, with the University-Based Retirement Community and the Slack and Grand neighborhood beginning construction in 2020 along with the academic and student housing short-term projects. Long term projects were estimated to begin construction in 2029 and the project's full buildout would occur in 2035.

Appendix C states all near-term and long-term projects. An alternative construction phase modeling approach could include two phases. Phase 1 could include *all* near-term projects over a 9-year period and Phase 2 could include *all* long-term projects over a 6-year period. Please reevaluate construction-generated emissions using the known schedule of near and long-term projects.

Response L4-4

The comment suggests that the modeled construction and operational square footage of proposed development under the Master Plan are inconsistent and proposes an alternative approach to model project construction phasing. The modeling assumptions presented in the Draft EIR were based on conservative estimates of representative development, with consideration of how construction activities might overlap or be accomplished simultaneously. The modeling presented in the Draft EIR has been amended to reflect the phasing suggested by the APCD, which results in a more conservative estimate of daily emissions over most of the construction years. More specifically, the amended modeling employs the APCD's suggested alternative approach that evaluates construction emissions under the 2035 Master Plan as two subsets (near-term projects and long-term projects). This approach summed, by land use type, the square footage of anticipated near-term development and assumed it could be constructed over a 9-year period. Likewise, all anticipated long-term development was summed and modeled over a 6-year period. This modeling approach, therefore, assumed a relatively linear development rate over the 15-year buildout of the 2035 Master Plan. Using this approach, the modeling evaluates an annual average construction rate of approximately 350,000 square feet / 11 acres for the near-term projects and approximately 300,000 square feet / 13 acres for the long-term projects, based on the initial siting and characteristics of both near-term and long-term projects described in Chapter 2, "Project Description."

The modeling is intended to be representative of Master Plan implementation, based on reasonable assumptions of the schedule for overall Master Plan development. Further, construction activities were modeled using default CalEEMod construction activity types such as demolition, site preparation, grading, building construction, and application of architectural coatings. To account for the potential that construction activities from multiple developments may occur on campus simultaneously, emissions associated with construction activities (i.e., grading, building construction) were combined, generating a maximum daily and annual construction scenario.

For reference, the land use inputs used in the revised modeling are summarized below in Table 4 and all updated modeling inputs and outputs are included in Appendix B of the Final EIR. As shown in Table 4 below, the revised modeling resolves the inconsistencies between square footage modeled for construction and for operation. However, development of the 2035 Master Plan would result the replacement/renovation of some existing buildings which was considered as part of the total construction square footage, resulting in slightly higher square footage for the construction modeling compared to the operational square footage. The differences in square footage due to renovation/demolition of existing buildings were also accounted for in the Draft EIR. See Table 4 for all square footage and land use types that were modeled.

Table 4 Air Quality Modeling Land Use Assumptions

CalEEMod Land Use	Construction	Operation	Unit
General Office Building	1,745	930.8[1]	1,000 sq. ft.
General Light Industry	0	169.2[1]	1,000 sq. ft.
Medical Office	0	65[1]	1,000 sq. ft.
Apartment Mid Rise	2,540	2,540	1,000 sq. ft.
Office Park	0	125	1,000 sq. ft.
Retirement Community	120	120	Dwelling Unit
Congregate Care	80	80	Dwelling Unit
Convenience Market (24 hour)	7	7	1,000 sq. ft.
Unenclosed Parking w/Elevator	706	706	Spaces
Health Club	134	134	1,000 sq. ft.
General Heavy Industry	14.1	14.1	1,000 sq. ft.
Arena	1.9	1.9	Acres
City Park	35.6	35.6	Acres

1. operational square footage is less than construction square footage because some existing buildings would be replaced/renovated. In these cases, all renovated/replaced buildings were counted as new construction square footage but only the net new operational square footage was counted for the operational phase.

As a result of the updated modeling and due to the interrelationship between air quality, energy, and greenhouse gas calculations provided in the Draft EIR, text changes were made throughout Section 3.3, "Air Quality," Section 3.6, "Energy," and Section 3.8, "Greenhouse Gas Emissions," that reflect the changes in methodology and the results of the new modeling. In general, the adjustments made to the air quality modeling resulted in slightly lower maximum daily emissions for years 2021 through 2023 but slightly higher daily emissions for the remaining years, as development was assumed to progress in a more gradual fashion compared to what was assumed in the Draft EIR. Notably, PM_{10} emissions no longer exceed daily thresholds and no pollutant exceeds quarterly thresholds. However, as the Draft EIR had already anticipated that, while the 2035 Master Plan would not conflict with the *2001 Clean Air Plan* and other applicable plans and policies, the Draft EIR acknowledges that individual projects developed under the 2035 Master Plan could exceed APCD project-level thresholds. Accordingly, the Draft EIR Air Quality section (page 3.3-22) calls for individual projects proposed under the 2035 Master Plan to be analyzed using APCD screening criteria (rather than emissions modeling) to determine if emissions from a given project would be below the adopted numeric thresholds. If an individual project would exceed the screening criteria, project-specific emissions modeling will be conducted to determine if APCD's adopted numeric project-level thresholds would be exceeded. If emissions modeling demonstrates that the individual project's emissions would exceed the APCD thresholds, then the mitigation measures identified in the Draft EIR Air Quality section on pages 3.3-21 through 3.3-23, which include "Standard Construction Emission Reduction Measures" as well as "Enhanced Construction Emission Reduction Measures for Individual Projects that Exceed APCD Thresholds", would apply. Thus, the conclusions and proposed mitigation measures presented in the Draft EIR remain the same.

Comment L4-5

Despite the questions with the construction emission calculations, the APCD reviewed Mitigation Measure 3.3-2: Implement Dust and Exhaust Emissions Reduction Measures on pages 3.3-21 through 23. The first bullet in Mitigation Measure 3.3-2 explains:

> "Staging and queuing areas or diesel idling associated with equipment used during construction of new/renovated buildings on campus shall not be located within 1,000 feet of sensitive receptors. This distance can be adjusted if it can be demonstrated to Cal Poly by the construction contractor, with substantial evidence, that risk levels at nearby receptors would not exceed an estimated risk of 10 chances in a million."

The APCD does not recommend toxic risk assessments for construction projects due to their short-term nature. Therefore, we recommend the second sentence in the quote be removed from the 2035 Master Plan. Other construction equipment mitigation measured discussed next will also minimize diesel emission impacts

Response L4-5

It is acknowledged that HRAs are not always necessary for construction activity, and compliance with the distance requirements of 1,000 feet would be a strong basis on which to rely for not conducting HRAs for construction. However, because of the programmatic nature of the Draft EIR, and the proximity of potential new developments to existing sensitive land uses, it cannot be guaranteed at this time that diesel equipment would be located at least 1,000 feet from sensitive receptors in all cases. Therefore, the mitigation as written in the Draft EIR, provides flexibility for Cal Poly to assess construction projects on a project-by-project basis as more specific project information becomes available. If new construction projects in the future can in fact comply with the distance recommendations of 1,000 feet for further evaluation provided by APCD in its CEQA Air Quality Handbook, then it is unlikely that an HRA will be required. However, if construction activity would be substantial, and located near sensitive receptors, further analysis may be warranted, which would be determined in the future when subsequent environmental review is conducted. For these reasons, no revisions were made to the Draft EIR.

Comment L4-6

Displayed in tables 3.3-4 and 5, daily potential construction phase ROG + NOx emissions could exceed APCD thresholds in 2021 and quarterly ROG + NOx emissions could exceed APCD thresholds in 2021, 2022 and 2024. Because of these exceedances, proper mitigation to implement are:

- APCD's Standard Mitigation Measures for Construction Equipment, and
- APCD's Best Available Control Technology (BACT)

These measures are found in the APCD's 2012 CEQA Handbook.

Mitigation Measure 3.3-2, omits portions of the APCD's Standard Mitigation Measures, specifically the measure is missing the following bulleted item to be implemented:

- Use diesel construction equipment meeting CARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State Off-Road Regulation;
- Use on-road heavy-duty trucks that meet the CARB's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation;
- Construction or trucking companies with fleets that that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g. captive or NOx exempt area fleets) may be eligible by proving alternative compliance; and
- Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.

Please include these bulleted items in Mitigation Measure 3.3-2.

In addition, because the APCD's ROG + NOx Quarterly threshold would be exceeded in 2021, 2022 and 2024, the APCD's BACT mitigation would need to be implemented. Please include the full language of APCD's BACT mitigation as stated below:

Best Available Control Technology (BACT) for Construction Equipment

If the estimated construction phase ozone precursor emissions from the actual fleet for a given Phase are expected to exceed the APCD's threshold of significances after the standard mitigation measures are factored into the estimation, then BACT needs to be implemented to further reduce these impacts. The BACT measures can include:

1. Further reducing emissions by expanding use of Tier 3 and Tier 4 off-road and 2010 on-road compliant engines;

2. Repowering equipment with the cleanest engines available; and
3. Installing California Verified Diesel Emission Control Strategies. These strategies are listed at: arb.ca.gov/diesel/verdev/vt/cvt.htm.

Mitigation Measure 3.3-2 states an older version of the APCD's Fugitive Dust Mitigation Measures: Long List. The APCD released a Clarification Memorandum for the CEQA Handbook on November 14, 2017 indicating changes to this measure. Please review the memo and update Mitigation Measure 3.3-2 as needed.

Response L4-6

The comment suggests adding additional measures to Mitigation Measure 3.3-2 and adding further clarification to some of the measures already listed in the Draft EIR, based on the 2017 Clarification Memorandum for the CEQA Handbook prepared by APCD in 2017. The recommendations made in the comment are considered clarifications of Mitigation Measure 3.3-2, some of which (e.g., the use Tier 2 certified engines or cleaner off-road heavy-duty diesel engines and compliance with the State Off-Road Regulation) are considered to be accomplished either through industry standard practice or regulatory compliance, which is why they were not initially reflected as part of the mitigation measure. Nonetheless, for enhanced clarity and to demonstrate consistency with APCD guidance, Mitigation Measure 3.3-2 (as presented on pages 3.3-21, 3.3-22, and 3.3-23 in Mitigation Measure 3.3-2 of Section 3.3, "Air Quality," of the Draft EIR) has been amended in accordance with the commenter's request.

Mitigation Measure 3.3-2: Implement Dust and Exhaust Emissions Reduction Measures

Based on the APCD CEQA Handbook, Cal Poly shall ensure that construction contractors implement the following measures for all 2035 Master Plan development:

Standard Construction Emission Reduction Measures for All Projects

- Staging and queuing areas or diesel idling associated with equipment used during construction of new/renovated buildings on campus shall not be located within 1,000 feet of sensitive receptors. This distance can be adjusted if it can be demonstrated to Cal Poly by the construction contractor, with substantial evidence, that risk levels at nearby receptors would not exceed an estimated risk of 10 chances in a million.
- Off-road diesel equipment shall comply with the 5-minute idling restriction identified in Section 2449(d)(3) of CARB's In-Use Off-Road Diesel regulation.
- Signs shall be posted in the designated queuing areas and job sites to remind off-road equipment operators of the 5-minute idling limit.
- Reduce the amount of the disturbed area where possible.
- ~~Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increase water frequency whenever wind speeds exceed 15 miles per hour (mph). Reclaimed (nonpotable) water should be used whenever possible.~~
- Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the APCD's limit of 20 percent opacity for greater than 3 minutes in any 60-minute period. Increasing watering frequency would be required whenever wind speeds exceed 15 miles per hour. Reclaimed (non-potable) water should be used whenever possible. Please note that during drought conditions, water use may be a concern and the contractor or building shall consider the use of an APCD-approved dust suppressant where feasible to reduce the amount of water used for dust control.
- All dirt stockpile areas shall be sprayed daily as needed.
- Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible following the completion of any soil disturbing activities.

- Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading will be sown with fast germinating, non-invasive grass seed and watered until vegetation is established.
- All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by APCD.
- All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible. In addition, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
- All trucks hauling dirt, sand, soil, or other loose materials shall be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114.
- Install wheel washers where vehicles enter and exit unpaved roads onto streets or wash off trucks and equipment leaving the site. "Track-Out" is defined as sand or soil that adheres to and/or agglomerates on the exterior surfaces of motor vehicles and/or equipment (including tires) that may then fall onto any highway or street as described in California Vehicle Code Section 23113 and California Water Code 13304. To prevent Track Out, designate access points and require all employees, subcontractors, and others to use them. Install and operate a "track-out prevention device" where vehicles enter and exit unpaved roads onto paved streets. The track-out prevention device can be any device or combination of devices that are effective at preventing track out, located at the point of intersection of an unpaved area and a paved road. Rumble strips or steel plate devices require periodic cleaning to be effective. If paved roadways accumulate tracked out soils, the track-out prevention device may need to be modified.
- 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.
- All of these fugitive dust mitigation measures shall be included on grading and building plans.
- ~~The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20 percent opacity, and to prevent transport of dust off-site. Their duties include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons will be provided to APCD Compliance Division before the start of any grading, earthwork, or demolition.~~
- Maintain all construction equipment in proper tune according to manufacturer's specifications.
- Fuel all off-road and portable diesel-powered equipment with CARB-certified motor vehicle diesel fuel (non-taxed version suitable for use off-road).
- Electrify equipment when feasible.
- Substitute gasoline-powered in place of diesel-powered equipment, where feasible.
- All architectural coatings (e.g., paint) used in project buildings and parking areas will not exceed a volatile organic compound content of 50 grams per liter.
- Use diesel construction equipment meeting CARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines and comply with the State Off-Road Regulation.
- Use on-road heavy-duty trucks that meet the CARB's 2007 or cleaner certification standard for on-road heavy-duty diesel engines and comply with the State On-Road Regulation.
- Construction or trucking companies with fleets that that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g. captive or NOx exempt area fleets) may be eligible by proving alternative compliance.

- Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.

For individual projects proposed under the 2035 Master Plan, APCD screening criteria (rather than emissions modeling) shall be applied to determine if emissions from the project would be below the adopted numeric thresholds. If an individual project would exceed the screening criteria, project-specific emissions modeling shall be conducted to determine if APCD's adopted numeric project-level thresholds would be exceeded. If emissions modeling demonstrates that the individual project's construction emissions would exceed the APCD thresholds, the following mitigation measures would apply in addition to the Standard Construction Emission Reduction Measures described above.

Enhanced Construction Emission Reduction Measures for Individual Projects that Exceed APCD Thresholds

- Implement Best Available Control Technologies (BACT) and a Dust Control Management Plan that encompasses all, but is not limited to, dust control measures that were listed above in the "Standard" measures section;
- further reducing emissions by expanding use of Tier 3 and Tier 4 off-road and 2010 on-road compliant engines;
- repowering equipment with the cleanest engines available;
- installing California Verified Diesel Emission Control Strategies, listed at arb.ca.gov/diesel/verdev/vt/cvt.htm;
- tabulation of on- and off-road construction equipment (age, horsepower, miles, and/or hours of operation);
- schedule of construction truck trips during non-peak hours to reduce peak hour emissions;
- limit the length of the construction work day period, if necessary; and
- phase construction activities, if appropriate.

Comment L4-7

Impact 3.3-3: Result in a Net Increase in Long-Term Operational Criteria Air Pollutant and Precursor Emissions That Exceed APCD-Recommended Thresholds

On page 3.3-23, the DEIR discusses long-term operational criteria air pollutants associated with full build-out of the 2035 Master Plan. This section of the DEIR does not explain the method for how the operational emissions were calculated nor point to a more detail about the numbers in Tables 3.3-6. The APCD assumed the documentation in Appendix C. Air Quality, GHG, Energy explains the calculations.

The APCD has the same concerns with the operational calculated emissions as stated above in the discussion regarding Impact 3.3-2. The APCD found that there are discrepancies between the construction calculations and operational calculations, specifically the operational and construction-emission calculations did not use the same land use types and metric amounts (square feet, dwelling unit). **Without accurate construction and operational emission calculations, accurate mitigation for the impacts cannot be determined at this time.** Please provide clarifications for these differences.

Response L4-7

The methodology used to estimate operational emissions is described in detail in the Draft EIR on pages 3.3-13 through 3.3-14. As explained in more detail in the Final EIR (with revisions), operational emissions were quantified by modelling the total anticipated square footage of new buildings and land use types associated with the buildout of the 2035 Master Plan using CalEEMod Version 2016.3.2. Appendix C is also referenced, which contains all modeling inputs and outputs. For discussion of operational calculated emissions and concerns over discrepancies between construction calculation and operational calculations, please refer to the response to Comment L4-4, above, including the revisions made to the modeling and associated Draft EIR text revisions.

Comment L4-8

Despite the questionable operational emission calculations, the APCD reviewed Mitigation Measure 3.3-3b Reduce Operational Emissions stated on page 3.3-25. Displayed in table 3.3-6, full build-out would exceed APCD daily ROG + NOx, annual ROG + NOx and annual fugitive particulate matter dust thresholds. Because of these exceedances, proper mitigation would be to implement:

- All feasible mitigation measures from Table 3-4 in the APCD's *CEQA Air Quality Handbook* (April 2012);
- APCD's Operational Off-Site Mitigation; and
- APCD's Activity Management Plan Mitigation.

Mitigation Measure 3.3-3b states 5 of the 41 mitigation measures from Table 3-4. The APCD does not agree that these 5 mitigations are the only mitigations from Table 3-4 that are applicable and feasible.

The DEIR does not discuss the necessary mitigation of operational off-site mitigation or an Activity Management Plan. Please revise and include the above mitigation measures

Response L4-8

The comment suggests including all feasible mitigation measures from Table 3-4 of APCD's Air Quality Handbook (April 2012) in Mitigation Measure 3.3-3b. (The comment references Table 3-4 of the APCD Handbook, but it is assumed the intention was to reference Table 3-5, which is the table of APCD's standard mitigation measures.)

As this is a program EIR, and as discussed on page 3.3-24 and shown in Table 3.3-7, the Draft EIR considered and included applicable plan-level mitigation measures included in Table 3-5 of APCD's Air Quality Handbook. Per Table 3.3-7 on page 3.3-24 of the Draft EIR, many of the APCD plan-level recommended measures had already been incorporated into the 2035 Master Plan as guiding principles. In addition, Mitigation Measure 3.3-3a cross-references Mitigation Measure 3.8-1 of Section 3.8, "Greenhouse Gas Emissions," which also includes numerous energy-related measures, such as meeting Cal Green Tier 2 standards, providing electric vehicle charging stations, high-efficient appliances, among others. Further, Mitigation Measures 3.13-1, 3.13-2, and 3.13-3 in Section 3.13, "Transportation," include such measures as parking restrictions, carpool/vanpool incentives, bicycle/pedestrian amenities, and other features designed to reduce trips and vehicles miles traveled, which are all consistent with the plan-level mitigation measures recommended by APCD in Table 3-5 of the Air Quality Handbook. In addition to the plan-level mitigation measures evaluated in Table 3.3-7 of the Draft EIR, additional APCD-recommended measures were included in Mitigation Measure 3.3-2b: Reduce Operational Emissions of the Draft EIR.

Of all the APCD-recommended plan-level mitigation measures, the only measure that was not included in the Draft EIR analysis (and Mitigation Measures 3.3-3a and 3.3-3b) was "work with SLOCOG to create, improve, or expand a nearby 'Park and Ride' lot with car parking and bike lockers in proportion to the size of the project." As discussed above in Response L4-3, the intent of establishing a park and ride lot is to reduce the length of worker commute trips. As a component of the 2035 Master Plan, additional faculty and student housing would be developed on campus, reducing the need to students and employees to drive to campus. Further, considering the various requirements included in Mitigation Measure 3.13-1, VMT and daily trip rates would be substantially reduced through several on-campus infrastructure improvements and parking restrictions. Thus, the intent of this additional mitigation measure is fully met through the existing land use development plan of the project as well as incorporated mitigation measures.

Thus, the comment incorrectly assumes that only five of the APCD-recommended mitigation measures were incorporated when in fact all of the plan level APCD mitigation measures were considered and incorporated, as applicable, throughout the various sections of the Draft EIR (with the exception of the 'Park and Ride' lot measure, however noting the intent of this measure is reflected in the 2035 Master Plan).

The comment further suggests that APCD's Operational Off-Site Mitigation and Activity Management Plan Mitigation should be included in the Draft EIR. Section 3.8.3, "Off-Site Mitigation" of APCD's Air Quality Handbook provides recommended off-site mitigation measures which include building retrofit programs, construction equipment retrofits, funds for transportation service/vanpool programs, installation of bicycle facilities, and funding for other

transportation-related improvement programs. Many of the typical implementation measures that would otherwise be associated with off-site mitigation and activity management plans may already be inherent to the 2035 Master Plan (e.g., planned retrofit and modernization of existing structures elsewhere within the Master Plan Area), which does not operate like a typical commercial, industrial, or even other educational use.

As shown in revised Table 3.3-8, combined ROG and NOx emissions were estimated to be 64.7 tons/year, requiring an approximate 6 percent reduction in emissions to achieve the 25 ton/year APCD threshold. As discussed above, and on page 3.3-25 of the Draft EIR, the mitigation measures incorporated into the transportation analysis would require a number of transportation network design improvements and programs to reduce vehicle trips and miles traveled. The requirements of these mitigation measures are similar to some of the transportation-related off-site mitigation measures recommended by APCD. Further, and as explained on page 3.3-23 of the Draft EIR, emissions reductions associated with Mitigation Measure 3.13-1 were not quantified in the Draft EIR. Through incorporation of all mitigation measures required by the air quality and transportation analysis in the Draft EIR, all available and APCD-recommended plan-level mitigation measures, including off-site measures, have been considered and incorporated.

As described in Section 1.2, "Purpose and Intended Uses of this Draft EIR, the proposed 2035 Master Plan is evaluated at a programmatic level, conservatively applying the APCD project-level thresholds to the emissions associated with complete buildout of the 2035 Master Plan over the next 15 years. The Draft EIR Air Quality section (page 3.3-24) explains that future individual developments proposed under the 2035 Master Plan would be analyzed using APCD screening criteria (rather than emissions modeling) to determine if emissions from a given project would be below the adopted numeric thresholds. If an individual development would exceed the screening criteria, project-specific emissions modeling will be conducted to determine if APCD's adopted numeric project-level thresholds would be exceeded. If emissions modeling demonstrates that the individual project's emissions would exceed the APCD thresholds, then the mitigation measures identified in the Draft EIR Air Quality section on pages 3.3-24 through 3.3-25, or other feasible mitigation measures that may be identified in APCD guidance in effect at the time, would apply. As APCD notes, additional mitigation measures, including Operational Off-Site and an operational Activity Management Plan should be considered. If individual developments under the 2035 Master Plan are determined to exceed APCD thresholds and have incorporated all applicable onsite mitigation measures, additional measures such as Operational Off-Site and Operational Activity Management Plans could be recommended. In addition, trip and energy reduction measures, which are typical of operational activity plans are already required for the project through incorporated transportation-related and GHG-related mitigation measures. Nonetheless, based on the comment's suggestion, Mitigation Measure 3.3-3b, beginning on page 3.3-25 of the Draft EIR, has been amended as follows:

Mitigation Measure 3.3-3b: Reduce Operational Emissions

The following measures shall be implemented ~~included~~, where appropriate, ~~as part of individual development projects~~ to reduce operational emissions of ozone precursors to levels below the APCD-adopted thresholds. This list is not exhaustive and other or alternative emission reduction measures shall be considered and implemented based on new technologies and as APCD operational air quality mitigation measures are further developed over the life of the Master Plan. ~~Below is a list of APCD's recommended emission reduction measures that are applicable and feasible at the time this EIR was prepared:~~The following APCD-recommended measures would apply to new land use development within the 2035 Master Plan area:

- All existing landscaping equipment (e.g., lawnmowers, leaf blowers, chainsaws), upon time of replacement, will be replaced with electric ones. All new landscaping equipment purchased will be electric.
- All architectural coatings (e.g., paint) used in project buildings and parking areas will not exceed a volatile organic compound content of 50 grams per liter.
- Exceed CALGreen standards by 25 percent for providing on-site bicycle parking; both short-term racks and long-term lockers, or a locked room with standard racks and access limited to bicyclist only.
- Implement a "No Idling" vehicle program which includes signage, enforcement, etc.
- Provide shade over 50% of parking spaces to reduce evaporative emissions from parked vehicles.

For individual projects that are determined to exceed applicable APCD thresholds, after incorporation of all available/applicable onsite measures, the following may be considered:

- Incorporate additional off-site mitigation (e.g., emissions offsets pursuant to APCD rules and regulations).
- Prepare an operational activity management plan that demonstrates how individual project impacts would be reduced to a level of insignificance. Specific measures may include onsite and offsite mitigation strategies, including the scheduling of activities during off-peak hours and the purchase of mitigation offsets.

Comment L4-9

Impact 3.3-5: Expose Sensitive Receptors to Substantial Increases in TAC Emissions

On page, 3.3-28, the DEIR discusses placement of new sensitive receptors (such as housing) near existing sources of TACs (toxic air contaminants) and that the co-generation facility on campus is the only known source. Additionally, the DEIR states:

> "the existing cogeneration facility generated 119 pounds per year of diesel PM in 2017. The APCD's threshold for operational diesel PM is 1.25 lb/day, which is not being exceeded based on these data."

The discussed co-generation engines cannot emit diesel particulate matter (PM) as they are fired by natural gas. Therefore, the APCD's diesel PM threshold is not applicable to the co-generation engines. The facility of Cal Poly in its entirety emitted 118.7 pounds of diesel PM in 2017. These emissions are primarily due to their 12 diesel-fueled backup generators. Recently, Cal Poly has applied for two more diesel back-up generators through the APCD.

The discussion continues and states "health risks associated with this source [co-generation facility] do not exceed the APCD's screening limit of 10 chances in a million for stationary sources." This information is incorrect. The facility of Cal Poly is currently undergoing a health risk assessment (HRA) because the facility has exceeded the APCD's prioritization score threshold of 10 for stationary sources. Additionally, the co-generation engines alone exceeded a score of 10 per the Toxic Emissions Inventory Report submitted March 29, 2019 in preparation for the HRA. The prioritization scores trigger the need for the refined HRA that Cal Poly is now conducting.

Because the HRA is not finalized, the results and corresponding impacts cannot be discussed at this time. The HRA is taking into account the current population of Cal Poly and current permitted sources. As the population of Cal Poly expands and operates more stationary diesel-powered equipment, the facility's health risk will need to be continually reevaluated. If, at any point, an HRA demonstrates that the facility exceeds 10 chances in a million for cancer, the source must simultaneously develop and implement an APCO-approved airborne toxic risk reduction audit and plan, as codified in Chapter 6, Facility Toxic Air Contaminant Risk Reduction Audit and Plan, of the California Health and Safety Code. The plan would include airborne toxic risk reduction measures which may include: (1) feedstock modification, (2) product reformulations, (3) production system modifications, (4) system enclosure, emissions control, capture, or conversion and (5) operational standards and practices modification. Please refine the discussion on page 3.3-28 to include the corrected information stated above.

Response L4-9

The comment notes that the APCD's diesel PM threshold does not apply to the cogeneration plant because it is fired by natural gas. The Final EIR will make this correction as described below. The comment also notes that APCD is conducting a health risk assessment (HRA) of existing sources on the campus, including the co-generation plant and 14 diesel-fueled backup generators, in accordance with the Air Toxics "Hot Spots" Information and Assessment Act of 1987.

Revisions to the fourth paragraph on page 3.3-28 of the Draft EIR are made as follows:

> With regard to placement of new sensitive receptors near sources of TACs, ~~the~~ there is one natural-gas-fired cogeneration facility on the campus, ~~is the only known source and is~~ located adjacent to the parking structure for the Poly Canyon Village on the north east edge of campus~~.~~ and 14 back-up diesel generators located at various buildings throughout campus. ~~Based on available emissions inventories, the existing~~

~~cogeneration facility entire campus generated 119 pounds per year of diesel PM in 2017 (CARB 2019b), or an average of 0.3 lb/day. The APCD's threshold for operational diesel PM is 1.25 lb/day, which is not being exceeded based on these data.~~ These are existing TAC sources and not part of the 2035 Master Plan. No new stationary sources are identified in the 2035 Master Plan; however, if new sources of toxic air pollutants are proposed, an assessment of risk will occur at that time, which may require a Facility Toxic Air Contaminant Risk Reduction Audit and Plan, in accordance with the California Health and Safety Code. The plan could include airborne toxic risk reduction measures which may include: (1) feedstock modification, (2) product reformulations, (3) production system modifications, (4) system enclosure, emissions control, capture, or conversion and (5) operational standards and practices modification, ensuring that risk levels would not exceed APCD thresholds of 10 chances in a million for health risk.

In addition, the cogeneration facility is anticipated to be decommissioned and retired within the next four and a half years. Therefore, it is unlikely that new residential development would be subject to emissions from the existing cogeneration plant, as the closest residential development would not be operational in four and a half years. Even if new residences were constructed in this timeframe, new residential development would be located well over 1,000 feet from this existing source, consistent with APCD guidance, and therefore would not be exposed to substantial TAC concentrations from this source. This impact would be less than significant.

Comment L4-10

(3) Transportation

As stated earlier, it is not clear if the modeled emission impacts are correctly calculated. However, the 2035 Master Plan's operational phase criteria pollutant and GHG impacts are presented as being at levels requiring mitigation. Below, the APCD provides recommendations to improve the Plan's transportation mitigation measures.

Impact 3.13-1: Result in Vehicle Miles Traveled That Exceed Regional Vehicle Miles Traveled Targets

Impact 3.13-2: Conflict with a Program, Plan, Ordinance, or Policy Addressing Circulation and Transit

Impact 3.13-3: Conflict with a Program, Plan, Ordinance, or Policy Addressing Bicycle Facilities

Impact 3.13-4: Conflict with a Program, Plan, Ordinance, or Policy Addressing Pedestrian Facilities

The DEIR Project Description Section 2.6.6 Circulation Infrastructure Improvements states:

The 2035 Master Plan includes the following guiding principles related to the campus' circulation network:

- Shift modal hierarchy to (1) walking, (2) biking, (3) transit, and (4) vehicles.
- Reduce vehicle trips and parking demand.
- Create a pedestrian core.
- Provide expanded and improved bicycle circulation system, including bicycle parking closer to major campus facilities and activity centers.
- Consider a campus shuttle.
- Provide adequate access for maintenance, delivery, emergency, and special needs.
- Ensure safety of all transportation modes.

The DEIR Section 3.13 Transportation integrated these principles into the 2035 Master Plan through mitigation measures to address four stated transportation related impacts from the implementation of the Plan. The mitigation measures identified are:

- Mitigation 3.13-1: Develop and Implement a Transportation Demand Management Plan
- Mitigation Measure 3.13-2: Monitor Transit Service Performance and Support Transit Improvements

- Mitigation Measure 3.13-3: Monitor Bicycle-Related Collisions to Implement Countermeasures Minimizing Potential Conflicts with Bicycle Facilities
- Mitigation Measure 3.13-4: Monitor Pedestrian-Related Collisions to Implement Countermeasures Minimizing Potential Conflicts with Pedestrian Facilities.

These mitigation measures include strategies for the Plan to implement that could shift the travel modes toward the modal shift hierarchy stated in Section 2.6.6. For the Plan to most effectively realize its goals for greenhouse gas (GHG) reductions as well for the reduction of vehicle miles traveled (VMT) and the co-benefits of criteria pollutant emission reductions, the APCD recommends that Mitigation 3.13-1 be expanded to:

- Ensure the mitigation measures are achieving the Section 2.6.6 stated modal hierarchy, Cal Poly shall quantitatively determine the campus wide modal hierarchy over time; and,
- If the hierarchy trend is not being achieved, the measure needs to include a mechanism for Cal Poly to identify and implement additional mitigation measures to achieve the hierarchy.

Reasons that it is critical for the 2035 Master Plan to expand Mitigation 3.13-1 are provided in an October 2019 study[1] [2] regarding transportation at Cal Poly. The study found in part that:

[1]Troy Kawahara, et al. (November 2019). *Moving from Walkability? Evaluation Traditional and Merging Data Sources for Evaluating Changes in Campus-Generated Greenhouse Gas Emissions*. Retrieved from https://transweb.sjsu.edu/research/1857-Moving-From-Walkability

[2]Skip Descant. (January 10, 2020). *California College Students Still Love Driving, Study Finds*. Retrieved from https://www.govtech.com/transportation/California-College-Students-Still-Love-Driving-Study-Finds.html

- Not only have students become more likely to drive to campus as they get older, each entering class of students appears to be more car-dependent than previous entering classes.
- Using campus specific information on the model years of vehicles used to commute to campus yields higher estimates of campus-generated greenhouse gas emissions, relative to average regional emissions rates.

This study also provides recommendations for Cal Poly to implement to reduce GHG emissions and VMT. The APCD recommends that the 2035 Master Plan acknowledge the issues identified in this study and integrate its recommendations into the Plan's GHG and transportation mitigation measures.

Response L4-10

The comment suggests including a mechanism in Mitigation Measure 3.13-1 for Cal Poly to identify and implement additional TDM measures to ensure achievement of the performance standard established in Mitigation Measure 3.13-1. See Master Response 4 regarding the performance standard, scope, and implementation of Mitigation Measure 3.13-1. As noted in Master Response 4, the efficacy of the measures/actions of the TDM plan would be evaluated every two years and adjustments to the various TDM actions and their level of implementation would be made to ensure that Cal Poly achieves and maintains the performance standard (an additional reduction of 5.04 VMT per service population) stated in Mitigation Measure 3.13-1, consistent with the request made in this comment. Therefore, additional performance standards related to a specific modal hierarchy are not necessary but will remain principles of the Master Plan. While it is possible that the modal hierarchy expressed in the 2035 Master Plan's guiding principles will be achieved in the order of 1) pedestrian; 2) bicycle; 3) transit; and 4) vehicles, it is equally possible that the order of transportation modes may differ while still achieving the desired reduction in VMT. Therefore, Mitigation Measure 3.13-1 has not been amended to include a specific modal hierarchy. Further, and with respect to the cited study and associated article, no specific recommendations that could be included as mitigation are provided in the report, contrary to statements made by the commenter. The study noted that parking restrictions would yield reductions in VMT, and the implementation of further parking restrictions is a component of the 2035 Master Plan, consistent with this request.

the policy direction and description of planned transportation improvements, which are part of the 2035 Master Plan and listed in Section 2.6.6 of Chapter 2, "Project Description", to achieve such policy direction are not considered an

appropriate performance standard within the context of CEQA by which to measure the effectiveness of VMT reduction.

Comment L4-11

(4) Greenhouse Gas Emissions

As stated earlier, it is not clear if the modeled emission impacts are correctly calculated. However, the 2035 Master Plan's operational phase criteria pollutant and GHG impacts are presented as being at levels requiring mitigation. Below APCD provides recommendations to improve the Plan's GHG mitigation measures.

Impact 3.8-1: Generate GHG Emissions That May Have a Significant Impact on the Environment

The Cal Poly 2035 Master Plan developed a project specific GHG threshold of significance by evaluating Cal Poly specific GHG inventory information relative to the state's emissions inventory. The threshold looks to be consistent with the State's 2050 GHG reduction target. This threshold approach seems to address concerns raised by several court cases and it is similar to a draft Sacramento Air Quality Management District approach[3]. The DEIR estimated that the construction and operational GHG emissions from the project in 2035 "would need to reduce its emissions by 10,770 MTCO2e/year to align with both statewide and Cal Poly's GHG targets." When the emission reductions from Mitigation Measure 3.8-1 were accounted for, the project estimated emissions in excess of the threshold were 8,076 MTCO2e/year. The DEIR recommends GHG offsets in Mitigation Measure 3.8-2 to address this exceedance.

[3]Shaena Ulissi and Shari Beth Libicki. (December 2019). *Greenhouse Gas Thresholds for Sacramento County*. Retrieved from http://www.airquality.org/LandUseTransportation/Documents/SMAQMDGHGThresholdsDraft2019-12-06.pdf

To reduce or eliminate the need for purchasing offsets, the APCD recommends that the 2035 Master Plan provide much more on-site and local GHG reductions by expanding Mitigation Measure 3.8-1 as follows:

- Regarding the rooftop solar measure, the Plan covered buildings that cannot be built or retrofitted with enough solar on the roof to meet their electric demand:
    - The Plan can commit Cal Poly to install enough solar elsewhere on Campus to offset the need and bring the electric energy use for the buildings covered by the Plan to net-zero.
- Regarding the measure that calls for 5% of all new parking structures be preferential spaces for carpools and zero emission vehicles (ZEVs):
    - For the Master Plan to achieve its stated modal hierarchy and VMT and emission reduction goals, the Plan can significantly increase the preferential parking space percentage. Page 2-38 of the Project Description states that the Plan would have a net increase of 174 spaces with one new parking structure. This Plan measure can also likewise expand the preferential space percentage in existing parking structures.
- As an alternative to the electrical receptacle measure for landscape equipment, the measure could have Cal Poly commit to using cordless landscape equipment and ensure that there are enough receptacles to enable staff to effectively charge spare batteries.
- The Plan can have Cal Poly commit to working with San Luis Obispo County, the City of SLO, Tri-County Regional Energy Network (3C-REN), etc. to determine if Cal Poly can fund and take GHG reduction credit for energy efficiency retrofits of local existing housing stock, commercial spaces, etc.
- The Plan can also have Cal Poly commit to rapidly implement energy efficiency retrofits for the many existing buildings on campus that will remain.
- Provide funding for local electric school/transit bus purchases, electrification of irrigation engines in SLO County, etc. These funds could be leveraged with SLO County APCD's locally generated grant funding. The emission reduction could be partitioned between the two funding sources.
- Commit to transitioning the Cal Poly ZIP car fleet to fully electric vehicles (EVs).

- Accelerate the expansion of Cal Poly fleet vehicles to EVs.
- Accelerate the expansion of Level 2 EV chargers on campus to meet the anticipated demand at Cal Poly from the state's 2030 and future EV targets.
- Work with SLO Regional Rideshare to refine Cal Poly's use of the iRideshare trip reporting/incentive platform to assist in the APCD recommended expansion of Mitigation 3.13-1 to quantify campus wide modal hierarchy over time and to help the Plan meet its VMT and emission reduction goals.
- To help commute incentives more effectively change commute behavior to benefit VMT, emissions, and the modal hierarchy:
    - Expand faculty and staff daily benefits for using alternative transportation modes from $0.15/day to an effective amount.
    - Consider reducing the frequency between parking permit purchasing (e.g. weekly, monthly)
    - Consider increasing faculty and staff parking permit costs over time.
- Other measures that Cal Poly identifies.

If these additional measures are not enough to mitigate the project's annual GHG impacts below the threshold, then the APCD has the following recommendation for Cal Poly to improve Mitigation Measure 3.8-2: Purchasing GHG Offsets:

- Any offset purchased for the Master Plan should come from California generated GHG reductions.
- The cost of California based carbon is more than the DEIR listed offset prices. For example:
    - $15.00/MT CO2 - Apr 2019. See: https://www.nytimes.com/interactive/2019/04/02/climate/pricing-carbon-emissions.html
    - $16.68/allowance which is the Feb 2020 California Annual Auction Reserve Price and where an allowance is a MT of GHG emissions. See: https://ww3.arb.ca.gov/cc/capandtrade/auction/feb-2020/notice.pdf https://www.edf.org/sites/default/files/californias-cap-and-trade-program-step-by-step.pdf
    - California carbon pricing: http://documents.worldbank.org/curated/en/191801559846379845/pdf/State-and-Trends-of-Carbon-Pricing-2019.pdf
- While the APCD does not endorse individual offset programs, the following are some examples of California offset programs. Others may exist:
    - California Air Resources Board (CARB): https://ww3.arb.ca.gov/cc/capandtrade/offsets/offsets.htm#protocols
    - California American Carbon Registry: https://americancarbonregistry.org/california-offsets/california-offset-program
    - Climate Action Reserve: https://www.climateactionreserve.org/how/california-compliance-projects/
    - Climate Forward: https://climateforward.org/how-it-works/

Response L4-11

The comment provides recommendations to include numerous additional onsite GHG reduction measures to Mitigation Measure 3.8-1 of the Draft EIR. The recommended measures have been evaluated for applicability and feasibility and all APCD-recommended measures have been added to Mitigation Measure 3.8-1. Most of these have already been included in the Draft EIR, and the remaining measures have now also been included in the measure..

Some of the measures are included in mitigation measures for other impact topics. The suggestion to have Cal Poly commit to using cordless landscape equipment is included in Mitigation Measure 3.3-3b of the air quality analysis. The recommendation that Cal Poly provide funding for local transportation-related electrification programs is already included as part of Mitigation Measure 3.8-2 in the Draft EIR. Regarding the suggestion to increase preferential parking percentage on campus, Mitigation Measure 3.8-1 establishes a 5 percent minimum requirement for all new

parking facilities and a performance criterion to expand charging stations by a factor of four as the number of electric vehicles increases. The mitigation measure, as written in the Draft EIR, does not limit Cal Poly from exceeding these requirements, should they determine that additional preferential/electric charging stations would be needed to meet established GHG reduction targets. Further, exceeding such requirements may be determined to be necessary as the 2035 Master Plan is implemented in order to achieve targets established by the CSU Sustainability Policy and Cal Poly's own sustainability targets as established by its Climate Action Plan. Based on the recommendations provided in the comment, Mitigation Measure 3.8-1 is revised as follows:

Mitigation Measure 3.8-1: Implement On-Site GHG Reduction Measures

Cal Poly shall implement the following GHG reduction measures:

- Design all new and renovated buildings to achieve a 30-percent or greater reduction in energy use compared to a standard 2019 California Energy Code-compliant building or other best practices as defined by CSU Sustainability Policy. Reductions in energy shall be achieved through energy efficiency measures consistent with Tier 2 of the California Green Building Energy Code Section A5.203.1.2.2.
- Design all new and renovated buildings to include Cool Roofs in accordance with the requirements set forth in Tier 2 of the 2019 California Green Building Energy Code, Sections A5.106.11.2.
- Install rooftop solar photovoltaics on all new and renovated buildings, including parking structures, where specific site parameters and constraints allow for adequate rooftop space. The amount of megawatt-hours that would be installed to offset electricity consumption would be based on the feasibility at each building site.
- Ensure that all new and renovated buildings comply with requirements for water efficiency and conservation as described in the 2019 California Green Building Standards Code, Division 5.3.
- Ensure that all new parking structures include preferential parking spaces to vehicles with more than one occupant and ZEVs. The number of dedicated spaces will be no less than 5 percent of the total parking spaces. These dedicated spaces shall be in preferential locations, such as near the entrance to the parking structure. ZEV spaces shall also include campus-standard electric vehicle charging stations, with electrical infrastructure capacity to expand charging stations by a factor of four as the number of electric vehicle drivers grows. These spaces shall be clearly marked with signs and pavement markings. This measure shall not be implemented in a way that prevents compliance with requirements in the California Vehicle Code regarding parking spaces for disabled persons or disabled veterans.
- Include multiple electrical receptacles on the exterior of all new and renovated buildings and accessible for purposes of charging or powering electric landscaping equipment and providing an alternative to using fossil fuel-powered generators. The electrical receptacles shall have an electric potential of 120 volts. There should be a minimum of one electrical receptacle on each building and one receptacle every 100 linear feet around the perimeter of the building.
- Ensure that all appliances and fixtures installed in project buildings are EnergyStar®-certified if an EnergyStar®-certified model of the appliance is available. Types of EnergyStar®-certified appliances include boilers, ceiling fans, central and room air conditioners, clothes washers, compact fluorescent light bulbs, computer monitors, copiers, consumer electronics, dehumidifiers, dishwashers, external power adapters, furnaces, geothermal heat pumps, programmable thermostats, refrigerators and freezers, room air cleaners, transformers, televisions, vending machines, ventilating fans, and windows (EPA 2018). If EPA's EnergyStar® program is discontinued and not replaced with a comparable certification program before appliances and fixtures are selected, then similar measures which exceed the 2019 California Green Building Standards Code may be used.
- Ensure that all space and water heating is solar- or electric-powered.
- Install high-efficacy lighting (e.g., light emitting diodes) in all streetlights, security lighting, and all other exterior lighting applications.

- Accomplish a waste diversion rate of 90 percent by and strive for 100 percent by 2040.
- Plant water-efficient and drought tolerant landscapes at all project buildings.

In addition to the quantifiable onsite measures presented above, the following additional measures would reduce GHG emissions, although the extent to which they would reduce GHG emissions is not quantifiable. Nonetheless, Cal Poly shall implement the following measures as part of the implementation of the 2035 Master Plan and the Cal Poly Climate Action Plan to the extent feasible.

- At the time of contract renegotiation, work with current car share companies (e.g., ZIP car) to increase the use of fully electric vehicles or consider partnerships with other similar services that do use electric vehicles.
- Where appropriate site conditions exist, install solar photovoltaics on available land throughout the Cal Poly campus to offset the use of nonrenewable energy for existing and future facilities and buildings.
- Cal Poly shall work with San Luis Obispo County, the City of San Luis Obispo, Tri-County Regional Energy Network (3C-REN), and other local agencies to determine if Cal Poly can fund and take GHG reduction credit for energy efficiency retrofits of local existing housing stock, commercial spaces, and other land uses.
- Accelerate the expansion of Cal Poly's fleet vehicles to electric.
- Accelerate the expansion of Level 2 EV chargers on campus to meet the anticipated demand at Cal Poly.
- Implement energy efficiency retrofits for existing buildings on campus that will remain.
- Work with SLO Regional Rideshare to refine Cal Poly's use of the iRideshare trip reporting/incentive platform to help VMT and emission reduction goals.
- To help commute incentives more effectively change commute behavior to benefit VMT, emissions, and the modal hierarchy:
  - Expand faculty and staff daily benefits for using alternative transportation modes to an effective amount.
  - Consider reducing the frequency between parking permit purchasing (e.g. weekly, monthly)
  - Consider increasing faculty and staff parking permit costs over time.

Regarding purchase of offsets, Mitigation Measure 3.8-2 of the Draft EIR provides a range of potential costs to mitigate one metric ton of carbon dioxide equivalent, based on the range of prices available from one GHG offset market at the time the Draft EIR was prepared. As CEQA (and its implementing case law) does not require an EIR to include an economic or cost analysis of proposed mitigation measures, the price estimate is provided solely for informational purposes and as described in the Draft EIR, it is clearly an estimate. The price to offset one ton of carbon dioxide equivalent can vary based on market demand, availability of offsets, and the type of project from which the offset is derived. The cost estimate included in the Draft EIR does not bind Cal Poly to any one type of offset. Further, Mitigation measure 3.8-2: Purchase GHG Offsets, described on page 3.8-20 of the Draft EIR, explains that purchased GHG offsets must come from verifiable registries such as California Air Resources Board, Climate Action Reserve, California Air Pollution Control Officers Association, the San Luis Obispo County Air Pollution Control District, or any other equivalent verifiable registry. So, the recommendations in Mitigation Measure 3.8-2 are consistent with those made by APCD in the comment and no revisions to the Draft EIR are necessary.

Letter L5 San Luis Obispo Council of Governments

Pete Rodgers
February 3, 2020

Comment L5-1

The San Luis Obispo Council of Governments (SLOCOG) appreciates the opportunity to review the Draft Environmental Impact (DEIR) for the Cal Poly 2035 Master Plan (Master Plan). The State of California and Federal Highways Administration designate SLOCOG as the Regional Transportation Planning Agency (RTPA) and the Metropolitan Planning Organization (MPO) for the region. While SLOCOG does not have permit or regulatory

authority for land use proposals, SLOCOG is responsible for planning the long-term viability of the regional surface transportation system, and for programming funds to achieve the objectives of the Regional Transportation Plan and Sustainable Communities Strategy. SLOCOG received a Notice of Availability on the DEIR for the Cal Poly Master Plan on December 19, 2019.

SLOCOG staff review EIRs and Specific Plans to ensure positive outcomes in transportation choices, mobility, circulation, efficiency, safety and connectivity within and between our communities. SLOCOG's adopted the 2019 RTP (available online at https://slocog.org/2019RTP) includes a forecasted development pattern and intermodal transportation investment portfolio that meet greenhouse gas emission reduction targets specified by the California Air Resources Board. The 2019 RTP includes numerous principles, goals, and policies that were used to prepare the following comments; and is our blueprint for our future transportation system. It strives to enhance our quality of life, promotes more sustainable communities, and develops a comprehensive intermodal transportation system.

The proposed Master Plan includes 7,200 new student beds; an additional 1.29 million gross square feet of academic, administrative, and support space; 380 residential units for faculty/staff with supporting uses (retail and recreational space); and a 200-unit University-Based Retirement Community. In addition, 455,000 gross square feet existing aging or obsolete academic, administrative, and support space would be replaced with new facilities.

Response L5-1

The comment summarizes the proposed 2035 Master Plan and is prefatory to more detailed comments contained in the letter.

Comment L5-2

After reviewing the Cal Poly Master Plan DEIR, SLOCOG would like to see the document align more closely with the following 2019 RTP action strategies:

- Support residential development near existing employment centers.
- Develop an efficient, interconnected, network of streets, bikeways, walk ways and shared use paths that improve circulation, are easily navigable, meet the safety and mobility needs of all types of users and enhance connectivity to recreational areas, open space and trails, and promote economic vitality.
- Support local jurisdictions' efforts to improve connectivity between adjacent land uses.

The 2019 RTP strives to accommodate growth while improving quality of life for the region's residents. The modification addressing the following comments will contribute to the goal of fostering livable, healthy communities. SLOCOG respectfully submits the following transportation, safety, and housing comments.

Response L5-2

The comment requests that the 2035 Master Plan more closely align with the action strategies of the 2019 RTP to improve connectivity. A primary component of the 2035 Master Plan involves the provision of additional on-campus housing for both faculty/staff and students, consistent with the first bullet in the comment. The robust provision of on-campus housing directly aligns with the 2019 RTP strategy to support residential development near existing employment, and in this case academic centers. Regarding the second and third bullet in the comment, the Master Plan also includes multiple principles and policies in support of active (e.g., bicycle and pedestrian) transportation, the enhancement of travel mode networks, with safety and mobility in mind that will facilitate connectivity between academic, residential, recreational and economic uses. The Draft EIR includes mitigation measures related to the interconnection of facilities (see Mitigation Measures 3.13-3 and 3.13-4) and that require coordination with local jurisdictions (e.g., the City of San Luis Obispo) with respect to maximizing/expanding transit service, connecting facilities, as well as active transportation. In addition, many of the Master Plan policies listed on page 2-21 of the Draft EIR support the 2019 RTP action strategies, including:

- Provide and enhance campus facilities to create a more vibrant evening and weekend environment.
- Attain a modal shift from vehicles to more pedestrian, bicycle, and transit use.

- Advance campus-wide environmental sustainability and make progress toward goals of carbon neutrality and climate resilience.
- Consider the interface between Cal Poly and the surrounding communities with respect to shared economic health, housing, multimodal transportation, open space and agricultural resources, diversity, and public services.

Because the 2035 Master Plan and Draft EIR already include features, policies, and mitigation measures that align with the action strategies of the 2019 RTP, no changes to the Draft EIR are necessary.

Comment L5-3
TRANSPORTATION COMMENTS

Transportation Demand Management
SLOCOG supports Mitigation Measure (MM) 3.13-1 Transportation Demand Management (TDM) Plan. It is a strategy of the 2019 RTP to ensure consistency between long range plans; as well as help to expedite implementation of TDM measures and other transportation measures into these documents. SLOCOG recommends Cal Poly include SLO Regional Rideshare in the development of the TDM Plan. SLO Regional Rideshare is the region's expert in reducing the number of single occupant vehicles on San Luis Obispo County's roads and highways and making it easier for commuters to get to work or school.

When considering TDM measures that maximize or expand the efficiency of local or regional transit systems, **SLOCOG encourages Cal Poly to coordinate with the City of SLO, SLO Transit, SLORTA, and, when necessary, Caltrans, to assess the implementation transit operational improvements that reduce transit delay or decrease headways, including transit signal priority and transit only lanes.** The assessment of such transit operational improvements should consider the benefits to transit service efficiency as well as the impact to intersection traffic operations. Fair-share contributions toward transit capital purchases necessary for service expansion and associated operating costs should be identified specifically in the first bullet under Mitigation 3.13-1 (p. 3.13-13). SLOCOG suggests the following changes:

> Expand and/or maximize the efficiency of the local and regional public transit service. This includes coordination and fair-share contributions towards additional SLO Transit and SLORTA transit routes operational costs, and capital (e.g. rolling stock), as well as potential expansion of facilities (e.g., the Government Center transfer point), and zero-emission bus charging infrastructure.

To effectively accomplish MM 3.13-1, the TDM Plan should to include main activity points and roadways on the periphery of campus. Campus circulation is impacted by what is happening outside its boundaries. Through the TDM Plan, SLOCOG suggests calculating the impact of the suggested Vehicle Miles Traveled (VMT) reduction strategies as was done in the Greenhouse Gas (GHG) Impact 3.8-1 to understand the effectiveness of the measures.

Per an October 2019 transportation study on Cal Poly, students have become more likely to drive to campus as they get older and each entering class of students appears to be more car-dependent than previous entering classes. The study is available at https://transweb.sjsu.edu/research/1857-Moving-From-Walkability. As stated as a guiding principle of the Master Plan (Section 2.6.6), Cal Poly hopes to achieve a modal hierarchy shift to (1) walking, (2) biking, (3) transit, and (4) vehicles. With the findings from the 2019 study and Cal Poly's modal shift goal, SLOCOG suggests Cal Poly conduct a periodic performance evaluation of campus wide modal hierarchy over time to determine whether the mitigation measures are achieving the stated hierarchy as part of the TDM Plan implementation. This additional mitigation measure would help ensure the Master Plan's goals of VMT, GHG, criteria pollutant emission reductions are realized.

Response L5-3
The comment includes specific suggestions for the TDM Plan. Mitigation Measure 3.13-1, described in Section 3.13, "Transportation," of the Draft EIR, requires the development and implementation of a TDM Plan, and includes a menu of specific, feasible actions that could be incorporated into the plan. For further information on the TDM Plan and range of VMT reduction measures, as well as the potential reductions that may be achieved with various measures, see Master Response 4. As noted in Response L4-10 above, the mitigation measure also requires Cal Poly to monitor and evaluate the efficacy of the TDM Plan and its strategies every two years, modifying the plan, as necessary, to

achieve the performance standard for VMT, consistent with the commenter's request. As part of the TDM Plan development, Cal Poly shall consider SLOCOG suggestions, including coordination with the City of SLO, SLO Transit, RTA, and the manner in which the biannual evaluation of campus wide VMT is conducted over time to determine whether the mitigation measures are achieving the stated mode hierarchy. Of note, modal surveys would be conducted as part of the implementation of the TDM Plan (required by Mitigation Measure 3.13-1), consistent with the commenter's request.

In response to the comment's suggestion, the first bullet of Mitigation Measure 3.13-1 on page 3.13-13 of the Draft EIR is revised as follows:

- Expand and/or maximize the efficiency of the local and regional public transit service. This includes coordination and fair-share contributions towards additional SLO Transit and ~~SLO~~RTA transit routes, operational costs, and capital (e.g. rolling stock), as well as potential expansion of facilities (e.g., the Government Center transfer point), and zero-emission bus charging infrastructure.

Comment L5-4

Chorro Valley Trail

A strategy of the 2019 RTP is to encourage partnerships to advance construction of pedestrian and bicycle enhancements on routes of national, statewide or regional significance like the Chorro Valley Trail. **SLOCOG suggests the DEIR include a bicycle and pedestrian projects list in the study area.** For example, the planned Rail Road Safety Trail extension and the Chorro Valley Trail. The Master Plan includes only part of the Chorro Valley trail on the west campus section up to Stenner Creek Road. Our concern, shared with SLO County is that without a Chorro Valley Trail alignment called out in this Master Plan, the trail will never become the multi-modal connection it is planned to be. **Please identify a complete alignment for the Chorro Valley Trail through Cal Poly land with the preferred alignment through the Gold Tree Solar Farm to ensure this needed facility is recognized.**

SLOCOG suggests adding the full Chorro Valley Trail alignment as agreed by regional stakeholders as a mitigation measure to offset the increased long-term operational air pollution and emissions. As stated in the Chorro Valley Trail Study, segment 2A would be shared use on the existing farm road adjacent to the avocado orchard. A new trail segment would run south of Nelson Reservoir to Cheda Ranch driveway designed to avoid conflict with Cal Poly operations and would be fenced as needed to avoid disturbing adjacent uses. SLOCOG looks forward to continuing to coordinate with Cal Poly, County of San Luis Obispo, and other agencies on a strategy for further study and preliminary engineering of the Chorro Valley Trail on Cal Poly's campus.

Response L5-4

The comment expresses concern related to the development of the Chorro Valley Trail. Please refer to Master Response 6 for a response to this comment.

Comment L5-5

Vehicle Miles Traveled (VMT)

Section 3.13 of the Draft EIR states that existing VMT (relative to 2018) for the San Luis Obispo region is 9,906,300 VMT, with a forecasted VMT of 12,700,000 in 2035. The Draft EIR notes that the SLOCOG Model was the appropriate model for use in VMT assessment; however, there is a discrepancy between VMT reported in the Draft EIR and the 2019 RTP. Modeling for the 2019 RTP demonstrated a VMT of 8,172,183 in 2015, a VMT of 8,017,992 in 2020, and a VMT of 8,824,650 in 2035. Staff recognizes that adjustments were made to the SLOCOG Model as specified in Appendix G, which would account for the conflicting VMT figures for both existing and forecasted conditions.

The Draft EIR identifies a VMT per service population of 22.61 for the region. Applying a 15% reduction, as recommended by the Governor's Office of Planning and Research, yields a VMT per service population threshold of 19.22. The Draft EIR demonstrates that the existing project plus project conditions would yield a VMT per service population of 24.26, which would exceed the VMT threshold of 19.22 and be determined to have a significant impact. Section 3.13-1 states that that Cal Poly shall develop and implement a TDM Plan that will reduce the VMT generated by campus employees, residents, and students by a minimum of 5.04 VMT per service population. A reduction of 5.04 VMT per service populations would reduce the project VMT per service population to 19.22, and the impact

would be reduced to a less than significant level. The proposed TDM Plan as described within the Draft EIR identifies policies that could be used to reduce VMT, but does not identify any policies that will be implemented as part of the plan. **SLOCOG recommends Cal Poly identify specific policies and quantify how each policy will contribute to the 5.04 VMT per service population reduction as well as identify how the TDM Plan itself would achieve the 5.04 VMT per service population reduction.**

Response L5-5

The comment requests further information regarding specific policies/measures to be implemented as part of the TDM plan. Please refer to Master Response 4. In addition, the comment notes that adjustments were made to the SLOCOG model but does not dispute the adjustments made to the SLOCOG Model as specified in Appendix G. No further response or clarification is required.

Comment L5-6

Safety

SLOCOG supports Mitigation Measure (MM) 3.13-3: Monitor Bicycle-Related Collisions to Implement Countermeasures Minimizing Potential Conflicts with Bicycle Facilities and suggests exploration in to automatic counters, or bike commuter counting programs through Regional Rideshare or industry standard technology. In the near term, **SLOCOG recommends Cal Poly coordinate with Caltrans and the City of SLO to address locations with known pedestrian and bicycle safety concerns, including the intersection of Boysen Avenue and State Route 1/Santa Rosa**. Boysen Avenue provides access to high-density student housing to the east and west of SR1/Santa Rosa, the University Square shopping Center, commercial areas located on Foothill Boulevard, and a northbound bus stop that provides service to Cal Poly. Mitigation measures should consider fair-share contribution toward infrastructure improvements, increased enforcement activities, and safety education programs.

Response L5-6

The comment recommends coordination with Caltrans and the City to address locations of pedestrian and bicycle safety concerns. As noted in the response to Comment L8-25 below, Cal Poly will coordinate with appropriate agencies regarding pedestrian/bicycle facility improvements, however, no specific locations were identified as having consistent pedestrian/bicycle safety issues, based on a review of travel safety information collected by the City. As such, fair-share contributions towards off-site improvements were determined not to be necessary with implementation of the 2035 Master Plan. Further, the housing to which the comment refers is not owned/operated by Cal Poly but was privately developed within the City limits. For further information, please refer to the response to Comment S3-4.

Comment L5-7

Impact 3.3-5: Expose Sensitive Receptors to Substantial Increases in Toxic Air Contaminants (TAC) Emissions section states, "health risks associated with this source [co-generation facility] do not exceed the APCD's screening limit of 10 chances in a million for stationary sources." Per APCD, the facility of Cal Poly is currently undergoing a health risk assessment (HRA) because the facility has exceeded the APCD's prioritization score threshold of 10 chances in a million (maximum exposed individual from facility-wide emissions equal to or greater than one excess cancer per million population) for stationary sources. **SLOCOG suggests Cal Poly coordinate with APCD to revise this section.**

Response L5-7

The comment expresses concern related to TACs and the HRA currently in process. This comment is similar to one submitted by APCD; please see response to comment L4-9.

Comment L5-8

2019 Regional Housing Needs Assessment (RHNA)

As of October 2019, the region is now working to fulfill the 2019 RHNA. The 2019 RHNA Plan is available at: https://slocog.org/programs/housing. The Cal Poly Master Plan EIR makes references to the 2013 Regional Housing Needs Allocation (RHNA) Plan on pages 3.11-2 and 3.11-12. It should also be noted that while apartments built on Cal Poly count towards the unincorporated county's established target number of housing units to be built, the number

of dormitories does not count towards the RHNA, as they are considered group quarters. SLOCOG supports the development of housing on Cal Poly's campus, as it aligns with the 2019 RTP action strategy to "support residential development that allows jurisdictions to meet housing allocations established in the 2019 Regional Housing Needs Allocation Plan." **SLOCOG recommends that the references to the 2013 RHNA be updated to reflect the 2019 RHNA.**

Response L5-8

The comment suggests the Draft EIR reference the updated 2019 RHNA. The most recent RHNA was not adopted until October 2019, after preparation of the analysis of population and housing. The paragraph under the heading "Regional Housing Needs Plan" on page 3.11-2 of the Draft EIR is revised as follows:

> California General Plan law requires each city and county to have land zoned to accommodate a fair share of the regional housing need. The share is known as the Regional Housing Needs Allocation and is based on a Regional Housing Needs Plan developed by councils of government. The San Luis Obispo Council of Governments (SLOCOG) is the lead agency for developing the Regional Housing Needs Plan for seven cities, including the City of San Luis Obispo, and County of San Luis Obispo. The 2001 Master Plan is accounted for in the current housing need projections developed by SLOCOG as part of the ~~2013-~~2019 Regional Housing Needs Plan. If approved, student apartments constructed under the 2035 Master Plan would be included as part of future housing need projections developed by SLOCOG.

The third paragraph on page 3.11-12 of the Draft EIR is revised as follows:

> The ~~2013~~2019 SLOCOG Regional Housing Needs Plan (RHNP) establishes the target number of housing units for each of its member jurisdictions based on the Regional Housing Needs Allocation (RHNA) of 10,810~~4,090~~ housing units assigned by the California State Department of Housing and Community Development. The established target for the unincorporated county is 3,256~~1,347~~ new housing units for the period of January 1, 201~~9~~4 to December 31, 2028 ~~June 30, 2019~~ (SLOCOG 201~~9~~3:2~~1~~). In 2014, the unincorporated county had approximately 49,413 total housing units, and in 2018, the unincorporated county had 50,488 housing units, demonstrating an increase of 1,075 additional units within the county for the 2014-2018 timeframe so far (DOF 2019b). According to the 2050 SLOCOG Regional Growth Forecast, the unincorporated areas of the county are projected to increase the number of housing units to 54,929 by 2035 and the entire county, including incorporated areas, is projected to provide 135,129 housing units by 2035 (SLOCOG 2017:3).

Comment L5-9

Employee Housing

The 2019 RTP supports residential development near existing employment centers and Cal Poly is a large employment center. The previous version of the Cal Poly Master Plan included 1,470 facility and staff housing units and in the 2019 version, the number of units has been reduced to 390 units. Including more units for employees near/on campus is critical to improving the jobs-housing imbalance in the region and would help to offset the VMT impacts identified. **SLOCOG encourages the efforts to provide additional student, facility, and staff housing on campus property as this will promote a better jobs-housing balance, reduce vehicle miles traveled, and related greenhouse gas emissions**.

Response L5-9

The comment encourages additional housing on campus, stating the 2017 Master Plan included 1,470 faculty and staff housing units while the 2019 Master Plan reduces the units to 390. For clarity, it should be noted that the 1,470 units referenced in the 2017 Master Plan were not solely for faculty and staff but were to be made available to faculty and staff, non-traditional students, and the general public. In addition to the 390 units mentioned in the comment, the Master Plan released in 2019 includes a University-Based Retirement Community of approximately 200 units. The development would provide priority occupancy to retired Cal Poly faculty, staff, and alumni. If faculty, staff, and alumni demand is low, remaining units would be made available to the broader retirement community among the general public. Additionally, while the 2017 Master Plan would have provided for approximately 6,800 new student beds, the 2019 Master Plan provides for a total of approximately 7,200 new student beds, for a total of approximately 15,000 student beds.

Letter L6 San Luis Obispo County Department of Public Works

Keith Miller
February 3, 2020

Comment L6-1

Thank you for the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Cal Poly Master Plan 2035. In 2003, after 3 years of development between the San Luis Obispo County Flood Control and Water Conservation District Zone 9 (Flood Control Zone 9 or FCZ 9), City of San Luis Obispo, Cal Poly, Caltrans and others, the San Luis Obispo Creek Watershed Waterway Management Plan (WMP) was completed. The WMP includes the development a hydrologic and hydraulic model of the entire SLO Creek watershed and provides direction and guidance for peak flow management, streambed maintenance, erosion control, water quality, ecological issues and more. For example, the WMP specifically identifies the elements of a drainage master plan or project-specific drainage plan, including storm events, intensities, runoff coefficients, etc.

The City and the County each have adopted and currently Implement/utilize the WMP to ensure the health and viability of San Luis Obispo Creek watershed. Being set within the headwaters of multiple tributaries to SLO Creek, Cal Poly has a unique position in the watershed. We would like to encourage Cal Poly to use the WMP to guide future hydraulic analysis and to assess project-specific and regional impacts that could result from buildout of the Cal Poly Master Plan.

Response L6-1

The comment requests that Cal Poly consider use of the WMP when preparing future hydraulic analysis and to assess potential regional impacts. The WMP was developed by the City and County of San Luis Obispo and outlines the planning, design, and permitting approach that the City and County will utilize for routine stream maintenance, such as vegetation management, bank repair, and sediment removal. Cal Poly participated as a member of the advisory committee for development of the plan, but did not adopt the plan as guidance/procedures for the campus. As such, use of the WMP is not considered necessary for the purposes of assessing and controlling stormwater flows in the Master Plan area. As explained in the Draft EIR, Cal Poly is a constitutionally created state agency, and is therefore not subject to local government planning and land use plans, policies, or regulations. The Master Plan, and its proposed individual projects, would be subject to state and federal agency planning documents described in Chapter 3.9 of the Draft EIR, but would not be bound by local or regional planning regulations or documents such as the City's General Plan, municipal code or WMP.

As noted in Section 3.9, "Hydrology and Water Quality," future development would be subject to SWRCB's Water Quality Order No. 2013-0001-DWQ, NPDES General Permit No. CAS000004 for Waste Discharge Requirements for Storm Water Discharges from Small MS4s (2013 General Permit) and would be required, as part of Mitigation Measure 3.9-4b, to prepare site-specific drainage plans and supportive hydrologic analyses that demonstrate that off-site runoff would not increase with individual site development. Cal Poly would also implement post-development best management practices and low-impact-development technologies to further maintain existing flow rates and avoid potential off-site impacts within the San Luis Creek Watershed, and would avoid development within identified 100-year flood hazard zones where feasible (see Mitigation Measure 3.9-5). With implementation of such mitigation, impacts would be reduced to less than significant, similar to the strategies and measures identified in the WMP.

However, as requested by the comment, the following description of the WMP has been added to the Local Regulatory Setting, immediately following the description of the City of San Luis Obispo General Plan on page 3.9-6:

> ### San Luis Obispo Creek Watershed Waterway Management Plan
>
> In 2003, the City and County of San Luis Obispo adopted the San Luis Obispo Creek Watershed Waterway Management Plan (WMP) to address flooding, erosion, water quality, and ecological issues within the San Luis Obispo Creek watershed. The WMP includes a stream management and maintenance program and a drainage design manual that outline approaches, guidelines, and procedures for routine stream maintenance, storm drain systems, stormwater detention facilities, and erosion control. During development

of the plan, Cal Poly served as a member of the plan's advisory committee. Cal Poly, however, has not adopted the WMP as guidance or required procedures for the campus.

Comment L6-2
We have reviewed the DEIR and offer the following specific comments:

The Hydrology and Water Quality section does not include a description of the WMP. We encourage Cal Poly to include the WMP as part of the "Local" Regulatory Setting.

Response L6-2
The comment requests that the Draft EIR be amended to include a description of the WMP. Refer to the response to Comment L6-1.

Comment L6-3
The "Regional Hydrology" Section should include a reference to the WMP.

Response L6-3
The comment requests that the "Regional Hydrology" subsection on page 3.9-6 be amended to include a reference to the WMP. As the WMP is a local guidance document/plan, reference and discussion of the plan is appropriate in the Regulatory Setting discussion, as stated in the response to Comment L6-1, above. The "Environmental Setting" of Section 3.9, "Hydrology and Water Quality" is specific to physical environmental conditions, and no change to the "Regional Hydrology" subsection is necessary.

Comment L6-4
In the second paragraph of the "Groundwater Hydrology" Section, include a reference to the Groundwater Sustainability Plan (GSP) being developed by the San Luis Obispo Valley Basin GSA partners.

Response L6-4
The comment requests that the Draft EIR be amended to include a discussion of current groundwater sustainability planning efforts that are currently underway. This information is provided on page 3.9-4 of the Draft EIR, and as noted above in the response to Comment L6-3, the discussion of environmental setting in Section 3.9, "Hydrology and Water Quality" is intended to describe physical environmental conditions, whereas the regulatory setting is intended to describe adopted and current planning efforts. Modification of the Draft EIR in response to this comment is not necessary.

Comment L6-5
In the "Thresholds of Significance" section, consider adopting a threshold of significance that references peak flows of the 2-yr, 10-yr, 50-yr and 100-yr exceeding the existing conditions, consistent with the WMP.

Response L6-5
The comment requests consideration of additional thresholds of significance, consistent with those identified in the WMP. As noted above in the response to comment L6-1, the WMP was developed by the City and County of San Luis Obispo, but is not considered to be guidance and/or requirements applicable to Cal Poly. However, Cal Poly will comply with the overarching regulations, both State and federal (including Clean Water Act, California Water Code and National Pollutant Discharge Elimination System requirements), that informed the development of the WMP. Further, compliance with these overarching regulations was considered as part of the analysis of the potential physical environmental impacts of the 2035 Master Plan. The inclusion of additional significance thresholds is not necessary in the context of the 2035 Master Plan EIR.

Comment L6-6
Mitigation Measure 3.9-3 should include a reference to the policies and procedures of Volume III of the WMP.

Response L6-6

The comment requests inclusion of the policies and procedures as part of Mitigation Measure 3.9-3. As noted above in the response to Comment L6-1, Cal Poly is not subject to the requirements of, nor did it adopt the WMP. As such, inclusion of reference to the policies and procedures of the WMP as part of Mitigation Measure 3.9-3 is not necessary.

Comment L6-7

It is recommended that a Mitigation Measure 3.9-4c be included to require the preparation of a Drainage Master Plan for Cal Poly. The Drainage Master Plan would highlight the hydrologic and hydraulic constraints and propose site-specific and regional solutions to aid future development in not exceeding peaking flows in the creek, overflowing existing (City) storm drain infrastructure. The WMP provides a framework for such a Plan.

Response L6-7

The comment recommends that Cal Poly include an additional mitigation measure that requires preparation and implementation of a drainage master plan, as part of implementation of the 2035 Master Plan. However, as noted throughout the Draft EIR, including page 1-5, Cal Poly is currently preparing a Utility Master Plan for the Master Plan Area. Consistent with CSU's Utilities Infrastructure Master Plan Guide (CSU 2018), the Cal Poly Utility Master Plan will address drainage and storm water management, similar to the drainage master plan suggested in this comment. Regarding the applicability of the WMP to Cal Poly, please refer to Response to Comment L6-1.

Comment L6-8

It is recommended that the WMP be included In Impact 3.9-6 as implementation of the 2035 Master Plan has the possibility to conflict with the WMP.

Response L6-8

The comment requests evaluation of consistency of the 2035 Master Plan with the WMP. As noted above in the response to Comment L6-1, while Cal Poly has not adopted the WMP, it is subject to the overarching federal and state regulations that informed the WMP, and consistency/compliance with these regulations as well as mitigation of all hydrology impacts would be achieved with 2035 Master Plan implementation. As a result, amendment of Impact 3.9-6 of the Draft EIR is not necessary.

Letter L7 San Luis Obispo Regional Transit Authority

Geoff Straw
February 3, 2020

Comment L7-1

Please find attached comments from the San Luis Obispo Regional Transit Authority regarding Section 3.13 Transportation and Appendix G. Beyond the comments included in the attached, the RTA has no further comments regarding the other sections of the DEIR, with the exception of the Cumulative Impacts section regarding Transit Service and Facilities; if the issues the RTA raised in the attached are not adequately addressed by the campus in the Final EIR, we do not believe the cumulative effects would be **Less than Significant** under section 4.3.13 Transportation. In particular, the RTA is principally concerned with the following:

Response L7-1

The comment presents introductory information and expresses a general concern regarding the Draft EIR's cumulative transportation impacts analysis that is elaborated on in subsequent comments. As stated in the Draft EIR and supported by the responses provided below, a less-than-significant conclusion for cumulative transportation impacts is appropriate for the 2035 Master Plan EIR. The commenter is referred to the responses below regarding the analysis and impact conclusions provided in the Draft EIR, as amended through the Final EIR, as evidence in support of the EIR's less than significance determinations.

Comment L7-2

1. Under the Roadway System discussion, the campus should provide additional analysis on safety (collisions and modal conflicts) and emissions at the three primary US-101 interchanges under the Project alternative.

Response L7-2

The comment requests discussion of roadway safety and air quality emissions as part of the "Roadway System" discussion that begins on page 3.13-4 of the Draft EIR. The narrative under "Roadway System" is intended to describe the physical roadway network in terms of type, size, and location, not roadway safety and air emissions. Notwithstanding, the requested discussion is already provided in other sections of the Draft EIR. With respect to roadway safety, please refer to the "Travel Safety" subheading and discussion provided on page 3.13-8. Impacts 3.13-3 and 3.13-4 evaluated potential impacts with respect to bicycle and pedestrian travel. As noted on pages 3.13-16 through 3.13-19 of the Draft EIR, bicycle- and pedestrian-related impacts were determined to be less than significant with implementation of mitigation measures, which would require Cal Poly to monitor shifts in modal travel to more bicycle and pedestrian travel and implement countermeasures and/or safety improvements as necessary. Also refer to the response to Comment L5-6 regarding the need for potential off-site improvements as a result of implementation of the 2035 Master Plan and response to Comment S3-4 regarding ped and bike collision/modal conflicts.. With respect to air quality emissions related to vehicles, please refer to Section 3.3, "Air Quality," of the Draft EIR—in particular, the discussion of Impact 3.3-4, related to localized CO emissions, which begins on page 3.3-26.

Comment L7-3

2. Under the Environmental Impacts and Mitigation Measures section, subsection Cal Poly Master Plan, IP 15, the RTA recommends first-year on-campus students should not be permitted to bring a private automobile to campus to encourage non-motorized and transit modes.

Response L7-3

The comment requests that IP 15 of the 2035 Master Plan be modified to prevent first-year students from bringing a private automobile to campus. IP 15 already calls for strengthen policies that discourage people from bringing cars to campus, especially for first- and second-year students living on-campus. This comment is related to the 2035 Master Plan and not to the Draft EIR analysis. The Draft EIR, and specifically the TDM Plan set forth in Mitigation Measure 3.13-1 includes the development and implementation of a parking management plan focused on reducing academic and residential parking demand, including reducing the availability of or eliminating on-campus parking for freshman and/or sophomores. Further, as noted on page 2-39 of the Draft EIR, current Cal Poly policy prohibits first-year students from purchasing parking permits, and Cal Poly intends to continue and expand this policy to second year students (sophomores) once adequate on-campus housing is made available. These measures and policies are consistent with the commenter's request

Comment L7-4

3. Under the Environmental Impacts and Mitigation Measures section, subsection Cal Poly Master Plan, IP 29, the RTA recommends that Cal Poly commit to meeting the same zero-emission requirements for its planned shuttle program that are required for public transit agencies under the CARB ICT fleet rule.

Response L7-4

The comment requests that IP 29 of the 2035 Master Plan be modified to include a commitment to zero-emission requirements for its planned shuttle program. This comment is related to the 2035 Master Plan and does not address environmental issues related to the adequacy of the Draft EIR analysis. However, Cal Poly is committed to the GHG emissions goals of the CSU Sustainability Policy, the Cal Poly Climate Action Plan, and Cal Poly's Campus Administrative Policies and the GHG reduction strategies and mitigation measures set forth in L4-11 above and Mitigation Measure 3.8-1. Compliance with these plans and policies and this mitigation measure may involve the use of zero-emission shuttles as part of Cal Poly's continuing commitment to reducing GHG emissions. For example, as further detailed in Response L4-11, Cal Poly has committed to accelerate the expansion of Cal Poly fleet vehicles to EVs as part of its menu of GHG reduction measures, which would include planned shuttles.

Comment L7-5

4. Under Mitigation Measure 3.13-1, the RTA recommends the EIR address whether pre-paid fare-free access is being considered for Cal Poly affiliates using the regional RTA routes in addition to the existing program on SLO Transit fixed-routes. In addition, no funding agreement is currently in place for riders using the ADA complementary paratransit service (RTA Runabout) for campus affiliates. Further, suggesting Less than Significant is incongruous with not meeting the CSU standard of 15% reduction in VMT, particularly when the relatively few trips outside the City of San Luis Obispo (less than 15%) generate 35% of VMT under the Project alternative. This suggests that additional analysis is warranted.

Response L7-5

The comment recommends consideration of prepaid fare-free access as part of the TDM plan required under Mitigation Measure 3.13-1 and expresses concern that the Draft EIR's less-than-significant conclusion related to VMT is not consistent with the projected reductions in VMT that would occur with implementation of the 2035 Master Plan. Contrary to statements made in this comment, the Draft EIR identifies the potential impact related to VMT as significant (before implementation of mitigation) in recognition of the fact that plan implementation, in and of itself, would not achieve a 15-percent reduction in VMT compared to the calculated per-service-population VMT for the county. However, as noted in the response to Comment S3-3, Cal Poly would be required to reduce campus per-service-population VMT by an additional 5.04 VMT or more through implementation of various TDM measures that would be monitored and adjusted every 2 years. For this reason, with implementation of Mitigation Measure 3.13-1, Cal Poly would achieve a 15-percent reduction in per-service-population VMT, and a less-than-significant conclusion is appropriate and warranted. Contrary to statements made in this comment, the EIR's conclusion is not incongruous with the analysis. Implementation of the mitigation measure would allow the threshold to be achieved and support the conclusion that the impact would be less than significant.

Regarding the current lack of a funding agreement for riders using the ADA RTA Runabout, this comment is acknowledged but is not considered applicable to the analysis of physical environmental impacts. With respect to socioeconomic considerations within the context of CEQA, refer to Master Response 5.

With respect to whether prepaid fare-free access is being considered, Mitigation Measure 3.14-1 (on page 3.13-13) specifically identifies subsidized transit passes as part of the menu of feasible TDM measures to be incorporated into the TDM Plan, consistent with this request. No modification of the EIR's analysis or mitigation measures is necessary.

Comment L7-6

5. Under Impact 3.13-2, the discussion should clearly state whether the new passenger facility would be served by both SLO Transit and the RTA. Further, the RTA recommends that the campus commit to incorporating technology solutions to enhance bus access (TSP, queue jumps, pedestrian controls, etc.). Further, the EIR should address financial commitments by the campus for both transit capital and operating subsidies to SLO Transit and the RTA.

Response L7-6

The comment requests clarification as to whether San Luis Obispo Regional Transit Authority (RTA) would also provide service at the multimodal transit center included as part of the 2035 Master Plan. The comment further requests that the Draft EIR address financial commitments for transit capital and operating subsidies. As detailed below and in Chapter 4, "Corrections and Revisions to the Draft EIR," of this volume of the Final EIR, the Draft EIR has been amended to specifically reference the RTA, and Mitigation Measure 3.13-2 already includes Cal Poly's commitment by to work with SLO Transit and RTA to identify and support implementation of transit service and/or facility improvements, including through fair share contributions based on University-related ridership in order to ensure established service standards are maintained. Specifically, the third sentence on page 3.13-15 of the Draft EIR has been amended to provide additional clarity regarding the level of transportation service intended to be provided at the proposed multimodal transit center:

> The transit center would be the hub for multimodal transit for Cal Poly, and SLO Transit and RTA would provide service at the transit center.

Further, the description of Mitigation Measure 3.13-2 on page 3.13-15 of the Draft EIR has been amended as follows with respect to future transit service coordination with both SLO Transit and RTA:

> **Mitigation Measure 3.13-2: Monitor Transit Service Performance and Support Transit Improvements**
>
> Currently, SLO Transit and RTA regularly monitor~~s~~ transit service performance and adjust~~s~~ service levels, as feasible, according to established service standards. Cal Poly shall work with SLO Transit and RTA staff to identify and support implementation of transit service and/or facility improvements (e.g., through fair share contribution[s] based on University-related ridership) necessary to adhere to applicable, established service standards (e.g., fewer than 125 percent of seated capacity) identified in the SLO Transit Short Range Transit Plan (SRTP) and applicable RTA plans and, in turn, maintain a high-quality customer experience so as not to deter existing and potential ridership. Potential transit improvements could include modifying existing transit routes or adding new routes to serve areas of the campus underserved by transit, adding service capacity (through increased headways and/or larger vehicles) to prevent chronic overcrowding, improving terminal facilities to accommodate additional passengers and transit vehicles, and improving coordination between transit providers. In the event that SLO Transit and/or RTA update~~s~~ ~~its~~their respective SRTP during implementation of the 2035 Master Plan, transit improvements shall result in service performance that meets the performance targets established in the latest SLO Transit and RTA SRTP~~s~~.
>
> Transit facility and roadway improvements shall be designed and constructed in accordance with industry best practices and applicable standards. Improvements shall be implemented or constructed in a manner that would not physically disrupt existing transit service or facilities (e.g., additional bus service that exceeds available bus stop or transit terminal capacity) or otherwise adversely affect transit operations.

Comment L7-7

[This comment refers to the transportation and transit plans discussed on Draft EIR page 3.13-3.]

The RTA recommends that each summary include the year of adoption (2016 for the RTA SRTP); the same goes for the as well as for the Bike plan above and the SLO Transit SRTP below.

Response L7-7

The comment requests that the EIR be amended to include the years in which the three plans identified on page 3.13-3 were adopted. As noted in Chapter 4, "Corrections and Revisions to the Draft EIR," of this volume of the Final EIR, the Draft EIR has been amended to reflect that the City of San Luis Obispo Bicycle Transportation Plan, RTA Short Range Transit Plan, and SLO Transit Short Range Transit Plan were adopted in 2013, 2016, and 2016, respectively.

Comment L7-8

As shown throughout the SRTP, the San Luis Obispo Regional Transit Authority uses the acronym "RTA." The RTA has expended a lot of marketing resources over the past several years to transition from the term "SLORTA" to "RTA," and we respectfully request that only RTA be used throughout the EIR documents.

Response L7-8

The comment requests use of the acronym "RTA" instead of "SLORTA." While this is not a comment on the adequacy of the analysis of the EIR, "SLORTA" has been replaced with "RTA" throughout the analysis chapters of the EIR. Refer to Chapter 4, "Corrections and Revisions to the Draft EIR," for further information.

Comment L7-9

[This comment refers to the second sentence in the second paragraph under "Roadway System," on Draft EIR page 3.13-4.]

The RTA notes that Templeton is not an incorporated city; maybe use the term "communities" instead of "cities" in this section?

Response L7-9

The comment requests amendment of the second sentence to accurately reflect that Templeton is not an incorporated city. Because the list to which the commenter refers was not meant to be comprehensive and in order to more accurately describe local communities, the second sentence of the second paragraph on Draft EIR page 3.13-4 has been modified as follows:

> In San Luis Obispo County, US 101 is classified as a Principal Arterial, acting as the primary regional connector for cities in the north, such as Paso Robles~~, Templeton,~~ and Atascadero, to the City of San Luis Obispo, as well as to communities in the south, including Arroyo Grande, Grover Beach, Pismo Beach, and Nipomo.

Comment L7-10

[This comment partly refers to the mention of on- and off-ramps at California Boulevard in the third sentence in the first paragraph under "Roadway System," on Draft EIR page 3.13-4.]

The RTA is concerned that the analysis in this chapter does not address safety and emissions that would be impacted by growth at the Cal Poly campus. More specifically, by leading with this interchange, is Cal Poly suggesting that the California Boulevard interchange is the principal US-101 access to/from the campus? If so, it seems prudent that the campus should pay for improvements at this interchange as the campus grows, since the interchange backs up onto NB US101 on occasion and causes a lot of idling while motorists wait for traffic gaps on California Boulevard. The RTA suggests that the EIR include a collision and emissions analysis at these three interchanges.

Response L7-10

The comment expresses concern that Cal Poly is suggesting that California Boulevard is the primary roadway for accessing US 101 from the campus and vice versa and states that if Cal Poly is making such a suggestion, additional safety and emissions analysis be conducted. Cal Poly is not suggesting or attempting to state that California Boulevard is the principal access between US 101 and campus. As noted on page 2-4, Cal Poly considers there to be three major vehicular entrances to and exits from campus. With respect to the need to provide additional collision/emissions analysis, refer to the response to Comment L7-2.

Comment L7-11

[This comment refers to the second full paragraph on Draft EIR page 3.13-6.]

It might be worthwhile mentioning that the RTA provides bike racks on the front and rear of its fixed-route buses, which accommodate up to six bikes simultaneously (SLO Transit only provides front racks). This provides important last-mile access to and from the RTA buses.

Response L7-11

The comment suggests adding to the EIR a statement that bicycle racks are provided at the front and rear of RTA's fixed-route buses. Although Cal Poly notes and appreciates that bicycle racks are provided on RTA fixed-route buses, this is not a comment on the adequacy of the Draft EIR's analysis, and no further response is required. The comment is included in the record for consideration as part of the 2035 Master Plan.

Comment L7-12

[This comment refers to the use of "Route 9 Express" in the first sentence in the second bulleted item on Draft EIR page 3.13-6.]

The RTA recommends the language be changed to:

"…Route 9 Express (Route 9X) connect…"

Response L7-12

The comment recommends identifying the abbreviation typically associated with Route 9 Express. However, this particular bus route is not referred to again in the document, so use of an abbreviation is not needed.

Comment L7-13
[This comment refers to the use of "four" in the phrase "four of which are express" in the second sentence in the second bulleted item on Draft page 3.13-6.]

The RTA recommends the language be changed to:

"three"

Response L7-13
The comment requests that the number of southbound arrivals listed in the Draft EIR be modified to reflect three instead of four as being express. In response to this comment (as well as Comments L7-14, L7-15, and L7-16) and as noted in Chapter 4, "Corrections and Revisions to the Draft EIR," of this volume of the Final EIR, the second and third sentences in the second bulleted item on page 3.13-6 of the Draft EIR have been amended as follows:

> Service to campus on weekdays includes five southbound arrivals at Kennedy Library between 6:10 a.m. and 8:11 a.m., ~~four~~three of which are express, and ~~six~~eight northbound departures from Kennedy Library at between ~~4~~2:21 p.m. and 8:40 p.m., two of which are express. On weekends, there is only one northbound trip per day departing from Kennedy Library in the evening and no southbound trips ~~departing from~~arriving at campus.

Comment L7-14
[This comment refers to the use of "six" in the phrase "six northbound departures" in the second sentence in the second bulleted item on Draft EIR page 3.13-6.]

The RTA recommends the language be changed to:

"eight"

Response L7-14
The comment requests a clarification regarding the number of northbound departures associated with Route 9 and Route 9 Express bus routes. Refer to the response to Comment L7-13.

Comment L7-15
[This comment refers to the use of "4:21" in the second sentence in the second bulleted item on Draft EIR page 3.13-6.]

The RTA recommends the language be changed to:

"2:21"

Response L7-15
The comment requests a clarification regarding the timing of afternoon northbound departures associated with Route 9 and Route 9 Express bus routes. Refer to the response to Comment L7-13.

Comment L7-16
[This comment refers to the use of "departing from" in the phrase "departing from campus" in the last sentence in the second bulleted item on Draft EIR page 3.13-6.]

The RTA recommends the language be changed to:

"arriving at"

Response L7-16
The comment requests a clarification regarding weekend buses associated with Route 9 and Route 9 Express. Refer to the response to Comment L7-13.

Comment L7-17
[This comment refers to revising "Express also" in the last sentence in the second bulleted item on Draft EIR page 3.13-6.]

The RTA recommends the language be changed to:

"… Express begins at the Hagerman Park-n-Ride lot in Orcutt also…"

Response L7-17
The comment requests a clarification regarding the origin of the 7:12 Route 10 Orcutt Express bus route. In response to this comment, the last sentence in the second bulleted item on Draft EIR page 3.13-6 has been clarified as follows:

> Route 10 Orcutt Express, which begins at Hagerman Park-n-Ride lot in Orcutt, also has one run a day that serves campus, with the northbound trip arriving at Kennedy Library at 7:12 a.m. and the southbound trip departing from Kennedy Library at 4:08 p.m.

Comment L7-18
[This comment refers to replacing "Service to Cal Poly runs once a day," in the last sentence in the fourth bulleted item on Draft EIR page 3.13-6.]

The RTA recommends the language be changed to:

"One Route 12 commuter roundtrip is provided during weekdays, …"

Response L7-18
The comment requests a clarification to the description of the RTA's Route 12 bus route. In response to this comment, the second sentence of the fourth bullet on Draft EIR page 3.13-6 has been amended as follows:

> ~~Service to Cal Poly runs once a day~~One Route 12 commuter round trip is provided during weekdays, with the southbound trip arriving at Kennedy Library at 7:30 a.m. and the northbound trip departing from Kennedy Library at 5:20 p.m.

Comment L7-19
[This comment refers to adding two sentences after the last sentence in the fourth bulleted item on Draft EIR page 3.13-6.]

The RTA recommends the language be changed to:

"… at 5:20 p.m. Hourly Route 12 service is provided to the bus stop pair on Santa Rosa Street at Foothill Boulevard, which is a 0.9 mile walk or bicycle ride from the Kennedy Library. Route 14 service, which is partially funded by the Cuesta Community College District, provides "tripper" service between downtown San Luis Obispo and the Cuesta Campus during peak academic periods."

Response L7-19
This comment requests the addition of information related to Route 12 and Route 14. In response to this comment, the following sentence has been added to the end of the fourth bulleted item on Draft EIR page 3.13-6:

> Hourly Route 12 service is provided to the bus stop on Santa Rosa Street at Foothill Boulevard, which is a 0.9-mile walk or bicycle ride from the Kennedy Library. In addition, Route 14 service, which also utilizes the Santa Rosa Street at Foothill Boulevard bus stop, provides additional transit service between downtown San Luis Obispo and Cuesta Community College District.

Comment L7-20
[This comment refers to the sixth bulleted item, related to the Foothill Boulevard/Santa Rosa Street intersection, under "Pedestrian Facilities," on Draft EIR page 3.13-7.]

The RTA notes that it might be worthwhile to discuss the pathway from this intersection to the pedestrian crossing at Spanos Stadium on California. It is an important connection from the RTA Route 12/14 bus stops on Santa Rosa near Foothill.

Response L7-20
The comment requests an additional statement related to a pedestrian connection between the intersection of Foothill Boulevard at Santa Rosa Street and Spano Stadium. However, the "pathway" is not an official (City) or Cal Poly–endorsed pedestrian pathway. Instead, it is an informal cut-through between the aforementioned points that students may use within City limits to access the Mustang Village Apartments, the SLO Apartments complex, or other nearby uses.

Comment L7-21
[This comment refers to the 13th bullet on Draft EIR page 3.13-10 related to IP 15 of the 2035 Master Plan.]

Regarding IP15, the RTA recommends that first year on-campus students should be barred from bringing a private automobile to the campus to encourage use of non-motorized and transit modes. Those students who experience a hardship, could seek a waiver. This policy is successful at the UC campuses and at most other desirable universities that are located in land-constrained areas.

Response L7-21
The comment presents a specific recommendation related to IP 15 of the 2035 Master Plan. This comment pertains to a proposed policy of the 2035 Master Plan and not to the Draft EIR analysis. It is included in the record for consideration as part of the 2035 Master Plan. Please see Response L7-3 for further discussion on restrictions on automobile parking for first year on-campus students.

Comment L7-22
[This comment refers to the 12th bullet on Draft EIR page 3.13-11 related to IP 29 of the 2035 Master Plan.]

The RTA recommends that Cal Poly should commit to meeting the same zero-emission requirements that public transit agencies must meet under the CARB ICT fleet rule.

Response L7-22
The comment presents a specific recommendation related to IP 29 of the 2035 Master Plan. This comment pertains to a proposed policy of the 2035 Master Plan and not to the Draft EIR analysis. It is included in the record for consideration as part of the 2035 Master Plan. In addition, please see Response L7-4 regarding this similar comment.

Comment L7-23
[This comment refers to the 16th bullet on Draft EIR page 3.13-11 related to TC 14 of the 2035 Master Plan.]

The RTA recommends that this language be changed to:

"…should be located and priced to intercept cars…"

Response L7-23
The comment presents a specific recommendation related to TC 14 of the 2035 Master Plan and not to the Draft EIR analysis. It is included in the record for consideration as part of the 2035 Master Plan.

Comment L7-24
[This comment refers to the sentence beginning "This reduction reflects the benefits…" near the top of Draft EIR page 3.13-13.]

The RTA questions if the modeling considered non-commute trips (i.e., recreational, medical, shopping). Regardless, the EIR should clearly state how all trips were considered. For example, students housed on campus will want to travel to off-campus activities and jobs during non-class hours/days. And trailing spouses and children of on-campus employees/faculty will need to travel off-campus, too. That provides a reverse commute need for the latter, in particular.

Response L7-24
The comment requests additional information regarding whether non-commute trips were considered as part of the VMT modeling conducted. As noted in Section 3.13, "Transportation," of the Draft EIR and Appendix G of the Draft

EIR, the SLOCOG regional traffic model was used to evaluate and estimate potential increases in VMT associated with implementation of the 2035 Master Plan. This model includes county-specific assumptions regarding non-commute-related VMT that are reflected in the VMT estimates provided in Appendix G and the Draft EIR. Refer to the response to Comment S3-7 for further discussion of how the modeling presented in Appendix G includes non-commute-related trips. As noted in that response, non-commute trips (e.g., deliveries, other trips related to campus operations) are included as part of the overall SLOCOG travel demand model that was used to evaluate the potential net increase in VMT associated with the 2035 Master Plan.

Comment L7-25

[This comment refers to the first bullet of Mitigation Measure 3.13-1 on Draft EIR page 3.13-13.]

The RTA recommends that the EIR clearly state if it is suggesting new/additional fixed-routes that serve currently unserved areas, or if the EIR is suggesting that frequencies be increased and/or daily spans of service be increased. Obviously, that is an important distinction.

It is also important to clarify whether or not pre-paid fare-free access is being considered for Cal Poly affiliates using the regional RTA routes (and not just the current SLO Transit subsidy program).

Response L7-25

The comment requests additional information regarding whether fare-free access, new/additional fixed routes, or increased frequencies of existing routes are being contemplated. As noted in the response to Comment L7-5, subsidized transit passes are identified as a potential TDM action, consistent with this request. Please see Response S3-3 which discusses the TDM Plan, how it will be implemented and monitored and adjusted over the life of the 2035 Master Plan to ensure the VMT performance standard of 19.22 VMT per service population is achieved and maintained over the life of the Master Plan. In addition, consistent with Mitigation Measure 3.13-1, Cal Poly will coordinate with local/regional transit providers, including the RTA and SLO Transit, if it is determined that adjustments to existing transit service, including the provision of new fixed routes or frequency modifications of existing routes, are necessary to accomplish greater transit use by students, faculty, and staff. No modification of the EIR analysis or mitigation measures is necessary in response to the comment.

Comment L7-26

[This comment refers to the phrase "cost of parking permits" in the fourth bulleted item on Draft EIR page 3.13-14.]

The RTA recommends that the campus eliminate the discounts associated with monthly or semester parking passes. In other words, multi-use parking passes should only provide convenience and not lower per-day parking costs in order to increase demand for ridesharing, transit, bicycle and pedestrian use.

Response L7-26

The comment suggests elimination of parking discounts at Cal Poly. This comment pertains to an existing program at Cal Poly. The comment does not raise any environmental issues related to the adequacy of the EIR analysis, and no further response is required. The comment is included within the record for consideration by the decisionmakers as part of the 2035 Master Plan approval process. In addition, as part of the TDM plan and Mitigation Measure 3.13-1, Cal Poly will develop and implement a parking management plan, which will include parking management strategies to reduce vehicle trip generation and VMT. The parking plan will include adjusting the cost of parking permits, which could include increasing the cost of on-campus resident parking permits, implementing tiered parking pricing based on the distance to campus or time of day, and/or employ a tiered pricing from limited days (1-day, 2-day, etc.). This is similar to the commenter's recommendation.

Comment L7-27

[This comment refers to the phrase "shall monitor and evaluate the efficacy" in the last paragraph before the "Significance after Mitigation" section on page Draft EIR 3.13-14.]

The RTA presumes this monitoring will be done via survey similar to the surveys completed by UC Davis. In any case, mode split data should be collected and reported.

Response L7-27

The comment requests that mode split data be collected and reported as part of the monitoring to be conducted every 2 years. The commenter presumes monitoring will be done via surveys of students/faculty/staff. The exact method and manner (i.e., whether mode split data or another appropriate metric) used to determine the efficacy of the TDM measures will be developed as part of the TDM plan. Where and when appropriate (e.g., regarding any actions related to transit service provided by SLO Transit or the RTA), Cal Poly will share the results of the biannual evaluations with the RTA and SLO Transit if further adjustments to transit service are warranted as part of TDM plan implementation and monitoring. Also, please see Master Response 4 for further detail on the development, implementation, monitoring and adjustments to the TDM Plan.

Comment L7-28

[This comment refers to the sentence beginning "Further, the proposed development…" in the "Significance after Mitigation" section on Draft EIR page 3.13-14.]

This is redundant with first sentence of the paragraph.

Response L7-28

The commenter expresses the opinion that the sentence beginning "Further, the proposed development…" in the "Significance after Mitigation" section is redundant. The commenter's opinion is noted; however, no change to the text of the Draft EIR is considered necessary or warranted in response to this comment.

Comment L7-29

[This comment refers to the "less-than-significant" conclusion in the "Significance after Mitigation" section on page Draft EIR 3.13-14.]

The RTA notes that this seems incongruous: the CSU standard requires a 15% reduction in VMT, yet overall VMT increases under the Master Plan. Most significantly, the data in Table 4 of Appendix G shows Intra-County Project Generated VMT will increase, while only On-Campus and Inter-County VMT declining.

Further, Appendix G states "The travel model shows that a small portion of the daily trips (less than 15 percent) travel outside of San Luis Obispo; however, these inter-county trips represent approximately 35 percent of the Project generated VMT for the Cal Poly campus." This suggests that further analysis is necessary.

Moreover, Appendix G states that "additional information from the Cal Poly campus would assist with understanding these distributions of project generated VMT by commute shed…" Has this analysis been completed and incorporated into the EIR? It suggests that more study should be completed to determine if additional resources should be provided by the campus to address the long Intra- and Inter-County trips and their significant impacts to the transportation system.

Response L7-29

The commenter is referred to the response to Comment L7-5 and Master Response 4 regarding the 2035 Master Plan achieving a 15% reduction in VMT and the finding of no significant impact. In addition, Table 4 of Appendix G refers to the overall distribution of campus VMT in three separate categories and does not show that "Intra-County Project Generated VMT" would increase but rather, that the percentage of campus VMT associated with intra-county travel would represent a greater portion of total campus VMT. Thus, the comment's assertion that Intra-County Project Generated VMT (per capita) is increasing is not correct.

Lastly, the analysis provided in the Draft EIR, including Appendix G, is valid and appropriate for consideration of the potential VMT-related impacts of the 2035 Master Plan. In particular, the VMT modeling for the 2035 Master Plan was conducted using the SLOCOG Model, which is considered the appropriate model for assessing VMT for the plan per SLOCOG (refer to Comment L5-5, above). In addition, the modeling conducted takes into consideration the regional nature of the campus and assesses VMT at a campuswide level, versus assessing VMT of just the net increase in on-campus development. As explained in the Final EIR at page 3.13-3, if VMT is calculated for net increase in on-campus development only, it results in a 10.95 VMT per service population, a 62.5% decrease from the current 29.17 VMT per service population.

The commenter is also referred to Master Response 2 for further discussion of the appropriateness of the Draft EIR's analysis of the 2035 Master Plan and Master Response 4 for a discussion of the Draft EIR's analysis of VMT and VMT reduction measures. In addition, the additional information referred to in Appendix G will be developed as part of Cal Poly's development and implementation of the TDM Plan as set forth in Mitigation Measure 3.13-1.

Comment L7-30

[This comment refers to the clause "SLO Transit would provide service at the transit center" in the third sentence on Draft EIR page 3.13-15.]

The RTA presumes that it would also serve this new passenger facility? In any case, as described it would be on the edge of campus and would require many transit users to walk/roll uphill to get to most activity centers/classes on campus. In other words, it would serve as a deterrent for transit travelers in the absence of some sort of on-campus shuttle and/or placing private automobile parking further away (i.e., purposefully making car travel less convenient). Bus access into and out of the new passenger facility should incorporate technology solutions (TSP, queue jumps, etc.) that give preference to buses over cars and address delays caused by pedestrians (i.e., walk/don't walk signals during bus travel through a corridor).

Response L7-30

The comment requests clarification as to whether the RTA would also provide transit service to the proposed transit center. Refer to the response to Comment L7-6. Further and with respect to the location of the proposed transit facility, Cal Poly currently provides multiple transit stops within the campus for students/faculty/staff and with implementation of the 2035 Master Plan, transit service would not be limited to the new proposed transit facility, contrary to the potential future conditions implied in this comment. Existing transit routes and opportunities throughout campus would continue/expand, including technological advancements, as part of Cal Poly's overall commitment to reducing VMT and promoting alternative transportation.

Comment L7-31

[This comment refers to the phrase "expanded transit options" in the last sentence in the second paragraph on Draft EIR page 3.13-15.]

The RTA recommends the language be changed to:

"… expanded transit options (including capital and operating subsidies from Cal Poly)."

Response L7-31

The comment requests the addition of "including capital and operating subsidies from Cal Poly" as part of the last sentence of the second paragraph on page 3.13-15 of the Draft EIR. The comment is noted, but further clarification or expression of preference as to how to provide expanded transit options, and specifically how such expanded options would be funded, is not necessary as part of the discussion of the 2035 Master Plan in Impact 3.13-2. Cal Poly is committed to the expansion of existing transit service, which may include fair-share contributions to RTA and/or to the City, as noted in Mitigation Measure 3.13-2 on page 3.13-15 of the Draft EIR.

Comment L7-32

[This comment refers to the discussion of Mitigation Measure 3.13-2, and specifically the phrase "Support Transit Improvements" in the title of the measure, on page 3.13-15.]

The RTA notes that neither of the two paragraphs in the mitigation measure provide details on how the campus will actually support public transit improvements; suggesting the campus will not do anything to "get in the way" is hardly supportive. The mitigation should clearly demonstrate the campus will support public transit improvements, including financial support.

Response L7-32

The comment expresses the view that further detail regarding how campus will support public transit improvements is necessary. However, as noted in the discussions of Impact 3.13-2 and Mitigation Measure 3.13-2, Cal Poly is

committed to further transit improvements, including the transit center. The discussion of Mitigation Measure 3.13-2, in particular, refers to potential fair-share contributions or other transit service improvements, such as improving on-campus terminal facilities, in order to achieve the SLO Transit and RTA's performance standards, including maintaining less than 125 percent of seated capacity. Contrary to the opinion expressed in this comment, Mitigation Measure 3.13-2 commits Cal Poly to supporting public transit improvements, including fair-share contributions based on University-related ridership. The mitigation measure, as presented in the Draft EIR and amended through the Final EIR process, is appropriate, feasible, and in accordance with CEQA requirements. In addition, please see Response L7-6 which incorporates RTA's request for modifications to Mitigation Measure 3.13-2 and outlines Cal Poly's ongoing commitment to monitor and support transit improvements.

Comment L7-33

[This comment refers to the mention of SLO Transit in the first sentence in the discussion of Mitigation Measure 3.13-2 on Draft EIR page 3.13-15.]

The RTA also monitors service performance via our established GPS-based CAD and automatic passenger counter systems, too.

Response L7-33

As noted in the response to Comment L7-6, Mitigation Measure 3.13-2 has been amended to reflect the RTA's continuing efforts to manage and improve transit service in the region.

Comment L7-34

[This comment refers to the clause "Cal Poly shall work with SLO Transit" in the second sentence in the discussion of Mitigation Measure 3.13-2 on Draft EIR page 3.13-15.]

The RTA suggests that the campus also work with us to identify and support improvements identified in the RTA SRTP.

Response L7-34

The comment requests coordination with the RTA to identify and support transit improvements. As noted in the response to Comment L7-6, the discussion of Mitigation Measure 3.13-2 has been amended to reflect Cal Poly's commitment to coordination and cooperation with the RTA's continuing efforts to manage and improve transit service in the region.

Comment L7-35

[This comment refers to the clause "SLO Transit updates its SRTP" in the last sentence in the first paragraph in the discussion of Mitigation Measure 3.13-2 on Draft EIR page 3.13-15.]

The RTA recommends the language be changed to:

"… SLO Transit and the RTA update its SRTP…"

Response L7-35

The comment requests consideration of subsequent updates to the RTA's SRTP as part of Mitigation Measure 3.13-2. As noted above, in the response to Comment L7-6, the discussion of Mitigation Measure 3.13-2 has been amended to reflect the RTA's SRTP in addition to SLO Transit's SRTP.

Comment L7-36

[This comment refers to the text beginning with "ensuring that transit service" and running to the end of the sentence in the "Significance after Mitigation" section at the top of Draft EIR page 3.13-16.]

The RTA notes that the campus should strengthen its commitment regarding specific transit supportive measures, including financial subsidy support for both transit operating and capital needs for SLO Transit and the RTA.

Response L7-36
The comment expresses concern that further expression of financial commitment to transit is necessary. Refer to the response to Comment L7-32.

Comment L7-37
[This comment refers to the phrase "pedestrian-only Academic Core subarea" in the second sentence in the last paragraph on Draft EIR page 3.13-16.]

The RTA provides bikes racks on the front and rear of each 40-foot bus (a total of six bikes can be accommodated), which is unique in the transit industry and provides maximum bike capacity. This is an important "last-mile" consideration for many RTA riders who use transit from remote/rural areas where walking to/from the bus stop would be otherwise infeasible. To the extent possible, the no-bike zones on the Cal Poly campus must still provide direct routes from bus stops to activity centers so that cyclists do not have to go far out of direction or traverse difficult terrain to avoid the no-bike zone. Otherwise, the no-bike zone becomes a deterrent for both cyclists who are also bus riders. A good example is the no-bike riding zone within the Quad area on the UC Davis campus -- it is a limited size area and good paths are provided around the Quad.

Response L7-37
The comment discusses the provision of bike racks on RTA buses and the need to consider the implications of no-bike zones as deterrents for cyclists. With respect to RTA bus bike racks, refer to the response to Comment L7-11. The commenter's opinion regarding the need to consider the sizing and location of no-bike zones is noted. The provision of adequate bicycle and pedestrian facilities on campus, including ease of access and safety for both pedestrians and cyclists, is a major consideration of the 2035 Master Plan, as evidenced by several Guiding Principles (GPs), Design Character (DC) principles, and Implementation Programs (IPs). In particular, GP 13 emphasizes the need for travel to, from, and within campus to be safe, efficient, and effective for all modes and giving priority to non-personal-occupancy-vehicle modes of travel. IP 21 emphasizes the need for convenient bicycle routes throughout the campus, as well as bike parking located near campus origin and destination points, consistent with the request made in this comment.

Comment L7-38
[This comment refers to the phrase "for each mode" in the first bulleted item on Draft EIR page 3.13-17.]

The RTA would argue that the highest risk lies with private automobile drivers. Bikes and transit work well together all over the world because Bus Operators are professionally trained to drive among cyclists, as is evidenced on campuses across the globe. Again, the UC Davis campus provides a good example, where the campus core is closed to all private automobiles but bikes/buses travel safely together throughout the day.

Response L7-38
The comment, which expresses the opinion that the highest safety risk to bicycle safety is private automobile drivers and not bus drivers, is noted. Based on Cal Poly's review of available travel safety information collected in the vicinity of the campus and summarized on page 3.13-8 of the Draft EIR, it is acknowledged that historical data indicates that the primary risk of collision between bicycles and pedestrian is associated with private automobile interactions. Refer to Response L7-38 with respect to the prioritization of safe, efficient, and effective travel for all modes of travel under the 2035 Master Plan. The comment does not raise any environmental issues related to the adequacy of the EIR analysis, and no further response is required. The comment is included within the record for consideration by the decisionmakers as part of the 2035 Master Plan approval process.

Comment L7-39
[This comment refers to the term "could" in the first sentence, beginning "Cal Poly could prepare…," in the third full paragraph on Draft EIR page 3.13-17.]

The RTA recommends the language be changed to:

"shall"

Response L7-39

The comment requests modification of Mitigation Measure 3.13-3 so it requires preparation of a multimodal transportation management plan. The preparation of a multimodal transportation management plan was intended as an option that could, but not necessarily be required to, combine the management of various travel modes into a single document for ease of review and implementation. Its inclusion, or lack thereof, as part of mitigation implementation would not reduce the Cal Poly's requirement to manage and improve (where necessary) bicycle facilities, access, and connections. Irrespective of whether Cal Poly prepares a multimodal transportation management plan, the requirements set forth in Mitigation Measure 3.13-3 (e.g., potential construction of physically separated facilities, increased bicycle parking, etc.) would apply. To further demonstrate that a multimodal transportation management plan is optional as part of mitigation implementation, the discussion of a multimodal transportation management plan in Mitigation Measure 3.13-3 has been amended as follows:

> As an optional mitigation action, Cal Poly could elect to prepare a Multimodal Transportation Management Plan that ~~identifies~~ would coordinate bike, pedestrian and transit modes and related improvements, including identifying and coordinating the expected locations and types of bicycle improvements that may be necessary to accommodate growth resulting from the 2035 Master Plan. Potential modifications to the existing transportation network for active transportation modes ~~should~~shall be based on, but not limited to, the following objectives:
>
> - desired level of traffic stress or user experience, and
> - the need for physical separation between the modes (to address either volume or speed differentials).
>
> If adopted, t~~T~~he plan should include an implementation program that identifies the prioritization and sequencing of improvements as they relate to specific on-campus facilities (e.g., new student residences). The plan ~~should~~shall be flexible to respond to changing conditions during implementation of the 2035 Master Plan and ~~should~~shall contain optional strategies and improvements that can be applied to specific problems that arise as the 2035 Master Plan's implementation proceeds.

Comment L7-40

[This comment refers to the term "should" in the second sentence, beginning "Potential modifications…," in the third full paragraph on Draft EIR page 3.13-17.]

The RTA recommends the language be changed to:

"will"

Response L7-40

The comment requests modification of Mitigation Measure 3.13-3 so it requires preparation of a multimodal transportation management plan as part of mitigation measure implementation. Refer to the response to Comment L7-39.

Comment L7-41

[This comment refers to the term "should" in the first sentence, beginning "The plan should include…," in the fourth full paragraph on Draft EIR page 3.13-17.]

The RTA recommends the language be changed to:

"will"

Response L7-41

The comment requests modification of Mitigation Measure 3.13-3 so it requires preparation of a multimodal transportation management plan as part of mitigation measure implementation. Refer to the response to Comment L7-39.

Comment L7-42

[This comment refers to the term "could" in the first sentence, beginning "Cal Poly could prepare…," in the first full paragraph on Draft EIR page 3.13-19.]

The RTA recommends the language be changed to:

"will"

Response L7-42

The comment requests modification of Mitigation Measure 3.13-4 so it requires preparation of a multimodal transportation management plan as part of mitigation measure implementation. Similar to the suggested modifications to Mitigation Measure 3.13-3 requested above, in Comment L7-39, the preparation of a multimodal transportation management plan was intended as an option that could combine the various travel modes into a single document for ease of review and implementation. Irrespective of whether Cal Poly prepares a multimodal transportation management plan, the requirements set forth in Mitigation Measure 3.13-4 (e.g., potential construction of physically separated facilities, restriction of modes in certain locations, etc.) would apply. To further demonstrate that a multimodal transportation management plan is optional as part of mitigation implementation, the discussion of a multimodal transportation management plan in Mitigation Measure 3.13-3 has been amended as follows

> As an optional mitigation action, Cal Poly could elect to prepare a Multimodal Transportation Management Plan that ~~identifies~~ would coordinate bike, pedestrian and transit modes and related improvements, including identifying and coordinating the expected locations and types of pedestrian improvements that may be necessary to accommodate growth resulting from the 2035 Master Plan. Potential modifications to the existing transportation network for active transportation modes ~~should~~shall be based on, but not limited to, the following objectives:
>
> - desired pedestrian level of service or user experience, and
> - the need for physical separation between the modes (to address either volume or speed differentials).
>
> If adopted, t~~T~~he adopted, the plan should include an implementation program that identifies the prioritization and sequencing of improvements as they relate to specific on-campus facilities (e.g., new student residences). The plan ~~should~~shall be flexible to respond to changing conditions during implementation of the 2035 Master Plan and ~~should~~shall contain optional strategies and improvements that can be applied to specific problems that arise as Master Plan's implementation proceeds.

Letter L8 City of San Luis Obispo Community Development Department

Michael Codron
February 3, 2020

Comment L8-1

The City of San Luis Obispo provides this letter with attachments as its formal comments on the Draft EIR for Cal Poly's 2035 Master Plan. We appreciate the opportunity to comment, and the time and coordination that has occurred on the mitigation measures that require City participation. Ultimately, the City asserts that the EIR has improved and the purpose of these comments are intentionally put forward to strengthen the analysis of the environmental impacts and fully disclose those impacts so that environmental impacts can be fully mitigated to the extent reasonably feasible.

As you know, the City and Cal Poly have existing agreements that cover a wide range of services where the campus and community support each other's mutual success. With this in mind, we have used the Draft EIR as a tool to better understand how these agreements will continue to serve the campus and community as the campus grows with development under the 2035 Master Plan.

The comments provided herein are intended to be constructive to help ensure the City's ability to support implementation of the Master Plan. In this regard, the Draft EIR and Master Plan are tools that will help us identify Cal Poly's fair share of the costs of public facilities and services needed to support growth on campus.

Attached to this comment letter is a 2015 communication authorized by the City Council including "City Comments on the Cal Poly Master Plan Update," and "Guiding Principles for Input on the Cal Poly Master Plan Update." The

following comments are made with this guidance in mind, and in consideration of the City's current Major City Goals for Housing and Climate Action.

Response L8-1
The comment presents prefatory remarks to more detailed comments contained in the letter.

Comment L8-2
Introduction/Project Description

The City is concerned about enrollment growth on campus to the extent that it is not planned for and that it is not phased to occur subsequent to the provision of additional housing on campus. A spike in enrollment that occurred in 2017 provided the City with an opportunity to quantify costs associated with unplanned enrollment growth, which resulted in unplanned costs to the City in the areas of emergency response and transit, for example (Katie Lichtig; September 11, 2017, attached).

The project description assumes that enrollment will increase at a lower rate over the next two decades than it has during the past two decades, but no evidence is cited to support this assumption. In fact, the data identified in the DEIR of past enrollment growth supports a growth rate of 280 students per year, not the 205 students per year used throughout the DEIR. This is equivalent to a 26.8% decrease in historic enrollment growth. No evidence has been cited or supplied to explain why it was assumed that such a significant decrease will occur, nor does the DEIR include any assurances in the form of enforceable project components or mitigation measures to ensure that the planned rate of enrollment growth will actually occur.

The way to remedy this is through enforceable policies in the master plan and/or mitigation measures in the Final EIR that would prevent increases in enrollment beyond what is planned for, or that trigger additional measures to mitigate impacts should increased enrollment occur. Phasing enrollment growth in alignment with the provision of facilities on campus (e.g. water supply, active transportation projects, transit service, housing, etc.) is recommended as a method to address the potential for unmitigated impacts associated with unplanned enrollment growth.

Response L8-2
The comment expresses concern related to the enrollment growth projections identified in the Draft EIR. Refer to Master Response 3, Enrollment Projection and Housing for 2035 Master Plan. As noted in that response and on page 2-15 of Chapter 2, "Project Description," the growth anticipated under the 2035 Master Plan and evaluated in the Draft EIR is a reasonable projection of future enrollment based on current enrollment trends, historic enrollment growth, and in recognition of changes in academic programming.

With regard to the commenters reference to an enrollment spike that occurred in 2017, this was due to an anomaly associated with a change in the early admission process and has since been corrected. Cal Poly addressed the impacts associated with this spike through adaptive management of its housing stock, including increasing the bed count in student housing facilities. As shown in Table 2-4 on page 2-18 of the Draft EIR, enrollment levels after 2017 were reduced (from 22,188 in 2017 to 21,242 in 2019) and have remained steady and consistent with historic enrollment growth patterns overall. In addition, due to the COVID-19 pandemic, Cal Poly will assume zero growth in the coming 2020-2021 academic year.

Comment L8-3
Aesthetics

Slack and Grand Project

The Faculty and Staff Workforce Housing (Slack and Grand) project is identified as a near term project in Table 2-12. The proposed development is up to five stories in height which greatly exceeds that of the adjacent single-family residences along Slack Street. Although the DEIR identifies this as a significant and unavoidable impact, Mitigation Measure 3.1-1 relies only on landscaping to mitigate impacts and would not reduce impacts to the maximum extent feasible. Feasible mitigation could also include detailed architectural design to provide a more compatible transition

to the surrounding neighborhoods, consistent with the City's property development standards for Edge Conditions (SLOMC 17.70.050). The City believes that compliance with its standards for Edge Conditions would be feasible and effective mitigation for the project contemplated on the Slack and Grand site.

Response L8-3

The comment identifies potential additional mitigation measures related to the aesthetic impacts of the Faculty and Staff Workforce Housing and requests that Cal Poly adopt and apply the City's Edge Conditions to this project. As a threshold matter, CSU (including Cal Poly) is a constitutionally created state entity that is not subject to local land use regulations, such as the City's Edge Conditions. Nonetheless, the campus may take such local regulations into account where appropriate and feasible. In this case, the proposed design and siting for the Faculty and Staff Workforce Housing (Slack and Grand) project has not yet been determined, including the interplay with the City border. Nonetheless, it does not appear that it would be feasible to incorporate and apply the City's Edge Conditions to Slack and Grand project given the degree to which setbacks at different heights would be required to comply with the standards for Edge Conditions and still provide 380 residential units within a portion of the 22-acre site. In addition, because the overall height of the Slack and Grand project's proposed structures with up to 5 stories would not be changed (and would possibly need to be increased in order to accommodate the 380-units and other project components), even with implementation of Edge Conditions' setbacks, the project would continue to preclude some long distance views to the north from residences and publicly available view from Slack Street and Grand Avenue, and would thereby still result in a significant and unavoidable impact as stated on page 3.1-25 of the Draft EIR. The Master Plan includes a number of Design Principles, including DC 01, DC 05, DC 9, DC 10, and DC 11 (as described on Draft EIR page 3.1-21) and Implementation Policies I 04, I 05 and I 06, that complement the intent of the City's standards for edge conditions and encourage outreach and consideration of the campus's interface with the City, and would be employed as part of 2035 Master Plan implementation. Therefore, contrary to the opinion expressed in this comment, compliance with the City's Edge Conditions standards is not required, nor is it considered feasible or effective mitigation to reduce the significant and unavoidable visual impact identified for the Slack and Grand near-term project. Consistent with the Master Plan policies and the mitigation measures set forth in the Draft EIR, at the time the Slack and Grand project is proposed for design and development, Cal Poly will take into consideration and mitigate to the extent feasible the interface concerns with adjacent residential neighborhood and related visual impacts.

Comment L8-4

Air Quality, Energy Consumption and GHG Emissions

City comments on these three topic areas are combined to focus comments on specific policy interests of the City with respect to GHG emissions reduction strategies. The City of San Luis Obispo is pursuing a 2035 Carbon Neutral goal and has taken a leadership role across the State and country with respect to programs and standards to help achieve this outcome. Specifically, the City has adopted a policy preference for all-electric new buildings and is pursuing adoption of a Clean Energy Choice Program to incentivize all-electric new development. The City is developing a Carbon Offset Requirement and has negotiated with new housing developers to eliminate the use of natural gas in major new subdivisions.

Therefore, the City finds the commitment that all buildings constructed under the Master Plan will be powered by 100% on site renewable energy commendable. The City notes that this renewable energy goal is identified as a requirement in the GHG analysis in Chapter 3.8. However, mitigation measures in Chapter 3.8 concerning GHG emissions do not require that all buildings be powered by 100% renewable energy. For instance, will the WRF be 100% powered by on-site renewable energy? If so, where will the renewable energy be generated? The DEIR does not describe or evaluate any large-scale renewable energy projects to indicate that the requirement can be achieved. Implementation of the Master Plan goals on energy and GHG reduction would benefit greatly by a more detailed discussion of how the on-site renewable energy goals can be feasibly accomplished.

Response L8-4

The comment describes the City's impressive 2035 Carbon Neutral goal and its leadership and policy objectives to achieve it. The City commends the 2035 Master Plan's commitment to achieve 100 percent onsite renewable for all

new buildings and requests additional detail regarding how the onsite renewable energy goals would be accomplished.

Mitigation Measure 3.8-1 includes various prescriptive measures that would reduce GHG emissions associated with new/renovated buildings, vehicle emissions, water-related emissions, and waste-related emissions. Specifically, the measure requires that all new or renovated buildings and parking structures include rooftop photovoltaics, to the extent feasible. Because project-specific design of individual Master Plan projects is not yet available, including the WRF, it is not possible to determine with any certainty, what proportion of the energy demand of each new/renovated building would be served by solar power. Cal Poly has commitments to meet and exceed State-mandated greenhouse gas (GHG) reduction goals and meet California State University sustainability goals of net zero GHG emissions by 2040, as described in Impact 3.8-2 of the Draft EIR, and project design will take these mandates into consideration. In addition, Cal Poly has prepared the Cal Poly Climate Action Plan, which also contains many goals and policies related to GHG reduction. As Cal Poly continues to develop, progress toward achieving its net zero goals will be periodically evaluated as part of Cal Poly's GHG inventory process through implementation of its Climate Action Plan. If additional renewable energy needs are identified that are best fulfilled by onsite renewable energy projects, such projects would be proposed, designed, and subject to future environmental review. Cal Poly has the ability to achieve these goals by various means, including installing solar panels on new buildings, retrofitting existing buildings/structures, or installing solar facilities on Cal Poly-owned land. However, specific renewable energy projects are not contemplated in the 2035 Master Plan, and therefore, not evaluated in the Draft EIR. See also Response L4-11 whereby Mitigation Measure 3.8-1 has been modified to include "To the extent feasible and where appropriate site conditions exits, install solar photovoltaics on available land throughout the Cal Poly campus to offset the use of nonrenewable energy for existing and future facilities and buildings."

Comment L8-5

The DEIR relies on the VMT model to supply estimates for the Master Plan's operational GHG emissions. However, the VMT model excluded vehicle miles traveled by vendors and visitors to the campus. As a result, a GHG analysis that relies on that VMT model may not include the full scope of GHG emissions generated by this project.

The DEIR states that daily VMT estimates were "adjusted to annual VMT using a conversion factor of 267 days per year, which accounts for Cal Poly's academic schedule, holidays, and enrollment levels during summer and regular academic quarters." (DEIR, p. 3.8-15.) Although VMT may be lower when school is not in session, the campus is still in operation and people still visit it during those times (i.e. move in, orientation, summer sessions, construction projects, etc.). As a result, GHG emissions still occur on the days that the annual VMT estimate has excluded with no basis and thus is incomplete and deprives the public from understanding the full GHG emissions of campus operations. By basing its GHG emission estimates on a VMT model that excluded 98 emission producing days per year, the GHG analysis is potentially underreporting the potential GHG impacts associated with this project. In addition, Chapter 3.3 of the DEIR acknowledges that the project will increase trip counts by 7,495 daily trips. The GHG analysis should likewise take these trips into account and fully disclose and evaluate impacts to GHG.

Response L8-5

The comment suggests that vehicle miles traveled (VMT) by vendors and visitors to the campus were not accounted for and, as a result, GHG emissions were underestimated.

This is not correct. All VMT to and from the campus was included in the traffic modeling and associated GHG emissions modeling, including VMT generated by students (living on- and off-campus), faculty, staff, visitors, and vendors. Refer to the response to Comment S3-7 for further discussion of how the modeling presented in Appendix G includes non-commute-related trips. In addition, the project generated VMT for the campus included the full length of the trip, including those trips that leave the County of San Luis Obispo (Rubins, pers. comm., 2020). Therefore, VMT and associated GHG emissions were not underestimated.

Regarding the assessment of annual VMT and GHG based on 267 days per year (rather than a full 365-day year), this is considered a reasonable and conservative estimate of annual VMT for several reasons. First and foremost, the calculations provided in the Draft EIR are based on fall enrollment such that it is assumed that the campus would sustain enrollment levels throughout the academic year consistent with fall enrollment levels. Fall enrollment

represents the highest level of campus population and activity for the entire year due to graduating students and students who enroll but then pursue other interests. For example and based on enrollment information collected by Cal Poly for the past several years (Cal Poly 2017b, 2018b, 2018c, 2018d, 2018e, 2018f, 2019b, 2019c), the difference between fall and spring quarters varies by 10 percent on average, and the difference between fall and winter quarters varies by 5 percent on average. As noted on page 2-19 of the Draft EIR, student enrollment during the summer quarter is anticipated to be generally 10 percent of fall enrollment. Therefore, to the extent the GHG analysis utilizes a basis of 267 days per year, the GHG emissions from any excluded days are accounted for through the reduced enrollment levels in the winter (5% reduction from fall levels), spring (10% reduction from fall levels) and summer (90% reduction from fall levels). In addition, the GHG analysis assumed that the campus would be in full operation – meaning classes would be in session and all other campus operations would be active – for 267 days per year. Based on the 2019-2020 academic year calendar (including summer 2019), Cal Poly would normally be in operation for 224 days, assuming 5 days for final exams across all quarters. Including weekends, campus would be open for 336 days, not including recognized holidays that occur during the quarters. Taking into consideration enrollment decreases across the quarters, as noted above, and expressing potential on-campus enrollment under the 2035 Master Plan as "person days" (i.e., a day for each person on campus), there would be approximately 6,027,500 person days per year. The Draft EIR's analysis, again using fall student enrollment across all quarters and 267 days per year, assumes 6,675,000 person days per year.

Therefore, as the Draft EIR accounted for the highest level of enrollment (fall quarter) throughout the school year and included additional days of full campus operations in its calculation of daily and annual VMT, the Draft EIR's estimate of annual VMT is considered to be a reasonably conservative projection and does not underrepresent potential on-campus conditions. Furthermore, the projected increase in vehicle trips identified in Section 3.3, "Air Quality" was accounted for in the estimated GHG emissions provided in Section 3.9, "Greenhouse Gas Emissions," contrary to statements made in this comment. Had the Draft EIR utilized a full 365-day calendar of full campus operations at fall enrollment levels, the Draft EIR's analysis would have grossly overstated the GHG emissions estimate and potential impacts.

Comment L8-6
Biological Resources

Generally, the City is concerned that the EIR and Master Plan fail to provide a program for evaluating impacts to biological resources to guide project designs and streamline subsequent environmental review. The presence of special status plant and animal species is identified, but there is no guidance through Master Plan policies or detailed mitigation measures regarding the scope and scale of future biological studies needed to avoid impacts and secure resource agency approval for projects contemplated in the Master Plan. The need for certain resource agency approvals (an Incidental Take Permit and a Habitat Conservation Plan are both noted as possible requirements) may significantly delay housing and water projects that are relied upon in the DEIR to self-mitigate impacts to housing, transportation, GHG emissions, noise and other issue areas identified throughout the DEIR.

Response L8-6
The comment expresses concern that the Draft EIR does not provide a program or guidance regarding the scope and scale of future biological studies and general concern that the acquisition of permits from various resource agencies may result in delays to the overall intended program of Master Plan development. This comment does not address or acknowledge the detailed provisions set forth in Draft EIR section 3.5, which include assessment, survey, avoidance, minimization/compensation, monitoring and management mitigation measures addressing potential project impacts to special status plans, wildlife, fish and associated habitat. For example, Impact 3.5-2 addressing special status wildlife, fish and habitats that may be present within the Master Plan area includes 24 mitigation measures design to avoid significant adverse impacts to these protected resources. See Mitigation Measures 3.5-2 a through x. The comment does not specifically address any of these measures, or other measures Draft EIR section 3.5, or raise any specific concern regarding the adequacy or enforceability of these measures. The proposed measures establish the criteria by which individual Master Plan projects and sites should be evaluated when those projects are proposed for development, as well as establishes performance standards for mitigation implementation. See also Master Response

2 regarding the scope of analysis required for program level EIRs such as this Master Plan EIR. The measures listed in the Section 3.5 of the Draft EIR also allow for flexibility with respect to individual site conditions, as well as future changes in agency guidance. See also Master Response 4 regarding the general need to allow for flexibility in implementation of mitigation measures over the life of a long term plan, such as the 2035 Master Plan. The comment does not provide specific information as to the stated lack of guidance or detail, but the mitigation measures, as presented in Section 3.5, "Biological Resources" are appropriately detailed and consistent with the State CEQA Guidelines, particularly Section 15126.4(a)(1).

With respect to the need for permitting by various resource agencies, the Draft EIR identifies that potential permits from the U.S. Army Corps of Engineers (USACE), California Department of Fish and Wildlife (CDFW), United States Fish and Wildlife Service (USFWS), and the Regional Water Quality Control Board (RWQCB) may be necessary (refer to Table 2-13) for future 2035 Master Plan projects, depending upon the scope and design of these future projects, the presence of special status plants, species and their habitat, and the ability to feasibility implement avoidance and other mitigation measures described above. As described in Master Response 2, it is premature and would be speculative to engage in the detailed biological review requested by the comment at this time. This is particularly applicable to potential biological resources, as surveys and assessments would need to occur within specific timeframes prior to development and/or ground disturbing activities. Nonetheless, the timing of implementation of the near-term and long-term projects takes into consideration Cal Poly's reasonable estimate of the general period of time through which compliance with the mitigation measures in Section 3.5 would be achieved, including (to the extent necessary) securing resource agency permits. These timeframes are assumed and considered in Cal Poly's development of the overall program.

Comment L8-7

Plants

The analysis in this section relies on deferral of studies to identify and mitigate impacts at some future point, however, no program for future studies is provided to guide future investigations. Mitigation measure 3.5-1a states surveys should be conducted prior to approval of "specific projects under the 2035 Master Plan." This mitigation measure is vague as to what projects would trigger this measure (i.e. projects that may otherwise qualify for an infill exemption). The DEIR appears to base analysis of potential impacts to protected plant species on one reconnaissance level survey that was completed in June 2019. As noted in Table 1, Appendix E, there are many protected plant species that may be present on the site that do not flower in June. Mitigation Measure 3.5-1b only provides for avoidance of impacts to special status plants in the area outside of the footprint of structures and site features. Proper evaluation in advance of the approval of building footprints should inform their final location to potentially avoid or minimize impacts to the greatest degree possible and avoid potential delays in Master Plan implementation.

Response L8-7

The comment expresses concern with respect to proposed mitigation measures for special status plants. Contrary to statements made in this comment, the Draft EIR's analysis does not rely on "deferral of studies" but requires site-specific studies to be conducted at the time during which an individual project is being designed/considered, in order to most accurately reflect then current on-site conditions. For example, Mitigation Measure 3.5-1a requires that "Prior to approval of specific projects under the 2035 Master Plan, Cal Poly shall have a qualified botanist (i.e., a professional biologist with expertise in native and naturalized plants found in California who is able to use appropriate field survey methods and protocols that satisfy documentation and assessment requirements) evaluate the potential for special-status plant habitat at the proposed project sites containing undeveloped land cover types as shown in Figure 3.5-1, "Land Cover."" This measure would apply to all Master Plan projects, even projects that may be exempt from CEQA. We also note that Cal Poly has a duty to comply with the applicable natural resources laws and regulations, independent of its CEQA obligations. Moreover, with respect to special status plants, the establishment of certain plants on a particular site can vary seasonally and year over year; therefore, it is important to conduct surveys, including blooming period surveys, concurrent with the proposed project design and development in order to ensure accurate identification of the presence/absence of the special status plant(s). Because the individual 2035 Master Plan projects have not been fully designed and do not yet have an established construction schedule, detailed study of each individual Master Plan development site would be premature, speculative and not warranted at this time. The

mitigation measures of the Draft EIR are appropriately detailed, with established performance standards and consistent with State CEQA Guidelines requirements (e.g., Section 15126.4), in order to ensure that potential impacts to special status plant species would be mitigated to a less than significant level. See also Master Response 2 and Response L8-6.

The Draft EIR's analysis was based on a review of existing sources, including the California Native Plant Society's Online Inventory of Rare and Endangered Plants, as stated on page 3.5-1 of the Draft EIR. The June 2019 survey was also used to confirm general habitat types and confirm whether the potential exists for such special status species to occur within the Master Plan Area. This is consistent with industry standards and CEQA requirements. Furthermore, as noted in the response to Comment S3-3 and L8-6 above and Master Response 2, CEQA allows for the specific details of a measure to be developed after project approval when it is impractical or infeasible to do so at the time of public review, particularly with program level EIRs. As the Master Plan Area includes many different site conditions and habitats, the potential for special status plant species to occur varies. Also, because Master Plan projects have not been specifically sited or designed to a level that would allow project-specific environmental review, the mitigation measures presented in the Draft EIR are appropriately detailed so as to cover the potential development activities identified in Chapter 2, "Project Description of the Draft EIR and allow for flexibility as design and planning of 2035 Master Plan projects advance.

With respect to the Mitigation Measure 3.5-1b, it stands to reason that if a special status plant is located outside of the footprint of a structure or site feature, it is possible to avoid that plant, however, if a plant is located within an area of active construction and cannot be protected (e.g., through implementation of a no-disturbance buffer), additional impact minimization and compensation measures (as required by Mitigation Measure 3.5-1c) would be necessary. With respect to the ability to modify a site plan to avoid a single special-status plant, this is not considered reasonable or feasible mitigation as there are numerous factors that would otherwise lead to the loss of the plant, including year-over-year mortality. Requiring site plans to adjust to individual plants, if present during a given blooming season, could result in further delays to implementation of the 2035 Master Plan, contrary to the assertion made in this comment. Furthermore, the potential exists for additional plants to establish after site plan approval and prior to construction. Mitigation Measure 3.5-1b is considered reasonable and appropriate, as amended through the Final EIR, and further amendment, as suggested by this comment, is not considered necessary.

Comment L8-8
Hydrology and Water Quality

The DEIR does not evaluate potential impacts that could result from flooding. One way to address this would be for DEIR and Master Plan to include specific references to the regional San Luis Obispo watershed Waterway Management Plan (WMP). The WMP has been adopted by both the City and County as the agreed upon standard for the San Luis Obispo watershed. The impact of not analyzing flooding is that the project may cause an increase in the rate or amount of surface water that would result in flooding both on and off-site, it may impede or redirect flood flows, or it may cause the release of pollutants due to inundation that may occur within the flood plain. CEQA requires a full evaluation of these impacts, as stated in CEQA Guidelines Appendix G. By not including this full evaluation in the DEIR, the project creates potential unmitigated impacts that have not be disclosed to the public or decision makers.

Response L8-8
The comment expresses concern that the Draft EIR does not evaluate potential impacts associated with flooding that may occur with development under the 2035 Master Plan. This is incorrect. The Draft EIR evaluates potential impacts related to flooding in Impacts 3.9-4 and 3.9-5, which include mitigation measures to ensure that 2035 Master Plan development would not increase flood hazards. It is acknowledged that the Draft EIR does not include specific reference to the San Luis Obispo Watershed WMP, as the plan was developed by the City and the County. As noted on page 2 of the WMP, "this document outlines the planning, design, and permitting approach the City and County will utilize for routine stream maintenance, such as vegetation management, bank repair, and sediment removal." Cal Poly participated as a member of the advisory committee for development of the plan, but did not adopt the plan as

guidance/procedures for the campus. However, as noted above, reference to this plan has been added to the Local Regulatory Setting (refer to Response L6-1 through L6-8 and in particular Response L6-1).

Comment L8-9

Slack and Grand project and Retirement Community

The DEIR does not evaluate impacts to City stormwater facilities and potential runoff from the Slack and Grand site that will flow into the City's stormwater system and into San Luis Obispo Creek. Once water from on-site impervious areas enters the City right's-of-way, Cal Poly would be subject to the City's stormwater permits. No analysis is provided demonstrating how the project would comply with City permit requirements.

No analysis is provided on how the development of the retirement community may also impact the City's stormwater system as drainage is likely to be directed to City infrastructure. No evidence is provided of how these projects will comply with City permit requirements or how San Luis Obispo Creek will not be impacted by development. A requirement for WMP compliance would address the concern.

Response L8-9

The comment expresses concern that stormwater impacts related to the Slack and Grand and University-Based Retirement Community development projects were not considered in the Draft EIR analysis. This is incorrect. The Draft EIR assesses stormwater impacts associated with these two developments as part of the 2035 Master Plan as a whole. Mitigation Measures 3.9-3, 3.9-4a, and 3.9-4b would apply to both developments and would require that on-site development would not increase stormwater flows beyond existing conditions, such that an exceedance of local infrastructure capacity would occur. As a result, compliance with City permit requirements to accommodate increased stormwater flow would not be triggered or necessary. In addition, and from a threshold perspective, the siting and design of these two projects, including their drainage features, have not yet been determined. Thus, it would be premature and speculative to complete a project-specific drainage analysis at this time. See Master Response 2. Such analysis will be conducted at the time these projects are proposed for development, as with all other Master Plan projects. While it is assumed that these projects would comply with Mitigation Measures 3.9-3, -4a and -4b, in the event that design considerations prompt Cal Poly to consider discharge of stormwater to the City system (versus the retention/detention of stormwater flows on site through stormwater best management practices and low impact development measures as required by Mitigation Measure 3.9-4b), Cal Poly would coordinate with the City regarding available stormwater infrastructure capacity and compliance with City permit conditions. As noted above in the response to Comment L8-8, the Draft EIR has been amended to include reference to the WMP as a local plan; however, the Master Plan and Draft EIR have addressed and fully mitigated stormwater flows and hydrologic impacts through the Mitigation Measures outlined in Draft EIR Section 3.9.

Comment L8-10

Flooding

The DEIR does not evaluate potential floodplain impacts. City and County Floodplain Management Regulations should be disclosed and pre- versus post-development impacts should be analyzed. The DEIR states that buildings will be located above the floodplain but there is no analysis or clear mitigation to ensure that floodwaters will not be displaced creating downstream impacts. These are significant issues that could create hazardous conditions and property damage. In particular, the DEIR does not evaluate the extent of construction within the Base Flood Elevation (BFE) and whether it is feasible to locate new construction outside this zone. If flood flows are obstructed or capacity of the floodplain is altered without appropriate mitigation, impacts will result.

Response L8-10

The comment expresses concern that the Draft EIR did not evaluate potential floodplain impacts. As noted in Response to Comment L8-8, the Draft EIR evaluates potential flooding and floodplain impacts and the commenter is referred to Impacts 3.9-4 and 3.9-5 of the Draft EIR. Further, as described in Draft EIR section 3.9-5 and Figure 3.9-2, the 100-year floodplain is largely limited to areas immediately surrounding Stenner and Brizzolara Creeks, however, as stated on page 3.9-17 of the Draft EIR, development under the 2035 Master Plan may occur within these designated flood zones, including certain near-term projects (e.g., Farm Shop, Student Housing for Freshmen

Students, and the Facilities Operations Complex/interim parking lot). If and when construction may occur within designated flood zones, the 2035 Master Plan EIR's mitigation (Mitigation Measure 3.9-5) will require Cal Poly to coordinate with FEMA and implement appropriate design considerations (e.g., building above the Base Flood Elevation and preparation of a pollutant control plan) to prevent increased flood hazard risk, as well as risk of pollutant release during flood events. However, the exact design considerations to be implemented will depend on site-specific considerations and features. Refer to Master Response 2 for further clarification regarding the level of detail provided in the Draft EIR.

Comment L8-11
Noise

Spanos Stadium
The Master Plan Update includes a 4,000-seat increase in capacity at Spanos Stadium and there is no quantified analysis of existing or anticipated noise levels during events. Absent a noise evaluation, the DEIR and Master Plan could include Mitigation Measures or policies to ensure disclosure of future noise levels and that feasible mitigation is applied. For example, the DEIR and/or Master Plan could provide direction regarding the orientation of speakers away from sensitive receptors, acceptable volume levels, restrictions on hours of events, and clear thresholds to guide the evaluation of future stadium expansion projects.

Response L8-11
The comment expresses concern regarding the lack of a detailed noise analysis of the proposed expansion of Spanos Stadium under the 2035 Master Plan. It is acknowledged that a detailed project-level analysis of Spanos Stadium is not provided at this time, as the design of the proposed expansion of Spanos Stadium under the 2035 Master Plan has yet to be completed. See Master Response 2. However, the Draft EIR does appropriately consider the potential impacts associated with increased crowd noise at Spanos Stadium from a programmatic perspective as part of Impact 3.10-3 of Section 3.10, "Noise."

The specific noise measures proposed in this comment are not considered appropriate or feasible at this time. For example, it would be premature and speculative to rely on directional controls for speakers to mitigate potential noise impacts. In order to find that stadium noise could be mitigated through speaker redirection, the campus would need to have first designed the project, determined the anticipated sound amplification and acoustical needs based on this design, and other items. If additional bleachers are simply placed along the edges of the existing stands, relocation of sound amplification and redirection of noise amplification equipment may not be required or appropriate. In addition, as acknowledged in the Draft EIR, the expansion of Spanos Stadium could result in increased crowd noise, possibly resulting in greater impacts than the speaker system. At this time, it is not considered feasible to restrict fan/crowd noise during an event or reduce the size of an event, in order to achieve an acceptable noise level. Rather than identify specific sound control measures that would be hypothetical and speculative, Mitigation Measure 3.10-3a instead establishes the performance standard which requires implementation of design-specific noise reduction mitigation measures if there would be an increase of 3 dBA or greater. The mitigation measure associated with future design and reduction of any increase in ambient noise levels associated with the expansion of Spanos Stadium is considered appropriate and in accordance with CEQA requirements.

Comment L8-12
Construction Noise
Implementation of the Master Plan Update would include construction of millions of square feet of academic and support buildings, infrastructure improvements, a new Wastewater Reclamation Facility (WRF), expansion of Spanos Stadium, and several housing projects to be constructed over a period of 15 years. These activities will introduce significant new noise sources to the areas surrounding the entrances to campus and have the potential to create long term impacts to the surrounding areas. The DEIR does not include disclosure of potential impacts associated with construction traffic under 3.10-1, Impact 3.1-2, or elsewhere in the DEIR. The DEIR appropriately references City noise thresholds and it would also be appropriate to make use of standard City noise reduction methods as outlined in the City General Plan Noise Element and Noise Standards contained in its Municipal Code. Some of the standard noise reduction measures include:

- Limit the operating times of noise-producing activities and compliance with City Municipal Code requirements for construction hours of operation.
- Rerouting traffic and construction truck trips onto streets that can maintain desired levels of service and which do not adjoin noise-sensitive land uses. The DEIR includes a measure for a materials haul routes, but the City should be consulted on these routes since City residents and will be affected and City streets will be used.
- Lowering traffic speeds through street or intersection design methods.
- Conduct focused noise studies to supplement overall programmatic noise analysis to determine specific measures to avoid or minimize noise impacts.
- Best Management Practices (BMP's) should be established which include measures such as use of sound blankets, mufflers, temporary sound barriers, locating stationary equipment away from residences, neighboring property owner notification and a process to address construction noise complaints.
- Lastly, City Streets will be impacted from construction trips and the University should implement a pavement index evaluation before and after construction and cover the incremental costs for impacts related to the degradation of city roads.

Response L8-12

The comment suggests that construction noise was not evaluated or disclosed in the Draft EIR and requests consideration of the City's standard noise reduction methods as outlined in the City's General Plan Noise Element and noise standards as outlined in the City Municipal Code. Construction-related noise and impacts to sensitive receptors associated with construction traffic are evaluated in the Draft EIR as part of the overall analysis of construction noise (Impact 3.10-1), as evidenced by the fifth, sixth, eighth, and ninth bullets of Mitigation Measure on page 3.10-22 of the Draft EIR related to construction-noise reduction measures, as shown in Table 2, below. These actions/considerations, as well as the other bulleted items provided as part of Mitigation Measure 3.10-1, were reviewed/compared to the City's suggested standards/measures and are generally commensurate. For example, the City's Municipal Code prohibits construction outside the hours of 7 a.m. and 7 p.m., Monday through Saturday, which is provided as the last primary bullet of Mitigation Measure 3.10-1. The proposed measures related to haul truck routes and vehicle speeds are considered commensurate with the eighth bullet of Mitigation Measure 3.10-1, which requires preparation of a haul route plan, which would require adherence to established/acceptable speed limits and repair of any roadway surfaces that are damaged as a result of construction. In addition, the BMPs identified by the City are included as part of Mitigation Measure 3.10-1, specifically the requirement to notify adjacent residents and erect temporary noise barriers in order to maintain acceptable noise levels. As noted in Master Response 2, Cal Poly will conduct additional project-level evaluations as individual projects under the 2035 Master Plan are proposed/designed, consistent with the fourth bulleted suggestion in this comment.

However, it is misleading to state that construction-related traffic could result in a substantial increase in roadway noise. For example, using the same modeling techniques provided in the Draft EIR for roadway noise, an increase of approximately 300 heavy truck roundtrips per day would be necessary in order to achieve a significant adverse increase (defined as a 3dBA increase) in ambient roadway noise levels to occur along Grand Avenue. As construction of projects under the 2035 Master Plan would be staggered over a 15-year period, the combined construction traffic associated with Master Plan implementation is not anticipated to approach levels where a substantial increase in ambient roadway noise levels would occur. Typical truck trips associated with a 50,000-square-foot facility with some excavation, typically do not exceed 10 one-way truck trips per day. Carrying that forward would necessitate the simultaneous construction of 30 of the 2035 Master Plan projects, which is not considered a reasonable or feasible projection.

Comment L8-13

Population and Housing

The City appreciates and supports the Master Plan's efforts to plan for and provide a significant amount of student housing. The housing goals stated in the Master Plan, if reached, will benefit Cal Poly's students and, importantly, the

surrounding community as well, returning needed housing stock to non-students and decreasing neighborhood compatibility issues. However, the DEIR relies on the housing goals stated in the Master Plan without providing assurances that the housing will actually be built or that it will be built in time to mitigate the impacts of increased enrollment. If the on-campus housing contemplated under the Master Plan is not timely built, impacts to transportation, air quality, noise, and housing will be more significant than evaluated in the DEIR.

Table 2-9 sets forth a helpful yearly estimate of enrollment and on-campus housing through the planning horizon of the Master Plan. However, the estimates are based on two assumptions that lack substantial evidence: (1) enrollment will increase at a steady yearly rate of only 205 students; and (2) new housing will actually be constructed consistent with stated goals, with no enforceable accountability measures or mitigations required if goals are not actually met. Because enrollment increases may occur at rates and in amounts that are much greater than have been estimated in the DEIR, and because housing may not be built on campus consistent with the Master Plan's stated goals, the DEIR's assumptions lack substantial evidence as a basis for its conclusions about environmental impacts.

Response L8-13

The comment expresses concern that student enrollment may occur at rates and in amounts greater than what was contemplated in the Draft EIR that housing may not be provided in the manner consistent with the Master Plan and Draft EIR's stated goals and schedule. As a threshold matter, the expressed concern is based upon the commenter's speculation of what could happen if enrollment rates or housing production varies from what is projected in the Draft EIR. An EIR need not speculate about the effects of contingent future events, and analysis of a speculative worst case scenario is not required. The concern expressed by the commenter is based upon speculative "what if" concerns that are contrary to Cal Poly's demonstrated commitment to the provision of housing to meet and exceed enrollment growth. As detailed in Master Response 3 and Response L8-2, the enrollment and housing projections represent a reasonable forecast supported by substantial evidence.

Regarding the process and basis underlying the Master Plan and Draft EIR's enrollment projections and why they are considered reasonable, please refer to Master Response 3. With respect to on-campus housing projections, please also refer to Master Response 3 and L8-2. Cal Poly has made a good-faith effort to project when housing would be provided and where, in accordance with CEQA requirements. The exact timing and schedule of development for all of the projects under the 2035 Master Plan cannot be determined at this time for a variety of factors, including the financial constraints, demand factors, and the rate of student enrollment and housing construction is variable year over year (as shown in Figure 2-7 on page 2-15 of the Draft EIR). There is not sufficient information known or available at this time to provide guarantees related to student housing construction in relation to student enrollment projections as requested by the commenter. Rather than speculating on these unknown factors, the EIR focuses its programmatic analysis on implementation of the entire 2035 Master Plan, with mitigation established based on resources that may be affected by overall buildout, on the location of where development may occur, and/or on performance criteria, as appropriate for a programmatic analysis under CEQA. Therefore, contrary to the opinions expressed in this comment, the Draft EIR analysis is based on assumptions supported by evidence, and its analysis and conclusions are reasonable and in accordance with CEQA requirements.

Comment L8-14

Affordable Housing

The DEIR does not include an analysis regarding potential housing impacts associated with the increased faculty, staff, vendors, and construction personnel necessary to complete the Master Plan and support the increase in enrollment. The 380 units proposed for the Slack and Grand project will not accommodate the 787 new employees anticipated under the Master Plan (when compared to 2015 levels), nor will it address housing needs generated by the 15-year construction period or the additional employees anticipated to use the expanded Technology Park. (See DEIR, p. 2-18.) The DEIR also does not evaluate impacts to housing that will result from the new employees required to support the staff at the new retirement community. If sufficient affordable housing is not available in the City, these employees will be required to commute to the campus and to the retirement community from outside of the area. The DEIR lacks sufficient evidence to show that these constraints were taken into account in the VMT analysis, the estimate of transportation impacts, or in the analysis of impacts on housing contained in this chapter. As the DEIR

admits, the City is a high-cost housing market. (DEIR, p. 3.11-15.) Yet the DEIR does not contain any analysis of the potential impacts associated with the increased demand for affordable housing to support the new employees associated with the Master Plan. Both the City and County have Inclusionary Housing policies and ordinances to ensure that new development that creates a demand for affordable housing either directly or indirectly contributes to the construction of affordable housing units. The lack of analysis in the DEIR could be addressed through compliance with City or County inclusionary housing requirements.

Response L8-14

The comment expresses concern regarding potential impacts related to the availability of affordable housing for new faculty/staff, construction workers and support staff at the University Based Retirement Community. With respect to the overall comment regarding the need for affordable housing, the State CEQA Guidelines (14 California Code of Regulations [CCR] Section 15000 et. seq.) establishes the scope of analysis of social and economic impacts of a project and their indirect effects. These provisions, described below and in Master Response 5, provide a framework for considering many of the comments received on social and economic effects of the project, including issues such as housing affordability, job opportunities, property values, and other socioeconomic impacts. CEQA is concerned solely with whether a project may have adverse physical environmental effects. Accordingly, State CEQA Guidelines Section 15064(e) provides that "[e]conomic and social changes resulting from a project shall not be treated as significant effects on the environment. Economic or social changes may be used, however, to determine that a physical change shall be regarded as a significant effect on the environment." Section 15131 of the State CEQA Guidelines states that "economic and social effects of a project shall not be treated as significant effects on the environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from a project to physical changes caused in turn by the economic or social changes." In evaluating the environmental impacts of a project, an EIR must evaluate indirect physical effects, in addition to the direct effects of a project. Direct effects are effects that are caused by a project and occur in the same time and place. An indirect environmental effect is a change in the physical environment that is not immediately related to a project, but that is caused indirectly by a project. CEQA does not require the analysis of generalized social and economic effects, such as job opportunities and property values, as suggested by the comment. A lead agency is also not required to analyze conclusory statements regarding social and economic impacts that are not supported by substantial evidence in the record, but are instead based upon speculation.

Furthermore, the Draft EIR considers the location of existing faculty/staff in its evaluation of potential impacts associated with 2035 Master Plan implementation. As noted on page 3.11-15 with respect to the 2018 Campus Transportation Survey, more than half of the current faculty/staff take up residence outside of the City. Carrying that forward, approximately half of the projected increase in faculty/staff that would not reside on campus were assumed to take up residence outside of the City of San Luis Obispo.

Based on the current vacancy rates within the County (12.3%, as stated on page 3.11-12 of the Draft EIR), adequate housing within the County, including the City of San Luis Obispo, is available and can accommodate the projected increase in faculty/staff that would not otherwise be accommodated by on-campus housing for faculty/staff. Per Table 2-3 on page 2-18 of the Draft EIR, 669 new employees (including faculty and staff) may be added with implementation of the 2035 Master Plan. Assuming that 380 of these employees would reside at Slack and Grand, a further 289 would likely seek residence either within the City or the County and would result in a reduction in vacant housing within the County to 14,879 units, a 0.2% reduction, which would not be substantial or result in the need for construction of additional housing. As noted by the commenter, additional information in the Draft EIR was necessary to reflect this analysis and has been added (refer to Chapter 4, "Corrections and Revisions to the Draft EIR" of this volume of the Final EIR). Furthermore, as noted in Chapter 4, "Cumulative Impacts," a further 451 units are either proposed or currently under construction within one-half mile of the Master Plan Area, further supporting that the projected increase in housing demand for Cal Poly faculty/staff would be accommodated by existing and soon-to-be-constructed housing stock in the area.

With respect to the need for housing for construction workers, the level of construction required by the proposed 2035 Master Plan would be consistent with the level of development and construction work currently occurring on-campus and in the surrounding area. As a result, implementation of the 2035 Master Plan is not anticipated to result

in additional demand for construction workers such that a substantial workforce would relocate to the area and affect the housing supply. As noted in Chapter 2, "Project Description," the campus has grown at a rate of approximately 200 students for the past 25 years and the campus has been developed to allow for the growth in student enrollment, educational programs and housing. As the projected growth under the 2035 Master Plan would be similar to that of the past 25 years, a substantial increase in the region's construction workforce as a result of project implementation is not considered reasonably foreseeable and speculative. The construction workforce currently available within the region are anticipated to respond adequately to the need for new facility construction/renovation within the Master Plan Area without creating a need for additional housing.

Comment L8-15

Off-Campus Housing

The DEIR says that enrollment increases are likely to occur before new housing is constructed on-campus, which will require more students to seek housing in the City and County than are already living off-campus. (DEIR, p. 3.11-20.) The DEIR then dismisses impacts to housing in the City and County by arguing that vacancy rates would accommodate this influx of new residents. This conclusion is not supported by substantial evidence. First, vacancy rates in the City are less than 4%, not 6.3% as reported in the DEIR. According to the Census ACS Survey, the rental vacancy rate in 2017 was 3.63%. Moreover, the DEIR does not cite to evidence that a 6.3% vacancy rate equates to enough housing to accommodate at least 416 additional students (the number of additional enrolled students anticipated in the DEIR for the years 2020 and 2021). Nor does the DEIR provide any evidence or analysis of what will occur if new on-campus housing is not constructed by the year 2022, however, delays could occur and there are no mechanisms in the DEIR or Master Plan that link enrollment growth to the provision of new housing supply on campus. Therefore, the DEIR should have evaluated impacts to housing resulting from delays in construction of housing on-campus. The failure to do so results in underreported and unevaluated potentially significant impacts to housing.

Response L8-15

The comment expresses concern that enrollment might outpace provision of housing and that existing stock may be insufficient to house those who may seek housing in the City and County in the event there is a delay in the provision of on-campus housing. On October 2, 2019, Cal Poly met with the City to discuss the EIR approach, including data sources. At that point, Cal Poly was considering use of U.S. Census data, but the City expressed concern regarding the use of Census information and a preference for information from the California Department of Finance (DOF), which was used in the Draft EIR. Furthermore, DOF is a viable information source from which vacancy rates may be obtained. The comment also presumes that students would only occupy rental housing, which is not considered appropriate. With respect to the Draft EIR's consideration of whether adequate housing is available, a 6.3% vacancy rate corresponds to 1,340 residential units and a 3.63% rental vacancy rate corresponds to approximately 780 residential units. Even if it is assumed that each student seeking off-campus housing would live alone or without other students, sufficient additional housing would be available within the City. As a result, it is reasonable to conclude that adequate housing is available to accommodate the temporary increase in students that could occur in 2020 and 2021. (It is also noted that due to the COVID-19 pandemic, Cal Poly has been directed by the Chancellor's Office to assume zero growth in the 2020-2021 academic year). Furthermore, the commenter is also referred to page 4-14 of Chapter 4, "Cumulative Impacts" of the Draft EIR, where the EIR describes a further 451 units (more than the projected temporary increase in students seeking off-campus housing) that are either under construction or proposed within a half mile of the Master Plan Area and would be potentially available to accommodate students seeking off-campus housing.

The Draft EIR adequately reflects expected environmental impacts of the 2035 Master Plan with respect to enrollment growth and housing. No substantial evidence has been provided to refute the analysis, nor to suggest that any physical environmental impacts associated with provision of additional housing were not sufficiently addressed. Furthermore, the commenter's assertion that the Draft EIR failed to evaluate potential impacts that would occur if housing is not constructed in a timely way is considered speculative. The evaluation of impacts and the timing of individual projects under the 2035 Master Plan is based on reasonable estimates of increases in student populations and the time required to plan, design, and construct new on-campus facilities. An EIR is not required to evaluate every potential outcome, but rather a reasonable estimate supported by evidence of potential future conditions. Refer to Master Response 3, Response L8-2 and L8-13 and L8-14 for further clarification and information.

Comment L8-16
Public Services

In April 2018, the City of San Luis Obispo published a Capital Facilities Development Impact Fee Nexus Study (EPS; April 16, 2018). The Nexus Study provided the City with the necessary technical documentation to adopt updated fee programs to ensure that new development covers its fair share of the costs of infrastructure and public facilities that benefit the new development. Although the City's fee programs do not apply to development on campus, the Nexus Study provides a sound methodology under CEQA for the analysis of impacts to public facilities. The City encourages Cal Poly to use this Nexus Study as a basis to determine fair share contributions associated with the provisions of new residential uses on campus (other than student housing), such as the Grand/Slack workforce housing project and the retirement community project located west of Highway 1, near Stenner Creek Road. The City has available mitigation either via agreement or using impact fee methodology in the Nexus Study for each of the following issue areas.

Response L8-16
The comment suggests the use of the City's Nexus Study by Cal Poly to determine appropriate fair share contributions and is noted. Where appropriate, Cal Poly will consider necessary fair share contributions and coordinate with appropriate agencies/entities at the time the referenced Slack and Grand and University Based Retirement Community are proposed for development. Beyond this, the Nexus Study does not provide an appropriate methodology for evaluating environmental impacts to public facilities associated with development under the Master Plan. As detailed in Response L8-14, CEQA is concerned solely with whether a project may have adverse physical environmental effect, and not social or economic effects. In the context of public infrastructure and facilities, CEQA focuses on the physical environmental impacts arising from the construction and/or expansion of such infrastructure or facilities in order to serve the proposed Project. See CEQA Guidelines Appendix G. It does not consider the provision of the service, or the costs associated with the provision of service, to be an environmental impact requiring analysis under CEQA. This is particularly true when the proposed project does not trigger the need to expand or modify public infrastructure and facilities. It is also noted that Cal Poly, and the projects contemplated in the 2035 Master Plan, include a wide variety of public serving facilities, including an expanded library, passive and active recreational facilities and police.

Comment L8-17
Emergency Response
The DEIR evaluates potential impacts on fire service based on per capita calls for service to the campus in the year 2017 as well as off-campus calls for service made by students. (DEIR, p. 3.12-15.) These projections do not include any per capita analysis of calls for service to the new residents at the workforce housing (Slack and Grand) project or the retirement community project. In fact, there is no discussion of how fire and police services will be provided to these new communities, which are outside of the core area covered by the current emergency services agreement. In addition, the future population and planned uses at the retirement community are very different from the population and uses planned for the remainder of the campus. Therefore, the student-related calls used to estimate a rate of per capita calls for service cannot be relied upon to estimate impacts to public services associated with these projects. As a result, the DEIR should identify the need to update the current Emergency Services Agreement (July 1, 2018) prior to development and occupancy of either project.

Response L8-17
The comment expresses concern about calls for emergency service and that the Draft EIR should identify the need to update the current emergency service agreement with the City prior to development of Slack and Grand or the University-Based Retirement Community. The Draft EIR developed a reasonable projection of future calls for emergency service based on actual campus data. As noted in the 2018 Agreement for Enhanced Emergency Services, the County Fire Department is responsible for the protection of buildings and improvements in unincorporated County areas, except as it pertains to the service area established in the 2018 agreement, within which the City assumes that responsibility. Following adoption of the 2035 Master Plan, Cal Poly will continue its ongoing coordination with local service providers, including the County and City fire departments, and may consider amending the service area of the 2018 agreement to extend the City service area within Cal Poly property, if

appropriate. As set forth in Response L8-16, CEQA is concerned with the physical environmental impacts associated with the development of the 2035 Master Plan. As directed by CEQA Guidelines Appendix G, the key consideration and threshold of significance for fire and emergency response services is whether development under the 2035 Master Plan would trigger the need to construct new fire/emergency response facilities, which could in turn result in significant adverse environmental impacts. As described in Draft EIR Section 3.12, the 2035 Master Plan will not trigger the need for new or expanded fire/emergency service facilities and therefore will not result in a significant adverse environmental impact. The campus will continue to receive fire protection services from the City and/or CAL FIRE/County Fire, and provision and funding for these services is not an environmental impact under CEQA.

Comment L8-18

Law Enforcement

The DEIR does not take into consideration additional demands on SLOPD services that will be generated by the retirement community and Slack and Grand projects. These projects are likely to require SLOPD services as non-student residents seek help from the San Luis Obispo police department in addition to University PD. Moreover, the retirement community's separation from the main campus makes it even more likely that calls for service will be answered by the Sheriff's Department as the site is located outside of City limits and across Highway 1 from the main campus. The DEIR does not disclose or evaluate how police services will be provided to these new communities nor how impacts to SLOPD and the Sheriff's Department will be addressed.

Response L8-18

The comment expresses concern about potential additional demands on SLOPD services that may result from the proposed Slack and Grand or the University-Based Retirement Community developments. However, as currently sited, both project sites are located on Cal Poly property and police service would be provided by the University Police Department (UPD). The draft 2035 Master Plan was reviewed and evaluated by UPD, as noted on page 3.12-17 of the Draft EIR, and the need for additional facilities beyond those proposed as part of the 2035 Master Plan was not identified. As a result, any increase in demand for police services would be accommodated by UPD and would result in minimal demand for services from the SLOPD and the San Luis Obispo County's Sheriff's Department. In addition, the campus consulted with representatives from SLOPD and the County Sheriff's department regarding the 2035 Master Plan, and neither entity has identified the need for new or expanded City or County police or sheriff facilities to accommodate growth in demand under the 2035 Master Plan. As a result, and in accordance with the thresholds established in CEQA Guidelines Appendix G and the Draft EIR, the 2035 Master Plan would not result in a significant adverse impact. See also Response L8-16 and L8-17.

Comment L8-19

Parks and Recreation

The DEIR analyzes potential impacts to recreational and park facilities using an estimated total campus population of 28,935 to determine the total acres of recreational facilities needed to serve the population. This estimate excludes the proposed retirement community population, and possibly the Slack and Grand project population as well, which together may add another 1,025 residents and 60 employees to the Master Plan's total population. As a result, the DEIR potentially underestimates the recreational needs and impacts of the increase in population contemplated under the Master Plan.

Response L8-19

The comment suggests that the campus population number used to determine needed recreational acreage excluded the population that would occupy Slack and Grand and the University-Based Retirement Community. This is incorrect. The Draft EIR analysis is conservative in that it considered all enrolled students, faculty, and staff, regardless of where they would actually reside, as residents. For example, were Cal Poly to only consider on-campus student, faculty, staff, and retired residents, the total campus population would be 16,037 in 2035 (15,012 students living on-campus, 800 residents within Slack and Grand, and 225 residents within the University-Based Retirement Community), thereby resulting in a greater acres-per-1,000-residents ratio of 5.14 for the entire campus. Therefore, the calculation of acres-per-1,000-residents as expressed in the Draft EIR—assuming a total population of 28,935—is considered conservative yet appropriate for the 2035 Master Plan. Cal Poly, as evidenced by the 2035 Master Plan's principals

shown on pages 3.12-13 and 3.12-14 of the Draft EIR, shares the City's commitment to the provision of adequate recreational opportunities to the community.

Comment L8-20
Transportation

Facility Expansion
The Master Plan project description includes expansion of existing sport and special event facilities on campus, including a 4,000-seat expansion of Alex Spanos Stadium. Trip generation from these expansions would generate thousands of additional trips in relatively short time periods and there are no policies or programs that would limit the use of these facilities. While level of service (LOS) or other measures of auto capacity may no longer be required as applicable thresholds of significance for analysis of transportation impacts under CEQA, the magnitude of additional trip generation (auto, bikes, peds, transit) from these expansions should be quantified to guide system planning and traffic handling plans and programs. The DEIR's transportation analysis should be updated to include an evaluation of the venues and events proposed in the Master Plan and the adequacy of the existing circulation system to accommodate these increased demands. In addition, the Master Plan should be updated with policies and programs that govern the use of these facilities.

Response L8-20
The comment expresses concern regarding potential special event traffic and the need for additional information regarding special events in the Draft EIR's transportation analysis. As correctly noted in this comment, congestion as measured by LOS is no longer considered a measure of a project's physical environmental impacts. Spanos Stadium and Cal Poly, in general, have existing programs and policies in place that govern special events and that consider the movement of vehicles to and from special events. Cal Poly anticipates that the existing programs in place at the campus will continue to be utilized, including the need to prepare traffic control/management plans for large events, designation of parking areas to be used during such events, and temporary staffing to maintain the safe movement of vehicles and people to and from the event(s). Amendment to the analysis of the Draft EIR or the 2035 Master Plan is not considered necessary to address considerations during special events. See also Master Response 2 (level of detail for program EIR) and Response L8-11 (project specific analysis for Spanos Stadium/noise) and S3-7 (event management protocols).

Comment L8-21
Enrollment and Housing Linkage
The Master Plan provides estimates or forecasts for student enrollment levels and on-campus housing production through a phased development program through 2035. The transportation impact analysis provided in the DEIR considers the increased production of on-campus housing as a significant contributor towards reducing campus-generated VMT by providing opportunities for students to live in a location where most of their daily travel is possible via short trips by foot, bicycle or transit. However, the Master Plan does not include any formal policies, programs or mitigation mechanisms that govern actual enrollment levels or require the timely production of on-campus housing in tandem with, or in advance of, increases in on-campus enrollment or traffic-generating development. To address this, the Master Plan and DEIR should include policies or programs to govern actual enrollment and development to a level that is on pace with actual production of on-campus housing and informed by the actual effectiveness of the proposed Transportation Demand Management (TDM) programs as evaluated by regular trip/VMT monitoring activities.

Response L8-21
The comment requests inclusion of policies/programs to link enrollment growth with provision of on-campus housing and consideration of the realized rate of growth with the proposed TDM mitigation identified in the Draft EIR. With respect to the timing of on-campus housing and the need to include specific mechanisms by which enrollment would be tied to the provision of housing, please refer to the Master Response 3, Response L8-2 and Response L8-13 and L8-14. With respect to TDM measures, implementation, and monitoring, TDM programs and practices will be implemented per Mitigation Measure 3.13-1 and following preparation of a TDM plan, please refer to Master

Response 4 . Cal Poly anticipates that adjustments will be necessary based on realized conditions and will monitor and adjust the TDM program, as necessary, in order to achieve target VMT reductions, consistent with the statements made in this comment.

Comment L8-22

Multimodal Transportation Demand

It is understood that auto level of service (LOS) and other measures of traffic congestion were not included to determine transportation impacts under CEQA pursuant to SB 743. In turn, the EIR Transportation section includes no quantitative estimates of auto traffic generation associated with buildout of the Master Plan. While the DEIR may not be required to evaluate auto traffic generation with respect to LOS or other capacity-related significance criteria to determine transportation impacts, complete omission of this information from the Transportation chapter presents significant challenges for entities such as the City with respect to system planning for streets and intersections that provide direct access to the Cal Poly Campus. For purposes of full disclosure, the City request that the Final EIR include the estimated number of net new daily, AM and PM peak hour vehicle trips expected to be added to City streets within the vicinity of the campus. This information was provided in Appendix G for bicycle and pedestrian trips and should be replicated for auto trips.

Response L8-22

The comment requests that the Final EIR provide estimates for new daily, AM peak hour, and PM peak hour vehicles expected to be added to City streets with implementation of the 2035 Master Plan. With respect to daily vehicle trips, the Draft EIR identifies the number of additional daily vehicle trips (7,495) anticipated with implementation of the 2035 Master Plan. This information was provided as part of the EIR's evaluation of CO emissions and the potential for hotspots on page 3.3-26. Cal Poly, as part of continued interagency coordination and cooperation, intends to share with the City a multimodal study, separate from the CEQA process, that is being prepared to evaluate potential vehicle congestion that may occur over time on and adjacent to campus. However, as noted by the commenter, the issue of LOS shall no longer be considered a measure of physical environmental impacts, and as a result, expression of the AM and PM peak hour vehicle trips is not necessary as part of the CEQA process.

Comment L8-23

VMT Impacts and Mitigation

The DEIR identifies a potentially significant impact (Impact 3.13-1) due to project-generated VMT that exceeds regional VMT thresholds. The corresponding mitigation measure (Mitigation 3.13-1) requires development and implementation of a Transportation Demand Management (TDM) plan and concludes that this impact would be reduced to a "less-than-significant" level. The adequacy of this mitigation approach is questionable for several reasons.

The EIR concludes that the TDM measures outlined in Mitigation Measure 3.13-1 would reduce campus-wide VMT to the level required to mitigate the identified impact—a net reduction of 5.04 VMT per service population (about 21% below the baseline Existing plus Project VTM estimates). However, the document provides no supporting analysis or documentation to verify whether this level of reduction is feasible or whether similar results have been achieved at comparable university campuses. Studies show that the ultimate efficacy of a TDM program can vary significantly from project to project. While there is available data and planning-level models that can be used for estimating TDM reductions—such as the CAPCOA model referenced in the CSU Transportation Impact Study Manual—the DEIR provides no supporting analysis or documentation to support the claims presented.

The CSU CEQA Handbook recommends caution regarding use of mitigation measures that could be interpreted as "deferred mitigation." On pg. 84-85, the Handbook states: The CSU CEQA Handbook recommends caution regarding use of mitigation measures that could be interpreted as "deferred mitigation". On pg. 84-85, the Handbook states:

> "Mitigation measures cannot defer to future studies, consultations, or future undefined time. Such measures are called "deferred mitigation" and are easy points for legal challenge. In some situations, it is not known whether there will be an impact without doing additional surveys or studies, especially for large and long-term projects or programs for which a Program EIR is prepared. To avoid improper "deferred mitigation" you

> must clearly identify what you will do if any future studies identify that there could be an impact. Alternatively, if such information is not yet available, you need to incorporate performance standards or criteria into the measure to ensure that the strategies ultimately selected in fact will reduce the impact as reported in the CEQA document."

The Handbook continues with the following guidance:

> *"Remember: If some doubt exists as to whether a mitigation measure will fully mitigate the impact, it is good practice to indicate that the impact will remain significant and unavoidable even with the incorporation of mitigation."*

As currently presented, the strategies identified under Mitigation Measure 3.13-1 appear to be deferred mitigation. The DEIR recommends development of a TDM plan and identifies potential strategies that could be implemented to reduce vehicle trip generation, including a biennial monitoring program to track the efficacy of the TDM plan.

Of particular concern is the fact that this mitigation measure does not describe how VMT will be measured as part of this monitoring program, what performance criteria will be used to evaluate progress towards achieving the targeted VMT reduction, or what specific actions will be taken if monitoring results reveal that TDM strategies have not been sufficiently effective. The City has relayed on several occasions that this was a minimum measure that must be met and its absence is noticeable and does not provide the level of confidence that TDM or monitoring will be an integral part of achieving the University's projected mode shifts.

Response L8-23

The comment requests additional information as to how Cal Poly will achieve a further reduction of 5.04 VMT per service population and questions whether it constitutes deferred mitigation. For further discussion of the measures that may be implemented and how the plan will measure success and adapt to incorporate further measures, as necessary, to achieve the stated performance standard, refer to Master Response 4. Contrary to statements made in this comment, Mitigation Measure 3.13-1 does not constitute deferred mitigation. An impact (future per-service-population VMT) has been identified, and feasible and demonstrably effective mitigation has been developed that identifies what is to be done, by whom, and to what end (i.e., performance standard). Further, the metric (VMT per service population) identified and used in the Draft EIR is anticipated to be carried forward as part of mitigation implementation and monitoring. Regarding the appropriate level of detail of the Draft EIR's analysis, refer to Master Response 2.

Comment L8-24

Furthermore, this mitigation strategy does not require any measurable level of TDM implementation or VMT reduction prior to implementation of potential VMT-increasing activities, such as increases to student enrollment and on-campus employment without corresponding production of on-campus housing, allowing impacts to occur before mitigation would be implemented. This strategy relies on monitoring every two years to verify if required VMT reductions have been achieved, which potentially defers necessary mitigation until after an impact has materialized. Monitoring should be conducted annually, and mitigation measures should be taken immediately if VMT is higher than projected.

- It should be noted that a primary component of the TDM plan includes expansion of local and regional public transit services to the campus through coordination and fair-share contributions towards increasing SLO Transit and SLORTA bus services. However, because these transit services are not operated by Cal Poly, the university cannot ensure that these services are expanded as needed to meet the required VMT reduction targets. If VTM increases are not closely monitored and needed fair-share contributions are not provided prior to impacts occurring and/or if the amount of fair-share contributions is inadequate, the City would be put in a position of having to fund the gap to provide the increased service, or the City may not be able to shoulder the increased financial burden depending on the budget priorities at the time. The City of San Luis Obispo is agreeable to negotiating an MOU with the campus for the purpose of implementing this mitigation measure that broadly seeks to bring Cal Poly contributions in line with current and future operational needs.

Within the Master Plan, Implementation Program 20 states that "Cal Poly should partner with the City to help develop off-campus bicycle improvements as prescribed in the City's bike plan and that improve connections between the campus and community." Further, DEIR Mitigation Measure 3.13-1 outlines a TDM program that includes a general recommendation to "support active transportation projects on and near campus through infrastructure improvements to enhance safety and efficiency of these travel modes." The City of San Luis Obispo is agreeable to negotiating an MOU with the campus for the purpose of implementing this mitigation measure.

However, the DEIR should identify more specific recommendations or mechanisms for contributing towards active transportation infrastructure improvements within the vicinity of the campus. Potential mechanisms for proportionate contribution may include participation in the City's Transportation Impact Fee program, which funds citywide bicycle and pedestrian infrastructure improvements, or direct participation in projects near campus, such as the addition of separated/protected bicycle facilities, installation of accessible pedestrian curb ramps, additional street lighting, and intersection crossing enhancements.

Response L8-24

The comment expresses a concern that Mitigation Measure 3.13-1 does not require measurable levels of TDM implementation or VMT reduction measures prior to a potential increasing VMT. This is not correct. Mitigation Measure 3.13-1 establishes a VMT performance standard of 19.22 VMT per service population that the TDM Plan will be designed to achieve and maintain over the life of the 2035 Master Plan. Following adoption of the 2035 Master Plan, Cal Poly would initiate preparation of the TDM plan and immediately begin implementation of VMT reduction measures, using the VMT estimates and menu of feasible VMT reductions measures provided in the Draft EIR as the basis of the initial VMT reduction strategy. Initial monitoring of TDM efficacy would then occur in 2022, prior to or immediately following the initial phase of operation of uses proposed under the 2035 Master Plan. Monitoring would continue biannually to ensure ongoing compliance with the performance standard, with a particular focus on ensuring compliance with the performance into the next two year period, which would take into consideration 2035 Master Plan projects that are anticipated to come on-line during that time period. This continuous monitoring and adjustment will also allow for maximization of VMT reduction measures, taking into consideration new Master Plan projects, changing travel modes and new VMT reduction measures and technologies. The concerns raised in the comment reflect the commenter's speculation that VMT performance standards will not be achieved and assume that the TDM Plan and implementation would be a backward looking review, rather than the intended forward planning and monitoring approach that the campus will complete. As a result, the concerns raised in this comment are unfounded. The 2035 Master Plan, much like the City's General Plan, will function as a living document and adjustments to its components are anticipated but do not indicate deferral of mitigation. For further information, please see Master Response 4 and Response S3-3.

The comment also expresses the City's willingness to negotiate an MOU or MOUs related to active transportation and transit services. This expression is acknowledged, and Cal Poly likewise intends to work collaboratively with the City on an MOU to address these items, including determining appropriate fair share contributions.

The comment also requests more specific recommendations or mechanisms towards supporting active transportation projects. The City's recommendations will be considered as part of the overall TDM plan, as required by Mitigation Measure 3.13-1. Contrary to statements made in this comment, additional specificity and listing of specific improvements in the vicinity of campus are not necessary at this time or required for the purposes of the programmatic analysis of the 2035 Master Plan. Refer to Master Response 2 regarding the appropriate level of detail and need for specificity within the context of the programmatic EIR and Response S3-3.

Comment L8-25

Traffic Safety

The Environmental Setting section of the EIR Transportation Chapter provides a brief summary of existing collision trends for streets within the vicinity of the campus, as referenced from recent editions of the City's Annual Traffic Safety Report. However, the Impacts and Mitigation Measures section includes virtually no discussion or analysis of potential traffic safety issues outside of the campus boundaries with implementation of the Master Plan.

Per the DEIR, build-out of the Master Plan is projected to add approximately 930 new bicycle trips, 850 new pedestrian trips, and 133,000 net new VMT per day to City transportation facilities within the vicinity of the campus. There is no discussion of whether these increases in multimodal traffic demand can be accommodated by existing off-campus infrastructure, or whether this demand has potential to exacerbate existing traffic safety issues within the campus vicinity. Additional analysis of potential traffic safety considerations should be provided as follows:

A. Evaluate potential for additional traffic (auto, bike & pedestrian) generated by the campus to increase collision rates at the following high-collision rate locations as identified in recent City Traffic Safety Reports:
    - California/Taft
    - California/Monterey
    - California/US 101 NB Ramps
    - Grand/Loomis
    - California/Mill
    - Foothill/Santa Rosa
    - Foothill/Casa
    - Santa Rosa/Boysen
    - Foothill Boulevard (Tassajara to California)

B. While auto traffic capacity analysis may no longer be required to determine impacts to transportation, vehicle queuing analysis should be provided for the abovementioned intersections for the purposes of evaluating potential safety impacts related to turn pocket queue spillback, or sight distance impacts as a result of project traffic.

Response L8-25

The comment requests additional analysis of potential traffic safety considerations as part of the Final EIR and states that the 2035 Master Plan will result in 930 new bicycle trips, 850 new pedestrian trips, and 133,000 additional VMT within the City. However, with respect to the projected increases, it is important to clarify that the projected increases expressed in the Draft EIR are totals associated with the Master Plan, not additional trips and VMT to the City's infrastructure. Many of the new bicycle and pedestrian trips and VMT would be wholly contained within the campus. Furthermore, much of the additional VMT would also occur outside of the City limits, based on estimates provided in Section 3.13, "Transportation" and Appendix G of the Draft EIR. As noted in this comment, the Draft EIR evaluated existing travel safety information based on the City's Annual Traffic Safety Program, and based on Cal Poly's review of the traffic safety data, general multimodal opportunities and traffic safety in the vicinity of campus is acknowledged as a concern as identified in 2035 Master Plan principles (including IP 11, IP 12, IP 13, and IP 20) and through Mitigation Measures 3.13-2, 3.13-3, and 3.13-4. However, based on the data collected by the City, year-over-year collision data did not indicate any locations where transportation safety improvements were necessary based on consistent/repeated conflicts. Further, the comment appears to attempt to link safety performance and LOS, as a measure of capacity. Per the December 2018 Technical Advisory on Evaluating Transportation Impacts in CEQA (OPR 2018), which is available at http://opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf, safety should not be used as a proxy for road capacity (see page 26 of the technical advisory). Further, the potential for roadway hazards, per the 2018 amendments to the State CEQA guidelines, requires the evaluation of potential hazards related to a geometric design feature or incompatible use. This was evaluated on page 3.13-12 of the Draft EIR and determined that implementation of the 2035 Master Plan would not result in hazards as a result of the geometric design features or incompatible uses.

The 2035 Master Plan, with implementation of the aforementioned mitigation measures, would not conflict with or preclude the continued cooperation and collaboration between the City and Cal Poly for shared network improvements, including pedestrian/bicycle connection points. Further, the provision of additional queuing analysis is not necessary or warranted under CEQA to evaluate potential transportation impacts per Appendix G and the thresholds stated on pages 3.13-11 and 12 of the Draft EIR. For further information, refer to Response S3-4.

Comment L8-26

Parking

The project does not include sufficient parking improvements to accommodate the increase in on-campus population contemplated in the Master Plan. It is also unclear if this is a formal aspect of the proposed TDM program. Even if first and second-year students are precluded from parking cars on-campus, the addition of only 174 new parking spaces will not be sufficient for the new faculty, support staff, and employees who will be working on campus, nor has evidence been presented that sufficient parking will be available for vendors, temporary employees, or event attendees, including attendees at the planned expansion of Spanos Stadium and the Technology Park expansion. Moreover, the project description indicates that Cal Poly intends to limit parking for certain students, however, these limitations are stated as intentions and not enforceable restrictions and the DEIR provides no evidence that the lack of parking on campus will actually persuade new students, employees, and visitors to not drive personal automobiles to campus. As the on-campus population increases, it is reasonable to assume that more cars will come with their owners. The DEIR does not describe how Cal Poly intends to ensure that students who live on or off campus do not bring cars to the area and park them off campus. This lack of planning for parking will perpetuate and increase impacts on the neighborhoods surrounding the campus where employees and visitors will be forced to search for parking. This, in turn, will create additional impacts to noise, roadway maintenance, and air quality in these areas. These impacts have not been evaluated properly in the DEIR. The City believes that coordination of specific mitigation measures on the matter of parking is important to ensure that any impacts created by a lack of parking on-campus do not simply spill over to City neighborhoods off-campus.

Response L8-26

The comment speculates that the increase in parking under the 2035 Master Plan may not be adequate to accommodate the demand associated with campus growth. The 174-space increase in parking is a feature of the Master Plan and will be factored into the TDM program; limited parking is necessary to achieve a modal shift from personal vehicles to transit and active transportation. See Master Respons 4 for more detail on the TDM Program. As noted in Mitigation Measure 3.13-1, Cal Poly shall develop and implement a parking management plan, which requires further restriction of parking for freshman and sophomores, contrary to statements made in this comment. Also see Response L7-3 for further information regarding limiting parking for on campus residents, particularly first and second year students.

Consistent with current CEQA requirements, Cal Poly, in its evaluation of the 2035 Master Plan, does not consider changes in parking conditions to be direct environmental impacts as defined by CEQA. Parking conditions are not static, as parking supply and demand varies from day to day, from day to night, from month to month, etc. Thus, the availability of parking spaces (or lack thereof) is not a permanent physical condition but changes over time as people change their modes and patterns of travel. Parking deficits, in and of themselves, are social effects rather than impacts on the physical environment as defined by CEQA. Under CEQA, a project's social impacts need not be treated as significant impacts on the environment. With respect to the potential for additional secondary, indirect impacts that could occur if students were to search for parking, the potential for impacts associated with such activities are considered minimal. Using potential roadway noise impacts as a proxy, a doubling of roadway volumes would be required to result in a perceivable increase in ambient noise levels. As shown in Table 3.10-18 of the Draft EIR, implementation of the 2035 Master Plan, which would result in approximately 7,500 additional vehicle trips, would increase ambient noise levels along roadways by up to 0.9 dBA along Grand Avenue. Taking that into consideration, students searching for parking would need to double the projected increase in roadway volumes along Grand Avenue as a result of implementation of the 2035 Master Plan in order to result in a perceivable noise increase. However, the Draft EIR does consider the potential indirect effects associated with further parking restrictions, as evidenced by the aforementioned need for implementation of a parking management plan. As necessary, Cal Poly will coordinate with the City during development of the parking management plan if it is determined that students are parking in adjacent off-campus areas in order to avoid on-campus parking restrictions.

Comment L8-27
Utilities and Service Systems Utilities

Water Supply Resiliency
The DEIR is required to evaluate water resiliency to ensure that sufficient water supplies will exist to serve buildout under the Master Plan. The DEIR includes no evidence or information regarding how Cal Poly is planning for water resiliency during times when Whale Rock dam, spillway, pump stations, or pipeline are unavailable due to maintenance needs or construction. Cal Poly worked with the City to identify potential water supply alternatives to improve its water resiliency; however, Cal Poly did not provide this information in the DEIR. The 2007 Memorandum of Understanding (2007 MOU) between City and the University regarding capacity interest in City water and wastewater facilities does not address water supply resiliency.

Response L8-27
The comment requests that the EIR include a discussion of water supply resiliency, which the commenter defines as temporary periods of time during which water supplies may be restricted due to operations-and-maintenance needs. It should be noted that water supply resiliency most often pertains to the reliable availability of water during drought climate change, or drought conditions. In that way, water supply reliability is addressed in the Draft EIR with respect to a safe annual yield (SAY) or sustainable yield, as stated on pages 3.14-6 and 3.14-7 of Section 3.14, "Utilities and Service Systems." The SAY analysis identifies the level of water supplies that can be removed such that the average replenishment rate of the facility (e.g., Whale Rock Reservoir) would not be exceeded, taking into account evaporation rates, multiple dry year drought conditions, and other factors that contribute to loss of available water supplies, including climate change. The commenter is referring to an operational consideration associated with the replacement and maintenance of aging facilities. It is important to acknowledge that the City, pursuant to existing contracts with Cal Poly, is responsible for the delivery of water to campus as well as the management, maintenance and replacement of its water treatment and delivery systems. The comment speculates that the City may not meet its delivery obligations to the campus during its maintenance or construction activities, despite the existence of readily available measures to provide uninterrupted water treatment and delivery services, which could include utilizing water from other City sources that are processed together with Whale Rock water at the City's treatment and conveyance facilities (with a corresponding reserve or credit of the Cal Poly Whale Rock entitlement in favor of the City). Accordingly, from a CEQA analysis perspective, this comment is based upon speculation – with respect to potential temporary interruptions in the availability of Cal Poly's Whale Rock entitlement as well as the City's failure to meet its delivery obligations – and thus does not present evidence indicating an environmental impact associated with water supply. Nonetheless, Cal Poly agrees that this matter is appropriately addressed through facilities operations plans and, as noted by the commenter, memoranda of understanding between agencies with shared interests/facilities. As the 2035 Master Plan would not modify the existing capacity of water supply/treatment facilities (e.g., Whale Rock Reservoir) currently serving Cal Poly nor does it propose the removal or otherwise physical modification of the facilities, the Draft EIR and the evaluation of impacts related to the 2035 Master Plan is not required to include a discussion of existing facilities' abilities to provide service, contrary to the opinion of the commenter.

With respect to water supply alternatives, it is unclear to what coordination the comment is referring to and how those water supply alternatives, which presumably address existing conditions and supply-related agreements, should have been provided. No further response is possible.

Comment L8-28
Water Storage/Reservoir Expansion
The DEIR does not include an analysis of the impacts associated with the expansion of Cal Poly's existing reservoir system for recycled water storage necessary to support Cal Poly's proposed Water Reclamation Facility (WRF) and future water needs contemplated under the Master Plan. Appendix H, page 24, explains that Cal Poly's "*proposed WRF would also require expansion of the existing reservoir system to a maximum (total) of 100 AF. If the existing reservoir system cannot be expanded then the University may potentially construct two additional reservoirs for recycled water storage from the WRF.*"

Water storage is also generally described on Project Description on page 2-40 and page 2-47. This expansion, or new construction of additional reservoirs, is not included in the impact analysis. One hundred acre-feet of water storage is nearly 32.6 million gallons - a substantial amount of water. The Master Plan EIR does not identify where this storage will be located, nor does the DEIR analyze the environmental impacts associated with construction and maintenance of these significant new facilities. It is also unclear whether the storage will be sized and under the jurisdiction of the Division of Safety of Dams. If so, the Division of Safety of Dams should be identified as a responsible agency and should be consulted regarding the adequacy, design, and permitting of the storage facilities. Because this information is not provided in the DEIR, impacts associated with providing the water and wastewater services necessary to support buildout of the Master Plan may be understated.

Response L8-28

The comment expresses concern about the specific locations of potential reservoirs identified as part of the WRF, a near term project under the 2035 Master Plan. Contrary to statements made in this comment, the Draft EIR assessed the potential location of two new reservoirs in the West Campus subarea of the Master Plan Area, as well as the potential expansion of an existing, on-campus reservoir (e.g., Shepard Reservoir), in order to achieve an additional 100 acre-feet of water storage, compared to existing conditions. This assessment was based on a feasibility study of water supply conducted by Hartman Engineering in 2018 and was previously discussed with the City (Hartman 2018). The Draft EIR includes an assessment of the impacts associated with reservoir construction/expansion in the West Campus subarea, at a general level of detail, commensurate with the level of project detail available. See Master Response 2 regarding the distinction between program and project level CEQA review. Section 2.8, beginning on page 2-48 of Chapter 2, "Project Description" of the Draft EIR does not specifically identify the Division of Safety of Dams as a potential responsible agency; the project may or may not trigger Division involvement. Nonetheless, Table 2-13 of the Draft EIR has been amended to reflect the Division of Safety of Dams as a potential responsible agency with regulatory oversight pursuant to California Water Code Division 3 (Dams and Reservoirs).

Comment L8-29

The DEIR does not include analysis of daily and monthly non-potable water demands to support its water supply impact analysis. The daily and monthly demand pattern for agricultural and landscape irrigation is relevant to determining whether Cal Poly's proposed WRF will generate a sufficient and reliable water supply. Based on 2015 and 2019 data, Cal Poly's non-potable demand was over 850,000 gallons per day in July, when average daily wastewater generation was ~38,000 gallons in 2015 and ~75,000 gallons in 2019 for the entire existing campus.

The DEIR does not include information regarding the existing non-potable water storage capacity on-campus, the extent to which existing daily agricultural water demand will be feasibly supplied with water from the WRF, and the availability of sufficient storage to ensure delivery of enough water to meet agricultural demand. In other words, existing daily agricultural water demand is not estimated in the DEIR to support the concept that this demand will be offset with non-potable water from the proposed WRF. This information is necessary to inform the sizing of the needed storage and to illustrate that the planned water sources required to support buildout of the Master Plan are feasible. As a result, the DEIR does not include the information necessary to support its conclusions regarding impacts to agricultural uses and to water demands resulting from buildout of the Master Plan.

The DEIR acknowledges that "some adjustments to the system, such as increased pumping to reservoirs or storage tanks may be necessary," however, no analysis was provided regarding the environmental impacts associated with the siting, construction, and maintenance of these new reservoirs and storage tanks. (DEIR, p. 3.14-14) In fact, neither the DEIR nor the Master Plan identify how many of these storage facilities are needed, where they will be located, or whether it is feasible to locate them in places that will not impact biological, cultural, hydrologic, and other resources. Instead, it is likely that the amount of storage that will be necessary to serve the new development contemplated in the Master Plan will be significant, which will likewise create significant impacts to sensitive resources. As a result, the DEIR fails to identify potentially significant impacts associated with the infrastructure necessary to provide sufficient water to campus under the Master Plan. The DEIR's conclusion that the Master Plan will not require or result in the relocation or construction of new or expanded water infrastructure is not consistent with what is proposed by Cal Poly in the Master Plan (100 acre-feet of storage). This is a significant problem for the DEIR, as well as the Master Plan,

as new housing and other amenities will not be able to be completed until these necessary improvements are completed and thus potentially creates a cascade of unmitigated impacts if campus population increases through increases in enrollment that does not include concomitant housing.

Response L8-29

The comment expresses concern regarding the perceived lack of information of the storage of non-potable water supplies to serve agriculture uses under the 2035 Master Plan. As noted in the Draft EIR on pages 2-40 and 3.14-12, non-potable water was accounted for in the water budget through transfer of the current allotment (not actual, but more conservative assumption of all being used) to the potable water supply. Under proposed conditions and as evaluated in the Draft EIR, the City would no longer supply non-potable water for agriculture uses, and the current non-potable water demand would be supplied by recycled water supplies from the WRF. As noted in the response to Comment L8-28, as part of the near-term WRF project, new reservoirs would be created within the western portion of the Master Plan Area, as well as the potential expansion of Shepard Reservoir in order to provide additional storage of non-potable water supplies. The fluctuations in non-potable water demand, as referred to by the commenter, would be managed via the WRF and on-campus reservoirs, either expanded or new.

In general, the 2035 Master Plan envisions in-lieu conversion of its non-potable supply to potable water, along with continuing and enhanced indoor and outdoor water conservation measures, to serve the campus expansion. The detailed WaterCAD analysis provided in Appendix H of the Draft EIR used the City-supplied model and showed that the City's water treatment and delivery system has adequate capacity to accommodate the conversion of Cal Poly's current non-potable Whale Rock water to potable Whale Rock water. The WaterCAD analysis noted that one booster station could experience higher than current use to balance water pressures in the system due to the potential to increase in wear and tear on the machinery and the increased electrical usage. This, however, is considered to be within the capacity of existing facilities. In addition, Cal Poly may need to replace existing piping and lay new pipe to connect new construction. However, no substantial infrastructure development would be needed (e.g., no lift stations, booster stations). Basic utilities, such as wastewater and water lines, are inherent in new construction, and as noted on page 2-39 of the Draft EIR, an average of one mile of linear infrastructure (either replacement or new) was assumed to be constructed per year, as part of the Draft EIR's programmatic evaluation.

Regarding construction of the WRF and associated facilities, as discussed on Draft EIR page 2-40 and page 3 of Appendix H of the Draft EIR, the WRF was studied by Cal Poly and informed by a feasibility study prepared by Hartman Engineering, which was the best available information at the time of the analysis. The feasibility analysis conducted by Hartman Engineering identified the need for either the expansion of one existing reservoir or two new reservoirs, which were then analyzed as part of the 2035 Master Plan and within the EIR (as shown on page 2-40 and Table 2-12 on page 2-47 of the Draft EIR). All assumptions related to water storage and demand are documented in the Appendix H of the Draft EIR. Refer to response L8-28 for additional detail. Further, once specific design of the WRF and all associated facilities are determined, additional environmental review would be completed that would consider project-specific impacts of all WRF components. See Master Response 2.

Comment L8-30

Short-Term Non-Potable Water Supplies

Mitigation Measure 3.14-3 relies on the possibility that the City may provide short-term non-potable water supplies to Cal Poly in the event that the WRF is not completed and capable of providing sufficient water supplies for near term projects. A number of important actions by the City would be required in order to enable this to occur. The City's General Plan will need to be amended to enable it to provide non-potable water to Cal Poly on a short term-basis[1], and an analysis must be completed to ensure that providing this water would not interfere with the City's existing entitlements and permits. A contract will also be required, which has not been negotiated between the City and Cal Poly. The City is open to discussing this arrangement, but additional time, resources, and City Council action is necessary, which the DEIR should acknowledge. Additionally, this measure defers an analysis of whether the provision of such non-potable water by the City would create its own negative environmental impacts.

[1]General Plan Policy 1.13.2. Recycled Water. Provision of recycled water outside of City limits may only be considered in compliance with Water and Wastewater Element Policy A 7.3.4 and the following findings:

A. Non-potable/recycled water is necessary to support continued agricultural operations.

B. Provision of non-potable/recycled water will not be used to increase development potential of property being served.

C. Non-potable/recycled water will not be further treated to make it potable.

D. Prior to provision of nonpotable/recycled water, the property to be served will record a conservation, open space, Williamson Act, or other easement instrument to maintain the area being served in agriculture and open space while recycled water is being provided.

A provision should be added to Measure 3.14-3 to allow reliance on such temporary non-potable sources only if no negative environmental impacts would occur as a result and for the sole purpose of delivering on campus housing. Finally, this measure does not include specific requirements for measuring and monitoring water demand in conjunction with any arrangement for short-term water supplies from the City and expected completion of the WRF. The measure should be amended to require measuring and monitoring of water demand and supplies in sufficient intervals and using realistic and supported projections of future supply and demand to ensure that enough potable water will truly be available to serve new construction and non-potable water will be available to continue to serve Cal Poly's existing agricultural uses.

The DEIR concludes that the Master Plan will have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years due to implementation of Measure 3.14-3. However, this measure does not account for the possibility that new housing and other water-dependent construction may be built under the Master Plan before the WRF and associated expansion of existing water storage reservoirs, or construction of new water storage reservoirs, are completed or capable of providing sufficient water to offset demand and that short-term non-potable water supplies may be available for some period of time but become unavailable before the WRF is completed. In this event, the new housing and other buildings would be occupied but Cal Poly would not have sufficient potable water available through its Whale Rock entitlement, or through a temporary non-potable supply from the City, to supply all of its demand. It is also possible that problems will occur during the design, construction, and permitting of the WRF and associated expansion of existing water storage reservoirs, or construction of new water storage reservoirs, such that it becomes significantly delayed or rendered infeasible altogether. Because the design of the WRF is not complete and there is currently no plan for sufficient storage capacity, it is questionable that reliance on the WRF is feasible to mitigate the Master Plan's future water demand.

It is highly unlikely that the WRF and associated water storage will be constructed and operational by the year 2022. Design, construction, and permitting of new water reclamation and water storage facilities take significant amounts of time and resources. As a result, it is likely that Cal Poly will require alternative water sources to supply new development under the Master Plan, as contemplated in Mitigation Measure 3.14-3, and additional capacity within the City's WRRF to accommodate growth until Cal Poly's WRF is operational. To the extent that a delay in completion of the WRF also delays completion of new on-campus housing to defray housing, transportation, air quality, and GHG impacts caused by increased enrollment, these would be new or substantially increased impacts of the Master Plan that are not evaluated or disclosed in the DEIR.

Response L8-30

The comment expresses concern regarding the timing of the Cal Poly WRF and whether adequate water/wastewater capacity will be available to serve new Master Plan developments. As detailed in Impact 3.14-3, Mitigation Measures 3.14-3 and 3.14-4 requires Cal Poly to initiate operation of the WRF prior to operation of new uses under the 2035 Master Plan unless it can demonstrate that the campus has adequate water supply and /or wastewater capacity to serve the new Master Plan project(s). These mitigation measures provide that if the WRF is not online, Cal Poly must demonstrate it has required water supply or wastewater capacity to serve the project. This can be demonstrated through a variety of measures, including conservation efforts, flow reduction, contractual allotments and the purchase of temporary non-potable water supplies. Contrary to the statements in the comment, the Draft EIR does not rely upon Cal Poly's purchase of nonpotable water from the City. Instead, this serves as one of the menu of options that may be available to the campus in order to bridge the gap between the construction of the WRF and new campus

facilities. If the WRF is not constructed in the anticipated timeframe and Cal Poly is not able to demonstrably secure the required water supply or wastewater treatment capacity, the Draft EIR establishes the performance standard that would prevent Cal Poly from initiating the operation of these new 2035 Master Plan projects or facilities. To the extent the comment expresses concerns that the campus might be required to secure rights to temporary non-potable water supplies to bridge this gap, and that these contractual rights might expire before the WRF is on line, this represents a series of speculative "what if" concerns that are not ripe for consideration in the context of a programmatic EIR analysis. This issue would be properly considered and addressed as part of the project specific CEQA review for proposed Master Plan development projects, which will take into account then current water supply and waste water treatment capacity, the development schedule of the WRF, the success of the planned water conservation and flow reduction efforts campus wide and other relevant items. See Master Response 2 generally.

With respect to the statement in Mitigation Measure 3.14-3 regarding the potential purchase of temporary non-potable water supplies from the City, and to the extent Cal Poly pursues such temporary purchase, it is acknowledged that this would require cooperation with and consideration by the City, including City Council, prior to implementation. As a result and as stated on page 3.14-18 of the Draft EIR, it is considered an alternative method of mitigation. If this is determined to be infeasible upon further coordination with and consideration by the City (including if the City Council does not approve the proposed General Plan amendment), then Cal Poly could pursue other options to provide the needed water supply or wastewater treatment capacity. If those all fail, the other terms of Mitigation Measure 3.14-3 would govern and prevent a significant impact. The procedures internal to the City related to the temporary purchase of non-potable water supplies are acknowledged but a discussion of the City's administrative processes, including the CEQA review accompanying its General Plan Amendment process, or any Cal Poly commitment to the outcome of that process, are not necessary or warranted within the context of the 2035 Master Plan EIR.

Comment L8-31

Impacts to the City's Water Resource Recovery Facility (WRRF)

Table 3.14-8 summarizes projected wastewater flows under full buildout of the Master Plan. However, the table does not include an estimate of flows occurring during the years 2015-2020. From 2015 to 2019, flows have increased from 197,557 gallons per day (gpd) in 2015 to 274,795 gpd in 2019, an increase in the annual average 79,480 gpd. The 2007 MOU identifies Cal Poly's capacity interest as "*daily dry weather flow calculated on a monthly average of .471 million gallons daily*." Cal Poly's monthly average dry weather flow has increased from 302,595 gpd in 2015 to 384,627 gpd in 2019, an increase in 82,032 gpd. By not including the increased flows that have occurred since the year 2015, the DEIR underestimates the total amount of wastewater that will be generated under the Master Plan. This underestimation impacts Cal Poly's ability to rely on its proposed WRF and the City's wastewater services to meet total Master Plan demand.

The baseline wastewater flows identified in Table 3.14-10 do not identify appropriate flows to accurately measure impacts associated with increased wastewater generated under the Master Plan. Table 3.14-10 identifies an "average annual flow" in 2015. However, as described above, the 2007 MOU for wastewater treatment services uses *daily dry weather flow calculated on a monthly average*, which is higher. Using Cal Poly's wastewater flow for 2019 leaves less than an additional 100,000 gpd available for the year 2020. If projected flow increases are correct for the year 2025 as identified in Table 3.14-10 (114,433 gpd), Cal Poly does not have sufficient capacity under the 2007 MOU regarding capacity interest in City facilities to support Master Plan development planned to be online in 2025. This is a potentially significant impact that is not disclosed, evaluated, or mitigated in the DEIR.

Given the likelihood of delays in completion, permitting, and operation of the new WRF, it will be likely that Cal Poly will rely on increased wastewater treatment services the City to support the Master Plan. Mitigation Measure 3.14-4a would preclude operation of new facilities under the Master Plan until the WRF is completed or sufficient wastewater services are available from the City. However, as stated above, based on the trend from 2015 to 2019, Cal Poly is expected to exceed existing capacity at the City's WRRF in the year 2025 under the 2007 MOU. As a result, it is likely that new on-campus housing projects will be delayed even though enrollment is expected to increase. This will result in new and increased impacts to housing, transportation, air quality, and GHG that have not been analyzed in the DEIR.

Response L8-31

The comment expresses concern regarding base year wastewater flow rates and the Draft EIR's use of average annual flow rates instead of daily dry weather flow rates as preferred by the commenter.

Regarding base year wastewater flow rates, as stated on page 3.14-12 of the Draft EIR, the Draft EIR utilized the year 2015 as its the base year (existing conditions) and the Draft EIR's and wastewater analysis (as provided in Appendix I) was conducted in five-year increments. The data provided by the City (meter and flow data) was used to establish the baseline conditions and then the projected flows were determined based on the multiple years of data and standardized factors for increases and decreases adjusted for the five-year increments. Note that the Corrected Adjusted 2015 flows reflect corrections made to metered wastewater flows, due to a malfunctioning meter as determined by Cal Poly, and were adjusted to account for construction that occurred between 2015 and 2018.

Projected wastewater generation was refined for the analysis period 2020-2025 because modeling indicated that the campus would exceed allowable flows to the City's WRRF unless an on-campus facility, the proposed WRF, is in place. As stated in Appendix I of the Draft EIR, there is a limit to additional development that the campus can add prior to operation of the WRF and its corresponding ability to accommodate some of the new Master-Plan-related wastewater flows. As stated on page 58 of Appendix I of the Draft EIR, modeling reveals that without implementation of the WRF as a near-term project, the campus' wastewater flow limit would be reached prior to 2035. The analysis was refined sufficiently to identify that the Slack and Grand residential building project cannot proceed without the provision of additional wastewater capacity through the WRF or other means.

The City-provided 2019 meter data, as stated in this comment, indicates a concern that additional impacts may be identified by using the 2019 data, as well as by accounting for "daily dry weather flow calculated on a monthly average." However, use of more recent data or conversion of the flow metric would not affect the conclusions or mitigation measures of the Draft EIR, contrary to the assertions made in this comment. As noted in Impact 3.14-4 on page 3.14-2 of the Draft EIR, the existing City infrastructure for wastewater collection is inadequate under the conditions modeled in the Draft EIR, and it is likely that modeling using peak wet weather conditions and updated meter data provided by the City would yield similar results. In the context of Impact 3.14-4, the threshold for new wastewater flows to City infrastructure was effectively zero due to existing peak wet weather flow capacity issues but use of a zero-net-increase threshold also addresses the City's concern regarding the use of annual average versus monthly average of daily dry weather flow. The updated data provided by the City reflects an updated condition, from which analysis could be provided, but it would not modify the threshold, significance determinations, nor mitigation measures presented in the Draft EIR. The conclusions presented in the Draft EIR are valid and the mitigation measures presented in Impact 3.14-4 would not require modification as suggested by the commenter.

The comment also raises a concern regarding the timing for the completion of the on-campus WRF. See Response L8-30 which addresses this concern.

Comment L8-32

Impacts to the City's Wastewater Collection System

The DEIR acknowledges that Cal Poly's existing peak wet weather wastewater flows exceed the 1.2 mgd limitation included in the 2007 MOU between the City and Cal Poly, that flows exceeded the limit in the year 2015, and that even implementation of the WRF and other conservation measures will not adequately address these exceedances. Mitigation Measure 3.14-4b addresses this issue by requiring Cal Poly to implement inflow and infiltration reduction projects to reduce peak wet weather flows, which the City appreciates. However, the measure requires that the inflow and infiltration reduction projects reduce flows to 2018/2019 levels, not to the 1.2 mgd limitation stated in the 2007 MOU which is not adequate mitigation nor consistent with its commitment to the City of San Luis Obispo.

The DEIR does not evaluate the environmental effects of peak wet weather flows caused by inflow and infiltration into Cal Poly's sewer pipes. These peak flows utilize capacity reserved for future development in the City and can lead to sanitary sewer overflows in the City's wastewater collection system. Sanitary sewer overflows are a public health risk and can result in NPDES (National Pollutant Discharge Elimination System) Permit violations, fines from the Central Coast Water Board, beach closures by the San Luis Obispo County Public Health Department, Clean Water Act third

party lawsuits, or a long-term enforcement agreement referred to as a consent decree. Environmental impacts from Cal Poly's peak wet weather flows must be disclosed and evaluated in the DEIR.

Response L8-32

The comment requests that the Draft EIR mitigation be amended to require flows to the levels stipulated in the 2007 MOU between Cal Poly and the City and that the Draft EIR evaluate the potential environmental impacts of existing peak wet weather flows. Contrary to the statements made in this comment, CEQA does not require an evaluation of impacts against an existing/historical financial agreement between two entities but rather requires the evaluation of a project's potential to result in physical environmental impacts with respect to *existing* environmental conditions. In that respect, the EIR's requirement (through mitigation) to restrict wastewater flows associated with 2035 Master Plan implementation to existing conditions is adequate mitigation and in accordance with CEQA requirements. Issues related to existing conditions and Cal Poly's and the City's commitment to each other to coordinate to fix existing issues, including peak wet weather flow capacity issues due to inflow/infiltration, were recently identified as part of a Memorandum of Understanding (MOU) executed between the City and Cal Poly on March 31, 2020. Outside the context of the 2035 Master Plan EIR, Cal Poly will work with the City to ensure the provision of adequate utility service, including potential capacity improvements, to address existing issues. Furthermore, the mitigation measures provided in the Draft EIR related to wastewater service would prohibit Cal Poly from increasing flows to City infrastructure as a result of 2035 Master Plan implementation, thereby reducing the net increase in wastewater flows to the City as a result of the project to zero. Therefore, additional flows as a result of 2035 Master Plan implementation would not be anticipated, and the potential impacts associated with existing and/or additional sewer overflows are appropriately not addressed within the context of the 2035 Master Plan EIR. See also response to Comment L8-31.

Comment L8-33

Impacts to the City's Water Treatment Plant and Water Distribution System

The Water Supply Assessment, included in DEIR Appendix H, assumes that the portion of Cal Poly's Whale Rock supply currently used for agricultural uses will be replaced with non-potable water from Cal Poly's proposed WRF, freeing up all of Cal Poly's Whale Rock water for potable use to serve new residents, students, and employees on campus. (DEIR, p. 3.14-12.) This will require the City to treat more water than it is currently treating for Cal Poly. Although the DEIR acknowledges that the 2007 MOU provides Cal Poly up to 1,000 AFY of water treatment services (1.44 mgd), peak day projections provided in Table 15 exceed 1.44 mgd. This impact is not identified in Impact 3.14.1.

Response L8-33

The comment expresses concern regarding City's capacity to treat Cal Poly's full entitlement of Whale Rock water for potable supplies in accordance with its contracted for 1,000 AFY treatment allowance, and Draft EIR's reference to peak day projections. The key inquiry for CEQA purposes is whether the City's water treatment plant has adequate physical capacity to treat Cal Poly's full Whale Rock water entitlement, or if new or expanded water treatment and conveyance facilities would be required, which could in turn result in significant environmental impacts. As summarized in Draft EIR Section 3.14-1: "Water originating from Whale Rock Reservoir is pumped to the City's treatment plant and conveyed through City pipelines to Cal Poly. Implementation of new development in accordance with the 2035 Master Plan would increase the volume of water conveyed through the existing City infrastructure. Modeling indicates that the City could provide adequate potable conveyance capacity to accommodate anticipated development under average day demand, peak daily demand, and peak hourly demand." Appendix H of the Draft EIR contains the Watearth report demonstrating this capacity.

In addition, as the comment acknowledges, the 2007 MOU provides Cal Poly with rights for up to 1,000 AFY of water treatment and conveyance services. With buildout under the 2035 Master Plan, Cal Poly would exercise its full 959 AFY safe annual yield entitlement to Whale Rock Water for potable water, which is below its contracted for treatment and conveyance capacity of 1,000 AFY. As noted on page 3.14-18 of the Draft EIR, Cal Poly would not exceed the existing agreement with implementation of the 2035 Master Plan using this basis. The comment raises the concern that despite the annual treatment rights, Cal Poly may exceed the peak daily demand projections, beyond the 1.44 mgd that has been contracted for in the MOU. In order to maintain consistency with the peaking calculations

provided in the 2007 MOU, conversion of the gpm calculation, which is intended to capture peak instantaneous flow, to a peak daily flow is not appropriate. By employing the same approach for calculating peak daily flow calculations as what was done in the 2007 MOU, peak daily flow is appropriately calculated by applying a peaking factor to average daily flow. Using the correct approach and calculation, as noted in the Draft EIR on page 3.14-18, Cal Poly is not anticipated to exceed either the 0.9 mgd average daily flow or 1.44 peak daily flow limits established in the 2007 MOU. As shown in Table 3.14-7 on page 3.14-18 of the Draft EIR, average daily flow would be 0.719 mgd and peak daily flow would be 1.15 mgd with implementation of the 2035 Master Plan. Further, it is important to note that the MOU agreement does not represent a basis for analysis of environmental impacts of development under the 2035 Master Plan associated with the capacity of the water treatment plant or the City's conveyance infrastructure, as the agreement is not based on absolute capacity of the City's facilities. The key consideration is whether the City's facilities have adequate capacity to treat potable water; as demonstrated in the Draft EIR and Appendix H, the City's treatment facilities do have adequate capacity without any material modifications or expansion, and therefore there would be no environmental impact associated with the expansion or provision of new water treatment facilities. To the extent the private agreements between the City and Cal Poly may need to be updated or revised, that would be social or economic impact that is outside the scope of CEQA. See Response L8-31 for further information on this topic.

Comment L8-34

Additionally, the impact analysis in section 3.14.1 references the Water Supply Assessment which includes numerous assumptions related to the operation of the City's water distribution system that are not identified in the 2007 MOU and were not validated by the City prior to inclusion in the DEIR. Without a detailed review and understanding of the modeling assumptions, the City does not agree with the conclusion under Impact 3.14.1, on page 3.14-14 that "*Modeling indicates that there is adequate conveyance capacity to accommodate anticipated development associated with the 2035 Master Plan under average day demand, peak daily demand, and peak hourly demand*." Also, due to these assumptions, the City does not agree with the determination provided in Section 1.4 (3) that "*There is adequate City potable water conveyance capacity under ADD, PDD, PHD, and PDD + City FF for all Cal Poly flow conditions modeled*."[i] Both Section 3.14 and Appendix H refer to a *Cal Poly Utility Master Plan* with an anticipated completion date in early 2020. This document has not been made available for City review and may also include invalid assumptions related to the operation of the City's water distribution system. A modification to the MOU between Cal Poly and the City is needed to clarify assumptions related to peaking factors, fire flow, storage, and conveyance capacity to determine whether significant capital improvements are necessary to Cal Poly's or the City's water distribution systems for buildout of the Master Plan.

[i] "ADD" is average day demand; "PDD" is peak daily demand; "PHD" is peak hourly demand; City FF is City fire flow.

Response L8-34

The comment expresses concern regarding the need to validate the assumptions made in the water supply analysis and general disagreement with the Draft EIR's conclusion of less-than-significant with mitigation. The analysis used the best available data including information provided by the City (i.e., meeting of November 16, 2018), the Cal Poly 2035 Master Plan, and other Cal Poly documentation including raw data and summaries of the water and wastewater meter data (*Daily wastewater flows for 2014-2017)*. In operating the City-provided WaterCAD and SewerCAD models, Watearth used its models, coordinated with City staff on questions, and used a number of City-produced documents to understand operations including capacity. As noted in Appendix H of the Draft EIR, these documents include the *Final Potable Water Distribution System Operations Master Plan*, December 2015, the *Whale Rock Operating Policy* (revised December 2013), *Wastewater Collection System Infrastructure Renewal Strategy for the City of San Luis Obispo* (December 2015), *Water Resource Recovery Facility Draft Facilities Plan* (December 2015), and *Water and Wastewater Element, Wastewater Service Section 2.0*. While the comment above disagrees with the analysis set forth in Appendix H and the Draft EIR, it does not identify any substantive or specific concern or provide any evidence in support of its disagreement with the Draft EIR's conclusion that the City's water treatment and conveyance system has adequate capacity to accommodate the 2035 Master Plan's average day demand, peak daily demand, and peak hourly demand. Beyond this, Cal Poly is supportive of continuing to work collaboratively with the City and negotiate in

good faith regarding Cal Poly's fair share contributions as appropriate to address the campus' water treatment and conveyance needs.

Comment L8-35

Water and Wastewater Service to the Proposed Retirement Community

The DEIR does not disclose impacts associated with connecting the planned retirement community located west of Highway 1 from the rest of campus and may rely on the City's water distribution system for its water service (including fire flow and storage) and/or the City's wastewater collection system. It is unclear whether any planning or environmental analysis has been conducted to determine that water and wastewater services to these areas is available and can be feasibly provided, or if Cal Poly is intending to rely on the City to provide domestic water, fire flow, and water storage and treat wastewater from this facilities. As identified in the City's General Plan, the City's wastewater collection system is capacity constrained during peak wet weather in the service area adjacent to Cal Poly's proposed retirement community. Average wastewater flow is estimated at 21,129 gpd in Appendix I, Table 1, in 2030. If Cal Poly is proposing to connect to the City for wastewater collection service, mitigation would be required to achieve an adequate, measurable offset of wet weather wastewater flows.

Response L8-35

The comment expresses concern regarding the potential connection of the University-Based Retirement Community to the City's utility infrastructure. The analysis conducted in the Draft EIR for years 2025 through 2035 was based on square footage of new construction and does not address specific developments in specific years. The University Based Retirement Community was addressed as part of the total square footage of development with water demands and wastewater flows as part of the calculations for all development under the 2035 Master Plan. As currently proposed, future developments under the 2035 Master Plan would connect via the existing on-campus system, and no direct connections to the City are currently envisioned or anticipated. The University Based Retirement Community's utility needs, including its wastewater connection points will be analyzed in more detail when this project is proposed for design and development and undergoes a project specific CEQA review. See Master Response 2 and S3-2 regarding programmatic and project specific environmental review, including in the context of the University Based Retirement Community.

Letter L9 San Luis Obispo County Healthy Communities Work Group

Chuck Stevenson
February 3, 2020

Comment L9-1

The Healthy Communities Work Group is a collaboration between public health officials, local planning and transportation officials, community-based organizations, academia, and community members, working to improve health through community design. We have reviewed the Cal Poly Master Plan Draft EIR, and offer the following comments:

Traffic/circulation concerns

Incorporating health in transportation policy presents an opportunity to enhance public health by preventing chronic disease, reducing and preventing motor-vehicle-related injury and death, improving environmental health, and ensuring access for all people[1]. Given the critical relationship between transportation and health, the Healthy Communities Work Group recommends that circulation improvement measures are more specifically identified to promote active transportation and expand public transportation.

[1]https://www.cdc.gov/transportation/recommendation.htm

Response L9-1

The comment recommends that circulation improvements be more specifically identified. Please refer to the response Comment L5-3 and Master Response 4.

Comment L9-2
While our group understands the decision to restrict Freshman and Sophomore car permits, we fear that students will park their vehicles in surrounding neighborhoods. Instead, we recommend providing a distant lot for these students who need to use an automobile for occasional long-distance travel.

Response L9-2
The comment recommends providing a distant lot for students as part of the Master Plan. This comment addresses the Master Plan itself and not the Draft EIR analysis. It is included in the record for consideration as part of the 2035 Master Plan. Please see Response L8-26 regarding neighborhood parking.

Comment L9-3
Additionally, the Healthy Communities Work Group would like to echo concerns of the County of San Luis Obispo Parks and Recreation Department regarding a lack of reference to County land use documents in the 2035 Master Plan. We recommend that section 3.13 is altered for greater alignment with County's General Plan and transportation policies, and that the Chorro Valley Trail is incorporated. This alignment will encourage mode shift and increase connectivity.

Response L9-3
The comment expresses support for the comments provided in Letter L3 above, including inclusion of the Chorro Valley Trail. Please refer to Master Response 6 regarding the Chorro Valley Trail and Responses L3-2 and L3-3 regarding incorporation of County General Plan policies and the comments by the San Luis Obispo County Parks and Recreation Department. This comment addresses the 2035 Master Plan and not the Draft EIR analysis. It is included in the record for consideration as part of the 2035 Master Plan.

Comment L9-4
Placement of housing near existing sources of toxic air contaminants
The Healthy Communities Work Group notes the placement of new housing near existing sources of toxic air contaminants. We would like to echo concerns from the County of San Luis Obispo Air Control District regarding the fact that Cal Poly is currently undergoing a health risk assessment because the facility has exceeded the APCD's prioritization score threshold.

Response L9-4
The comment raises the concern of placing new sensitive receptors near existing sources of toxic air contaminants. Please refer to Response to Comment L4-9.

Individuals

Letter I1 Eric Greening

December 20, 2019

Comment I1-1

While the release of the Revised Draft Environmental Impact Report on the Cal Poly Plan has been long and eagerly awaited, the timing of that release at the beginning of the holiday break mandates a longer comment period than is currently being offered. The campus community won't reassemble until January 6th. At the barest minimum, counting the legally required 45 days from that date, to February 20th, is the very least that can be done to allow for the needed careful consideration of this huge document by the affected public. More adequate would be to mirror the 60 days that was ultimately allowed for comments on the original DEIR, again, counting from January 6th, resulting in a deadline of March 6th. Even more time than that would be welcome, of course. After all, it has taken nearly two full years for the comments the public made on the first iteration to be responded to in the document we now have before us. Two months is nothing compared to that, and the public needs it so that we can evaluate whether the many many shortcomings of the previous document have been remedied in the present one.

Comments on the substance of the RDEIR will be forthcoming at a later date, after I have had time to review it, but it seems extremely urgent to address the utterly inadequate timeline for public comment right up front so that it can be remedied as soon as possible, allowing those of us already aware of the release of the document a chance to enjoy a bit of holiday cheer without being unrelentingly nose to grindstone, and to give adequate time for those who BECOME aware after January 6th to address the critically important issues in the depth they deserve. An institution committed to learning by doing must be an example of prioritizing care and thoroughness over haste, and in that spirit I ask you to extend the comment period, and then to enjoy a peaceful holiday season!

Response I1-1

This comment requests extension of the public review period of the Draft EIR for the 2035 Master Plan. Please refer to Master Response 1 for a response to this comment.

Letter I2 Ellen Sturtz

December 20, 2019

Comment I2-1

Due to the size of the project and the holiday season I am asking you extend the comment period for necessity until March 6, 2020, therefore beginning the clock at January 6th.

This will allow more time and not make it look like you were trying to game the system releasing this version so close to the holidays and campus break.

Response I2-1

This comment requests extension of the public review period of the Draft EIR for the 2035 Master Plan. Please refer to Master Response 1 for a response to this comment.

Letter I3 Matt Moelter

December 19, 2019

Comment I3-1

In the attached document there is a typo indicated. [The comment includes a copy of the "Notice of Availability and Comment Opportunity for a Draft Environmental Impact Report."]

Response I3-1

The typographical error that referred to the Academic Code instead of the Academic Core is acknowledged. This error is not considered substantive, nor did it affect the public's ability to review and comment on the Draft EIR.

Letter I4 David Schreiber

December 20, 2019

Comment I4-1

My name is David Schreiber. I am a fourth-year aerospace student at Cal Poly. Over the years, I have been surprised by the lack of information sent to students about specific details regarding the 'Master Plan' President Armstrong has planned for the campus community. I actually only hear about any details from friends in SLO who have close ties to the process.

From what I understand, coming up there is a 45-day comment and review session after the release of the Environmental Impact Report where the campus community can review and send comments about the project. As a campus member who has not once heard of this report until today, I am appalled by the short timeline of this review session coinciding with the holidays! It's surprising and manipulative for an institution that promotes inclusivity and transparency to have such a short notice and time period and for there to be little to no information available to those who are most deeply affected: the students.

Given the situation, I am writing to ask if Cal Poly can extend the review process. By choosing a day that starts over the holidays, Cal Poly has inherently shortened the review session's legal minimum of 45-day time period for most if not all of the campus community. At the very least, the deadline for the review process should be mid-February if proper protocols were used.

I appreciate Cal Poly, the opportunities it provides, and the campus feeling of inclusivity, but moving forward I ask if you would please do your part in making information like this more readily available to students at Cal Poly. I am a proud student of Cal Poly, but some of the antics this administration has used to boost Cal Poly's public profile by moving forward with big projects while having little regard for its own student's opinions has made me feel, at times, very resentful of my own university.

Response I4-1

This comment requests extension of the public review period of the Draft EIR for the 2035 Master Plan. Please refer to Master Response 1 for a response to this comment, including a description of public outreach associated with the 2035 Master Plan.

Letter I5 David Blakely

December 22, 2019

Comment I5-1

Thank you for sending me the official notice of the updated master plan. By way of this email I am requesting that you extend the review period. This is a very large and comprehensive document that will have long term impacts on the residents of San Luis Obispo and needs to be carefully reviewed and commented upon. The fact that the document was released during the holidays and ends in early February limits the publics opportunities to review and comment. Please extend the review period.

Response I5-1

This comment requests extension of the public review period of the Draft EIR for the 2035 Master Plan. Please refer to Master Response 1 for a response to this comment.

Letter I6 David Blakely

December 22, 2019

Comment I6-1

Can you tell me if there is a document that compares the last Master Plan draft eir with the current draft eir. It would be nice to know what changes Cal Poly has made since its last attempt at an eir on the Master Plan.

Response I6-1
There is no such document comparing the two EIRs. The 2035 Master Plan, released in June 2019, includes a number of substantive changes to the prior (2017) Master Plan which was analyzed in the 2017 Draft EIR. A number of the changes in the (new) 2035 Master Plan were made to address new or expanded information regarding public services, recreation, utilities, transportation and circulation, water supply, and document organization. The 2019 Draft EIR evaluates the 2035 Master Plan, and wholly supersedes the 2017 Draft EIR that evaluated the on the prior version (2017) of the Cal Poly Master Plan. .

Letter I7 Aaron Kirby

December 22, 2019

Comment I7-1
I am writing you to urge you to extend the deadline for the comment period for the Cal Poly Plan (currently February 3rd 2020). This is not enough time for people to address such a huge issue, especially as students like myself are home for the holidays for much of the period. Please be respectful of our time.

Response I7-1
This comment requests extension of the public review period of the Draft EIR for the 2035 Master Plan. Please refer to Master Response 1 for a response to this comment.

Letter I8 Dominic Chequer

December 27, 2019

Comment I8-1
I am a stakeholder in the outcome of the Master Plan as a San Luis Obispo resident and a Cal Poly alumnus.

The amount of time given for review and comment amongst the community is not sufficient, and to adequately address the *Revised Draft Environmental Impact Report* on the Cal Poly Master Plan we will need more time. The previous draft was also extended from 45 days to 60 days so I do not see why this would be a problem.

In addition, there is another problem with this release -- the timing of the release, right before the holiday period restricts the amount of time amongst community members, reducing that paltry 45 days to only 40.

This project is a critical as it defines Cal Poly's future growth & development agenda, thus, the shortness of the comment period alongside the timing of its release marginalizes many voices and opinions from the discourse.

Response I8-1
This comment requests extension of the public review period of the Draft EIR for the 2035 Master Plan. Please refer to Master Response 1 for a response to this comment.

Letter I9 Dylan Stephens

December 29, 2019

Comment I9-1
I am writing to ask you to please extend the comment period for the environmental impact report to 60 days. This will allow for the students of Cal Poly time enough to read the full report and make insightful comments. As president of the Zero Waste Club I will be bringing the report to our members attention and reading it together, collecting our thoughts.

Response I9-1
This comment requests extension of the public review period of the Draft EIR for the 2035 Master Plan. Please refer to Master Response 1 for a response to this comment.

Letter I10 Peter VanderBloomer

January 5, 2020

Comment I10-1
I would like to request a time extension on the comment period for the Revised Draft Environmental Impact Report on the Cal Poly Master Plan.

The comment period should not even begin until January 6th when Cal Poly students return to campus and stable internet access by which to examine the document.

Response I10-1
This comment requests extension of the public review period of the Draft EIR for the 2035 Master Plan. Please refer to Master Response 1 for a response to this comment.

Letter I11 Eric Greening

January 7, 2020

Comment I11-1
This letter is intended to be part of the record of comments on the Cal Poly Master Plan RDEIR (as a comment by Eric Greening), and ALSO to be in the record for the San Luis Obispo City Council meeting of January 14th, 2020, relative to the item in which the City's 2019 Water Resources Status Report is being received and taken into the record. The reason for this unconventional juxtaposition of recipients and purposes is the urgency of getting the City and Cal Poly on the SAME PAGE relative to the critical issue of water supply before a rushed culmination of the Master Plan's long CEQA process causes yet another Draft Environmental Impact Report to be unable to move forward to a Final.

Here is language from the Cal Poly Master Plan RDEIR: "Impact 3.14-1: Require or Result in the Relocation of Construction of New or Expanded Water Infrastructure"

"Implementation of the 2035 Master Plan would increase the volume of potable water conveyed through the existing City connections. Modeling indicates that there is adequate conveyance capacity to accommodate anticipated development associated with the 2035 Master Plan under average day demand, peak daily demand, and peak hourly demand. New campus development would require connections to water supply pipelines. Because the campus already contains substantial pipelines and water delivery infrastructure, construction of additional infrastructure to connect new academic buildings, student housing, and other development to the existing system is expected to be minor, consisting of relatively sort pipeline connections in the existing delivery pipeline. Thus, the impact would be LESS THAN SIGNIFICANT."

Now, a quote from the City's 2019 Water Resources Status Report: "At a March 2019 study session, City Council provided direction to staff related to short term water sales. A potential recipient of this program may be Cal Poly while the university secures a permanent water supply specifically related to housing production. Council supported broadening existing policy language for the City to supply non-potable water (raw water or recycled water) through a short-term agreement for agricultural purposes. Short-term agreements would be crafted to include provisions for service interruptions or reduction, due to operational issues or climatic events, low reservoir levels, increased water demand forecasting, or water quality deterioration. Meaning, during a water shortage emergency, City water deliveries would be prioritized above those included in a short-term sales agreement."

The RDEIR is premised on Cal Poly's City connection providing all the water needed for residential and academic use, with minor connections to individual buildings constituting the only "New or Expanded Water Infrastructure." The City's understanding is that for POTABLE use in new campus housing and other buildings, Cal Poly would be responsible for finding a PERMANENT source, which is NOT the City of SLO; the City will PERHAPS provide non-potable water on a temporary basis, and not reliably. I have been searching the RDEIR in vain for any indication of what this "permanent" source would be, or how it would be brought in without the need for "New or Expanded Water Infrastructure." I am aware that Cal Poly has been searching; late last year, an agenda item at the Morro Bay City Council discussed negotiations over the sale of some of Morro Bay's not-too-abundant water supply to Cal Poly, but no contract was signed; their Council simply directed that negotiations can continue. Morro Bay's public works people won't know if they have water to sell until they understand the operational constraints and opportunities involved with their yet-to-be-built new Wastewater Treatment Plant, for which ground has yet to be broken.

Clearly, given the incompatible parallel universes described in the City and Cal Poly documents, it is critical that the City and Cal Poly immediately do what they can to get on the same page. Until this happens, it is foolhardy for Cal Poly to plan on ending the comment period on the RDEIR on February 3rd, less than a month after the campus community has re-inhabited the campus, and with this vital issue unresolved. The City should request an extension of the comment period, and Cal Poly should honor it; if yet another recirculation is to be avoided, the comment period will need to be left open long enough for the City and Cal Poly to get on the same page relative to the make-it-or-break-it issue of water supply, to somehow make available to the public new supplemental information that embodies that common understanding and analyzes its impacts, extending an adequate comment period for the entire document that clearly INCLUDES that supplemental information and clarifies what obsolete information is being replaced, before the comment period on the entire RDEIR closes.

Response I11-1

The comment expresses concern about a perceived disconnect between the positions of Cal Poly and the City of San Luis Obispo with respect to water supply. The comment cites Impact 3.14-1 (Require or Result in the Relocation or Construction of New or Expanded Water Infrastructure), notes its less-than-significant conclusion, and asserts that "[t]he RDEIR is premised on Cal Poly's City connection providing all the water needed for residential and academic use, with minor connections to individual buildings constituting the only "New or Expanded Water Infrastructure." This is incorrect. The comment confuses Impact 3.14-1, which pertains to water infrastructure (e.g., pipelines and delivery infrastructure, as opposed to water supply), the construction of which could have a significant effect on the environment. Aaron Floyd from the City of San Luis Obispo provided a response to this comment, indicating that the City's 2019 Water Resources Status Report does not include water delivered to Cal Poly, which was the primary source of perceived discrepancy raised in this comment.

As explained in this impact analysis, the City's water treatment and conveyance facilities have available capacity to treat and deliver Cal Poly's full entitlement of Whale Rock water. The analysis of the availability of adequate water supplies to serve build out of the 2035 Master Plan is contained in Impact 3.14-3, Have Insufficient Water Supplies Available to Serve the Project and Reasonably Foreseeable Future Development during Normal, Dry and Multiple Dry Years. As described in the Draft EIR at pages 3.14-16 through 3.14-19, this impact could be significant and requires mitigation to reduce the impact to a less-than-significant level by demonstrating there are adequate water supplies to serve Master Plan development. The analysis shows that while Cal Poly's Whale Rock safe annual yield entitlement is sufficient to supply Cal Poly's potable water needs, Cal Poly will need additional non-potable water to serve existing agricultural uses on campus. Accordingly, the Draft EIR identifies a menu of options to provide the needed potable water supplies. The first and preferred option requires Cal Poly to initiate operation of its proposed Water Reclamation Facility (WRF), in sufficient time to offset potable water demand associated with campus growth accommodated under the Master Plan. (See also Section 2, "Project Description," specifically the discussions of Water Supply and Wastewater at pages 2-39 and 2-40.) As described in Mitigation Measure 3.14-3, if the WRF is not operational by 2022 or if other near-term 2035 Master Plan projects are constructed before operation of the first phase of the WRF, Cal Poly will not initiate operation of any new facilities or developments until the WRF's treatment capacity and recycled water supplies are available for use, or unless Cal Poly can demonstrate that adequate water supplies are available to serve the new development. Sources of additional water supplies may include, but are not limited to, securing additional water through the successful implementation of water conservation measures and through the temporary purchase of non-potable water supplies from the City of San Luis Obispo in order to bridge the gap between WRF completion and the development of new Master Plan projects. For further information, see the response to Comment L8-30.

Comment I11-2

I have not had time to go into depth with the entire RDEIR, so I can't yet indicate whether, in subject areas other than water supply, there are similarly serious inconsistencies that would prevent moving forward to a Final EIR, but to give the public adequate time to uncover these, it is absolutely essential that the comment period be extended well beyond February 3rd, and that the RDEIR be closely scrutinized by the City and all other interested parties so that anything else that needs similar action can be caught and acted on.

Response I11-2
This comment requests extension of the public review period of the Draft EIR for the 2035 Master Plan. Please refer to Master Response 1 for a response to this comment.

Letter I12 Christine Mulholland

January 9, 2020

Comment I12-1
I am very concerned with the lack of certainty about water in the revised draft. And I think it is very bad planning and disrespectful toward the community to have put the draft out for public review during the busy holiday season.

I serve on the County Water Resources Advisory Committee, and I agree with other members that this should be brought to our group for review. But the short public response timing will not allow that to happen. Certainty about water resources must be clear and evident before any commitment toward continued growth and development is green lighted.

Response I12-1
This comment expresses concern about availability of water supplies, generally, and requests extension of the public review period of the Draft EIR for the 2035 Master Plan. No specific comments about the water supply analysis in the Draft EIR are included, so no specific response can be offered. Please refer to Master Response 1 regarding extension of the public comment period.

Comment I12-2
With the rapidly changing climate we are facing, it is important to not rush toward more building, growth and development, all of which will create more releases of carbon dioxide. And water is also going to continue to be a more and more scarce resource, and this RDEIR does not give me any comfort level that it has been fully addressed.

Please step back and take the time to reevaluate the RDEIR and give the public more time to comment. Show me the water!

Response I12-2
The comment expresses concern that new development could contribute to climate issues such as water scarcity, and request more time be given to for the public to comment on the Draft EIR for the 2035 Master Plan. No specific comments about the water supply or climate change analysis in the Draft EIR are included, so no specific response can be offered. Please refer to Master Response 1 regarding extension of the public comment period.

Letter I13 Nickie Gurnie

January 17, 2020

Comment I13-1
UNLESS the deadline on the Revised Draft Environmental Impact Report on the Cal Poly master Plan is extended, we now have a little more than two weeks to get our comments into the record.

This is a dense document and I and the larger student body require more time for validating feasibility.

I am requesting that an extension for the comment period be made that extends the period by no less than one (1) month.

Concerned citizen of SLO county for my entire life thus far.

Response I13-1
This comment requests extension of the public review period of the Draft EIR for the 2035 Master Plan. Please refer to Master Response 1 for a response to this comment.

Letter I14 Katie Rose

January 21, 2020

Comment I14-1

I am writing to request for an extended deadline on the public comments with the newly released plan. I am aware of the discrepancies within the report that I believe need time to be further discussed. I am speaking on the behalf of many concerned students who were not previously plan

Response I14-1

This comment requests extension of the public review period of the Draft EIR for the 2035 Master Plan. Please refer to Master Response 1 for a response to this comment.

Letter I15 Georgia Crowley

January 22, 2020

Comment I15-1

My name is Georgia Crowley, and I am a fourth year Graphic Communication student at Cal Poly. I am very upset with the way that the expansion plan has been going about basically hidden from the ears and eyes of the students. We get emails everyday about all sorts of things, but never once have i received an informative email telling me that the public comment period is currently open for the environmental impact report that was released, conveniently, right before break.

Why are we students not being informed that the clock is ticking and the window is closing for us to give input on a massive proposal that has many holes when it comes to sustainability? I demand that the clock restarts once we students are given the proper information that leads us to the resources to make informed comments and suggestions on a massive project that will affect all of us.

Winter break would have been a great time for students to actually have the time to read 1000 pages of an environmental impact report.

Response I15-1

The comment expresses concern regarding lack of email notice to students about the availability of the Draft EIR. Notice of availability occurred in accordance with the CEQA Guidelines. Section 15087(a) of the Guidelines states, "[n]otice shall be mailed to the last known name and address of all organizations and individuals who have previously requested such notice in writing, and shall also be given by at least one of the following procedures: (1) Publication at least one time by the public agency in a newspaper of general circulation in the area affected by the proposed project. If more than one area is affected, the notice shall be published in the newspaper of largest circulation from among newspapers of general circulation in those areas."

In addition to posting of the notice of availability with the State Clearinghouse and San Luis Obispo County Clerk, availability of the Draft EIR was published in the San Luis Obispo Tribune, and notices were sent to all who had previously expressed interest, including students. This comment also requests extension of the public review period of the Draft EIR for the 2035 Master Plan. Please refer to Master Response 1 for further discussion of noticing associated with the release of the Draft EIR and a response to the request for extension of the public comment period.

Letter I16 Nakia Kaminski

January 25, 2020

Comment I16-1

On behalf of my fellow students I am writing to request a restart on the commenting period for the Master Plan and it's environmental impact report. Many people haven't been made aware of what the EIR entails and this is not right. Please also properly advertise that this report is ready to review.

Due to the cultural, historical, and environmental value of the land, we need more time to review and comment. The Cal Poly community must be made aware of the report in order to have fair participation in this plan.

Response I16-1
This comment requests extension of the public review period of the Draft EIR for the 2035 Master Plan. Please refer to Master Response 1 for a response to this comment.

Letter I17 Allie Ahern

January 25, 2020

Comment I17-1
My name is Allie Ahern, and I am Secretary of the Zero Waste Club at Cal Poly. Recently we had advocate come talk to us about the EIR of the Master Plan and how the comment period was students were away at break. I implore you to extend the comment period to allow me and other have sufficient time to review the EIR and develop critical comments.

Please consider extending the comment period.

Response I17-1
This comment requests extension of the public review period of the Draft EIR for the 2035 Master Plan. Please refer to Master Response 1 for a response to this comment.

Letter I18 David Blakely

January 20, 2020

Comment I18-1
Please enter the following comments and attachments into the record for the Draft Environmental Impact Report for the 2035 Master Plan dated December 2019.

By way of these comments I would also request I be notified of any other public parts of this process.

I would also like to include as attachments for the record:

- My comments for the originally released Draft EIR for the Cal Poly Master Plan 2035 released in 2017
- Comments presented by the City of San Luis Obispo for the originally released Draft EIR for the Cal Poly Master Plan 2013 released in 2017

Response I18-1
The comment presents introductory text to more detailed comments included in the letter and requests notification of future public participation opportunities. The commenter shall be added to the list of recipients of notices and information pertaining to the 2035 Master Plan project. The comment also includes, as attachments, comments received on the 2017 Draft EIR for the prior version of the Master Plan. The commenter does not identify any particular component of the attachments that pertain to the 2035 Master Plan or the Draft EIR or otherwise identify the purpose for including the attachments. As noted above in the response to Comment I6-1, the 2017 Draft EIR and the prior Master Plan have been replaced in whole and superseded by the current Draft EIR and the 2035 Master Plan. Accordingly, the attachments are included in the record per the commenter's request but no further response is required.

Comment I18-2
At the onset I would like to express the unnecessary complication the University has allowed in moving this process forward. The November 17, 2017 Master Plan had gone through a well published and public process with adequate time to review and comment on the 2017 Draft EIR and plan. The University decided to develop a new Master Plan with very little to no public input and then on to a Draft EIR review process that started less than a week before the winter holiday season, culminating 46 days later on February 3, 2020.

It is very disappointing that a plan that will be instituted to guide Cal Poly until 2035 is rushed to completion with little to no public input in the creation and review of the plan and with just 46 days to review the Draft EIR. Yes, the Master Plan 2035 process has been lengthy, but the final work product has been secretly put together and hurriedly reviewed.

I have contacted several individuals listed as participants in the process of developing the Master Plan and none of them indicated that they were ever consulted in the development of the revised Master Plan.

The new Master Plan 2035 was released to the public along with the Draft EIR in December of 2019. There was much review and public participation of the Master Plan released in November 2017 but the plan before us now is very different than the November 2017 plan and was created in a relative vacuum of public participation.

The current Cal Poly Campus Master Plan is dated June 2019. I had requested to be noticed upon its release and there was no notification. I only found out that the Master Plan had been revised and a new Draft EIR released in December of 2019.

Response I18-2

The comment expresses disappointment with the Master Plan development and EIR processes. The comment is acknowledged. The notice of preparation for the 2035 Master Plan Draft EIR was distributed in October 2016 to solicit input on the scope and content of the environmental document. In November 2017, a Draft EIR was released for public review for an update to Cal Poly's 2001 Master Plan. After reviewing the comments on the Draft EIR, the CSU and Cal Poly decided that the Master Plan should be amended and that a new and fully revised Draft EIR should be recirculated for public comment.

As noted in Master Response 1, the 2035 Master Plan was released in June 2019 with revisions, based on extensive comments received on the 2017 Draft EIR related to public services and recreation, utilities, transportation and circulation, water supply, and document organization. The revised 2035 Master Plan was published on the university website and made available for public review. Cal Poly conducted presentations and workshops with university stakeholders (listed in Master Response 1) to receive input on the revised master plan over the summer and fall of 2019. In addition, the revised 2035 Master Plan was presented to the City and County of San Luis Obispo staff as well as the San Luis Obispo Chamber of Commerce. The 2035 Draft EIR was widely circulated in December 2019 and in accordance with the requirements of CEQA (see Master Response 1 for further detail), including email notifications to all parties that had expressed interest in the 2035 Master Plan and EIR processes. The 2035 Master Plan, therefore, was not created in a "vacuum of public participation" but was instead based on extensive public input with appropriately provided public notice in accordance with legal requirements. The comment does not raise any environmental issues related to the adequacy of the EIR analysis, and no further response is required. The comment is included in the record for consideration by the decisionmakers as part of the 2035 Master Plan approval process.

Comment I18-3

A couple of examples of major modifications to the December 2017 plan and the December 2019 plan are

- Residential Student and Faculty Housing changed to a 200-unit University Based Retirement Community on Cal Poly property located west of Highway 101 and abutting the residents of the City of San Luis Obispo
- A major modification to the plans for water and sewer services provided to the new project

The preliminary environmental review of the proposed University Based Retirement Community (UBRC) is woefully inadequate. There is no discussion of the need for such a facility and there is little to no discussion of the long term impacts it will have on the neighborhoods adjacent to it.

Response I18-3

The need for the University Based Retirement Facility is described on page 2-21 of the Draft EIR and page 2-61 of the 2035 Master Plan. Regarding its long-term impacts, these are described throughout the EIR as part of the Master Plan as a whole. This comment lacks specificity as to the long-term impacts of concern, but they are described in subsequent comments in the letter.

As described in detail in Master Response 2, the 2035 Master Plan is a long-term plan that is appropriately analyzed in programmatic EIR. Please see Master Response 2 and the response to Comment S3-2 for further information on the distinction between a program EIR and project-level EIR, and Cal Poly's commitment to complete project specific CEQA analysis of the University-Based Retirement Community when it is being considered and proposed for development. As noted in Chapter 2, "Project Description," the Draft EIR evaluates the entire program/plan and identifies several near-term projects that would likely be developed in the first 10 years of plan implementation. The University-Based Retirement Community has been identified as a potential near-term project. As stated on page 2-31, "near-term housing projects will undergo project-specific CEQA compliance review when Cal Poly is ready to move forward with project planning and construction. This review would occur subsequent to the Trustees' review and consideration of the 2035 Master Plan and 2035 Master Plan EIR."

Comment I18-4
Avoidance is an appropriate mitigation and is underutilized in the development of the current version of the Master Plan 2035.

Response I18-4
The comment is encouraging the use of avoidance as mitigation but does not provide specific examples of where this should be implemented. However, avoidance was considered as mitigation in the Draft EIR, where appropriate, specifically for resource areas such as cultural and biological resources. The comment letter does provide some specific examples and suggestions for further consideration of avoidance in latter comments, which are addressed below.

Comment I18-5
Generally, the Draft Environmental Impact Report – Master Plan 2035 does not do a good job of providing the Board of Trustees with adequate information to make an informed decision on the Master Plan because the Draft Environmental Impact Report – Master Plan 2035 does not offer site specific analysis of several important issues which are proposed in the Master Plan 2035. There are significant deficiencies in this document which must be addressed prior to the Final Environmental Impact Report – Master Plan which can be certified by the Board of Trustees in anticipation of their final decision on the Master Plan itself.

Response I18-5
The comment expresses concern about level of specificity of the analysis and alleged deficiencies. Specific comments are offered in later in the letter, responses to which are addressed below. Regarding the scope of environmental review for this programmatic EIR, please see Master Response 2.

Comment I18-6
Good planning would dictate a significant initial study to understand and avoid significant impacts. Environmental impacts would help guide the Master Plan. Instead, the Master Plan appears to force itself onto the landscape with little to no understanding of the environmental impacts which should drive the plan. Since significant input from other agencies and organizations has yet to be received, the Master Plan is problematic. For example, if there was input from Cal Trans in regard to access to parcels N4 and N5 (parcels where the UBRC is to be located), then impacts could be better understood and drive the planning process of the Master Plan. If Cal Fish and Game was consulted early in the process, then the degradation of important biological resources could be avoided in the planning process.

In a review of the appendixes to the Draft Environmental Impact Report – Master Plan 2035 the evidence for many of the recommendations just was not there.

The city of San Luis Obispo and Cal Trans are responsible agencies. They must also adopt their own findings regarding the impacts and determine if those impacts will be mitigated. Their responses to the plan should be part of the record.

The DEIR must include correspondence and evaluations from Cal Trans and the City of San Luis Obispo in regard to the proposed development on Parcels N4 and N5 where the UBRC is located. Without their input the Board of Trustees cannot make an appropriate determination on the mitigations these organizations may request. The

requested mitigations may require the Master Plan to change which would precipitate a recirculation of the DEIR, needlessly delaying this process.

Response I18-6

During the initial scoping of the 2035 Master Plan EIR, agency comments regarding potential environmental impacts were solicited, consistent with CEQA requirements. In addition and as stated in Master Response 1, Cal Poly has continued its outreach effort since the initial EIR scoping in 2016, including soliciting outside and, potentially, responsible agency input. Further, agency comments on the Draft EIR have been received and responded to in this Final EIR. Where appropriate, mitigation measures have been revised based on agency input. No new significant impacts, substantial increases in the severity of impacts, or errors/omissions that render the Draft EIR inadequate have been identified. As a result, substantial new information, as defined by the State CEQA Guidelines Section 15088.5, has not been presented. For this reason, recirculation of the Draft EIR is not required under CEQA and is not required before the Trustees consider the EIR for certification.

Comment I18-7

The Draft Environmental Impact Report – Master Plan 2035 violates CEQA by improperly piecemealing the evaluation of all the proposed projects.

In many cases it appears that the Draft Environmental Impact Report – Master Plan 2035 uses the guiding principles of the Master Plan as justification and mitigation for the many impacts this plan will create. Those guiding principles are wonderful for guiding the creation of the plan but do not do anything to provide mitigations for some very serious impacts which will be created by the implementation of the Master Plan.

It is incorrect to use the Master Plan Objectives as justification and mitigation for the impacts this project will create.

Response I18-7

"Piecemealing," in the context of CEQA, means dividing a project into two or more pieces and evaluating each piece in a separate environmental document to avoid fully disclosing impacts, rather than evaluating the whole of the project in one environmental document. The 2035 Master Plan EIR does just the opposite of piecemealing: it considers the environmental effects, at an appropriate level of detail given available information at the time, of the 2035 Master Plan in its entirety. It is the duty of the Board of Trustees to consider the whole of the action and its impacts, not just those of each separate project approval. At such time as Cal Poly initiates the planning of individual projects proposed in the Master Plan, those projects will be reviewed for compliance with the Master Plan and EIR, and may be subject to additional environmental review pursuant to CEQA. Please see also the response to Comment I18-3.

With respect to the guiding principles of the 2035 Master Plan, these are statements of values and objectives around which the Master Plan is developed. Contrary to the assertion made in the comment, the guiding principles are not used as justification for the project, rather they represent Cal Poly's commitment to reducing the impact of construction and operation associated with campus growth. The guiding principles are not intended as mitigation measures, and nor are they phrased or presented as such. Mitigation measures are lead agency commitments that are adopted to reduced significant environmental impacts, whereas guiding principles are values that set direction and represent ideals. The Draft EIR, where impact analyses indicate applicable thresholds would be exceeded, recommends mitigation measures that meet CEQA requirements for the purposes of reducing impacts to below the thresholds, where feasible. In that way, Cal Poly concurs with the commenter that the guiding principles do not constitute mitigation measures in the context of CEQA.

Comment I18-8

Regarding the parcel used for the UBRC, the traffic analysis is woefully inadequate. Intersection 43 for this project is not even analyzed. Cal Fire currently has a proposal in the early stages of planning, and their plan shows a large easement for traffic that dead ends at the edge of parcel N4. If it is contemplated that this access be used by Cal Poly to access the UBRC, then the impacts associated with this must be investigated as early in this process as possible.

The Draft Environmental Impact Report – Master Plan 2035 has no discussion of this access road and what impacts it may have on circulation in this area regarding the future planned development of the UBRC.

Throughout the support documentation on the traffic for the Master Plan, the traffic counts and analysis for intersection 43 says, "Does not exist in this scenario". This is a major flaw as it is proposed to add significant growth to parcel N4, yet the traffic projected for the development on this site "does not exist". There must be a full investigation of the vehicle trips from the development of N4 and appropriate mitigations must be offered. If it is found that the traffic from the development of N4 is significant and unmitigable, then the Board of Trustees will need to know this to determine the appropriateness of developing this parcel.

There is no substantial evidence in the record that fully discusses the environmental impacts of the proposed CAL FIRE development on parcel N4. Some site-specific issues are identified but not fully analyzed and no appropriate mitigations are proposed for the significant impacts to traffic, drainage, view shed and endangered plants and animals.

Response I18-8

The comment expresses concern about the traffic analysis related to the University-Based Retirement Community. As discussed in Section 3.13, "Transportation," CEQA and the State CEQA Guidelines require that traffic analysis focus on impacts related to increases in vehicle miles traveled (VMT), as evaluated in Impact 3.13-1. As discussed in Section 3.13, Transportation," the VMT analysis considers all potential new trips and associated miles driven per trip from development of the 2035 Master Plan, including trips from students, visitors, vendors, faculty/staff, and construction activity and generated by the University-Based Retirement Community. See the Master Response 4 for more information regarding the traffic analysis and the incorporation of mitigation measures in order to achieve a VMT reduction of 15 percent per service population. Further, as subsequent development (e.g., University-Based Retirement Community) is proposed, additional environmental review will be completed that would consider site-specific impacts, including ingress and egress points, at that time. The potential upgrade of the existing CAL FIRE facility adjacent to campus, as noted by the commenter and described on page 2-27 of the Draft EIR, is not considered a reasonably foreseeable project at this time, as the level of upgrades or changes to the facility have yet to be determined. It is currently unclear as to whether the upgrade would modify existing operations such that potential impacts may result from its implementation. As noted by the commenter, it has not been identified as a pending facility improvement by the County or CAL FIRE at this time but was identified as part of interagency coordination between Cal Poly and CAL FIRE. However, with respect to the commenter's suggestion regarding shared access, Cal Poly has no intention of pursuing a shared access point within CAL FIRE's existing right-of-way. See response to Comment I18-3 for additional information regarding level-of-detail of the EIR, please refer to Master Response 2.

Comment I18-9

The Draft Environmental Impact Report – Master Plan 2035 has failed to adequately address the impacts of grading and drainage and runoff for any development of the parcel used for the UBRC. And since Cal Fire is also proposing some development on their parcel the cumulative impacts must also be discussed and mitigated. Storm water runoff from a developed parcel used for the UBRC must be investigated to ensure the safety of citizens downstream.

If development moves forward on the UBRC site there will be significant grading required as the parcel is not flat and contains a seasonal vernal pool. There is no evidence in the record that discusses the full impacts of the grading on this parcel and without that information the Draft Environmental Impact Report – Master Plan 2035 is inadequate. There is no evidence in the record which indicates the quantity of earth to be moved and to what extent retaining walls will be needed to balance out this site. It should be noted that the Cal Fire project is proposing a large retaining wall at the rear of their development.

It is important to note that there is a major drainage to the south of this parcel and problems to downstream residents may be significant. But without any thorough investigation of flows and volumes from any development on site of the UBRC, no consideration of mitigations can be done. It cannot even be decided if this parcel should be developed or not. Issues surrounding the development of this site may be so great that this parcel should remain in its current agricultural use.

The parcel used by the UBRC is incorrectly identified as fallow. It is not. The Cal Poly sheep class often uses this parcel. At many times of the year this parcel is used for grazing sheep. This is not noted in the Draft Environmental Impact Report – Master Plan 2035.

Response I18-9

The comment expresses concern about the analysis of drainage and runoff impacts from grading related to the University-Based Retirement Community. The Draft EIR considers these issues on a programmatic level, identifies potential impacts, and proposes mitigation that will reduce any impacts to less-than-significant levels. Erosion related to grading is addressed in the discussion of Impact 3.7-4, water quality related to grading and runoff in the discussion of Impact 3.9-2, and drainage patterns in the discussion of Impact 3.9-4 of the Draft EIR. The comment does not address the Draft EIR's analysis in these areas, nor identify any alleged defect in that analysis. In addition, the site-specific analysis requested in the comment would be premature and speculative at this time, as the University-Based Retirement Community has not yet been designed or proposed for development, including a project-specific review of grading and drainage requirements. See Master Response 2 and the responses to Comments S3-2 and I18-3 for further information. With respect to potential development by CAL FIRE, refer to the response to Comment I18-8.

With respect to the comment's statement that the site of the University-Based Retirement Community is identified as fallow, a search of the Draft EIR did not find such a characterization of the University-Based Retirement Community site in the text of the EIR. The Draft EIR does refer to certain agricultural lands at/near the proposed Facilities Operations Complex as fallow on page 3.2-7 of the Draft EIR. While the commenter may define "fallow" as totally inactive, it is more commonly defined as cultivated/plowed land that is not seeded for one or more seasons. Based on a review of historic aerial photography for the site, it has not been plowed for at least the last 20 years. As a result, use of the term fallow is not considered appropriate to describe the condition of the University-Based Retirement Community site. With respect to the use of undeveloped and/or non-native grasslands for grazing activities, this is a common practice to reduce fire risk and encourage sustainability. It, however, does not change the overall level of activity or purpose of a particular parcel.

Comment I18-10

There are major discrepancies between the most recently released Master Plan and the Draft EIR done on it. Many of these inconsistences come about because of confusion between the current Master Plan and the one publicly reviewed and dated 2017.

Response I18-10

The comment states there are discrepancies between the 2035 Master Plan and the accompanying Draft EIR, which the commenter asserts is due to changes made to the prior draft Master Plan. See the response to Comment I18-7 for an explanation of the differences between the 2017 Master Plan and Draft EIR and the current (2035) Master Plan and Draft EIR. The comment does not identify any specific examples of discrepancies or areas of confusion; no further response is possible or necessary. The comment is included within the record for consideration as part of the 2035 Master Plan.

Comment I18-11

Water Supply

To understand the present plan, I have considered the previous plan from 2001. In reference to the *Cal Poly Master Plan & Environmental Impact Report*, which was adopted and certified by the California State University Board of Trustees March 21, 2001: on pages 227, 321 and in table E-5, the *2001 Master Plan* states, "Because future water demand will begin to tax the University's supply of Whale Rock water, the following programs should be instituted:

- Water Conservation Program
- Drought contingency plan. As part of implementation of the Master Plan, the University will draft a drought contingency plan to address potential water shortages associated with extended drought conditions.

- Additional Water Supply. The University should investigate the availability of additional water supplies over the next twenty-year horizon."

    1. Can you tell me where I can find a copy of the "drought contingency plan" mentioned in the 2001 Master Plan?
    2. Can you tell me what progress the University has made in investigating "the availability of additional water supplies over the next twenty-year horizon?"
    3. Since these were approved and finalized mitigations for the previous Master Plan, they should be considered in the proposed Master Plan as mitigations for the deficient water supply anticipated in the new Master Plan.

Response I18-11

The comment questions water supply issues as related to the 2001 Master Plan. With respect to the commenter's request for a copy of the campus's drought response plan, the Cal Poly drought response plan can be found online at https://afd.calpoly.edu. Regarding the need to evaluate additional water supplies as suggested in the 2001 Master Plan, the commenter is referred to the discussion beginning on page 3.14-6 of the Draft EIR related to water supply. Because of changes in the existing conditions, current Cal Poly practices, and technological advances, mitigation measures from the 2001 Master Plan that were no longer considered to be necessary or reasonable were not included and would not be implemented as part of the 2035 Master Plan. Instead, appropriate mitigation measures for the 2035 Master Plan are described in Section 3.14, "Utilities and service Systems," and are based upon the most recent information, water supply management protocols and technological advances. No further response is necessary.

Comment I18-12

Page 2-12 of the June 2019 Master Plan does not even list the University Based Retirement Community (UBRC) as a Land Use Option. The current EIR reviews a UBRC but the Master Plan still describes a Residential Neighborhoods and the property is listed as RN in Figure F2-9 and F2-10 of the December 2019 version of the Master Plan. This discrepancy requires an explanation.

Page 1-1 The DEIR states

> *The Trustees require every CSU campus to have a Master Plan depicting existing and anticipated facilities "necessary to accommodate a specified enrollment at an estimated planning horizon, in accordance with approved educational policies and objectives" (CSU 2012a). Master Plans are based on annual full-time-equivalent-student (FTES) college year enrollment targets prepared by each campus in consultation with the CSU Chancellor's Office (CSU 2012b). The 2035 Master Plan is a long-range planning document that guides the development and use of campus lands to accommodate growth in student enrollment and in fulfillment of Cal Poly's academic mission. As a long-term guide for development of the campus, the 2035 Master Plan is intended to address future enrollment capacity rather than specific enrollment fluctuations on a year-to-year basis.*

If this is the purpose of the Master Plan and the driving principals for its creation, then there is no nexus between the creation of a University Based Retirement Community (UBRC) and this objective.

This section continues

> *To that end, the 2035 Master Plan identifies new/improved academic facilities, additional housing, recreation and athletics facilities, and other support facilities and services on campus that are necessary to accommodate the projected increase in enrollment at Cal Poly and academic needs through 2035. This would include approximately 7,200 new student beds; an additional 1.29 million gross square feet (gsf) of new academic, administrative, and support space; 380 residential units intended primarily for faculty/staff with supporting uses (retail and recreational space); and a 200-unit University-Based Retirement Community. In addition, 455,000 gsf of existing academic, administrative, and support space would be replaced with new facilities, for a total of 1.75 million gsf of new or replaced academic, administrative, and support space.*

The creation of the UBRC does nothing to further the objective of the plan which is "to accommodate the projected increase in enrollment at Cal Poly…."

Response I18-12

The comment expresses concern regarding a perceived discrepancy associated with the University-Based Retirement Community. However, the comment appears to confuse the name of a near-term project with a land use designation. Page 2-12 of the Master Plan identifies land use designations, including "Residential Neighborhoods." The near-term project that the comment mentions, the University-Based Retirement Community, is designated a Residential Neighborhood land use.

The comment also expresses concern regarding introductory text on page 1-1 of the Draft EIR, which are interpreted as project objectives. The objectives for the 2035 Master Plan are presented on page 2-21 of the Draft EIR and support the underlying purpose of advancing the University's educational mission by guiding the physical development of the campus to accommodate gradual student enrollment growth while preserving and enhancing the quality of campus life. The sixth objective states, "Provide housing opportunities on campus primarily for University faculty and staff to promote recruitment and retention and enhance faculty and staff engagement with the campus. In addition, provide housing opportunities and complementary services that may be offered to nontraditional students such as graduate students, veterans, students with families; potentially alumni housing or a retirement community; and for members of the San Luis Obispo community." As such, the University-based retirement community is considered to be consistent with the stated objectives, and no further response is necessary.

Comment I18-13

Page 2-1 The DEIR states

> *The current Master Plan update process began in 2014 and is the result of more than 200 meetings with stakeholders, including faculty, staff, the City of San Luis Obispo, and local communities, that addressed academic programming needs, physical and environmental constraints and opportunities to support a gradual increase in future student enrollment to 25,000 headcount (22,500 FTES) by the year 2035*

This section is very misleading. While it is true that many meetings were held on the initially released draft plan there was little to no public outreach and participation in the plan that is now being reviewed and evaluated. Significant changes have been integrated into the new plan in secrecy.

Can you please tell me when and where there were meetings and public outreach on the newly revised Master Plan?

Response I18-13

The comment expresses the opinion that there was no public outreach of meetings related to the 2035 Master Plan. The proposed 2035 Master Plan was released in June of 2019. The 2035 Master Plan reflects extensive public input received between 2014 and 2017, as well additional public input, following review of comments received up to and through public review of the 2017 Draft EIR. There is no legal requirement that would require Cal Poly to hold additional public meetings or community outreach to discuss the changes between the prior draft Master Plan or the proposed 2035 Master Plan, nor was it considered warranted based on the extensive public input that had already been provided and taken into consideration. The comment pertains to the public outreach process associated with the plan and does not address the adequacy of the EIR analysis. Please see Master Response 1 for further discussion of community outreach efforts. No further response is required.

Comment I18-14

Page 2-27 The DEIR states

> *Also, within the West Campus, a Cal Poly–based retirement community would be located on the University-owned property west of SR 1 and east of the Ferrini Heights neighborhood. The southern portion of this property supports a California Department of Forestry and Fire Protection (CAL FIRE) facility that would remain in place under the Master Plan. CAL FIRE leases the land from the University. The facility is scheduled to be upgraded by the California Department of General Services in the next several years. The proposed CAL FIRE project is not a Cal Poly project and is not part of the 2035 Master Plan. The remainder of this property would bremain (SIC) as open space.*

The proposed CAL FIRE project is on leased Cal Poly land and the proposed CAL FIRE project has proposed a large access to the property proposed for the UBRC. If the CAL FIRE project is including this access to the RN property,

then it should be considered as part of this DEIR and any impacts a potential development on this RN labeled property on the CAL FIRE project must be analyzed.

Response I18-14

The comment states that the proposed CAL FIRE project should be included as part of the 2035 Master Plan Draft EIR. The proposed CAL FIRE upgrades by the California Department of General Services are a separate project (per CEQA requirements) and in no way related to Cal Poly and the Master Plan EIR. Further, as noted in the response to Comment I18-8, the level of upgrade to the exiting CAL FIRE facility has yet to be determined and is not considered reasonably foreseeable at this time. Nonetheless, the upgrades would involve a separate lead agency and different funding sources, require adherence to different laws and regulations, and have a separate review and approval process. Therefore, consistent with CEQA requirements, the Draft EIR appropriately considers potential development within the Master Plan Area, contrary to statements made in this comment.

Comment I18-15

Page 2-28 Figure 2-11 On this map the area for the proposed UBRC is still identified as a New Residential Neighborhood Area and not as the New UBRC.

Response I18-15

The comment correctly states that the University-Based Retirement Community is identified as "New Residential Neighborhood Area" in Figure 2-11. Figure 2-11 shows the development plan by land use type, not the specific names of potential near-term projects. Please see Figure 2-17 for an illustration of near-term projects and their names.

Comment I18-16

On page 2-32 is the first place and time that the UBRC is described to the public. Until this time and during the entire review process the UBRC was not proposed. Where is the explanation of need or demonstration of community or Trustee support for such a development?

This proposal is considered to be a near term project and the environmental review is horribly lacking. There must be at least a cursory investigation into the impacts on the following items

- Wetlands – there is currently a wetland that exist in the south west portion of this site. This wetland is also an important meeting place for many animal species looking for water.
- Impacts on downstream flooding issues. With the development of a project the size of this proposed UBRC there will be significant impacts to downstream communities and homes.
- Traffic impacts. There is no discussion of the traffic requirements for such a project. How will traffic flow into and out of the proposed project.
- Impacts to the view shed of residents in the Foothill and Ferrini Heights neighborhoods.
- Noise impacts
- Light impacts.

Response I18-16

The comment states that the University-Based Retirement Community is not sufficiently analyzed and was not publicly described to the public prior to release of the Draft EIR. With respect to the evaluation of the University-Based Retirement Community, please see the response to Comment I18-3. With respect to the availability of information related to the 2035 Master Plan and the University-Based Retirement Community, as a component of the project, refer to Master Response 1. Furthermore, the following identifies the locations in the Draft EIR that evaluated the requested items for the 2035 Master Plan, inclusive of the University-Based Retirement Community:

- Wetlands – See Impact 3.5-4 (Result in Degradation or Loss of State or Federally Protected Wetlands) in Section 3.5, "Biological Resources" of the Draft EIR.

- Flooding – See Impacts 3.9-4 (Substantially Alter the Existing Drainage Pattern of the Site or Area Such That Substantial Erosion, Siltation, Flooding, Polluted Runoff, or an Exceedance of Storm Drainage Systems Would Occur) and 3.9-5 (Be Located within Flood Hazard Tsunami, or Seiche Zones, and Risk Release of Pollutants Due to Project Inundation) in Section 3.9, "Hydrology and Water Quality" of the Draft EIR.
- Transportation – Transportation impacts are evaluated in Section 3.13, "Transportation of the Draft EIR" and include the University-Based Retirement Community as part of the overall transportation analysis. As noted on page 3.13-12 of the Draft EIR, impacts related to vehicle flow and roadway capacity, historically reflected as level of service (LOS), are no longer considered an appropriate measure of transportation impacts.
- Viewshed Impacts – See Impact 3.1-1 (Result in a Substantial Adverse Effect on a Scenic Vista or Substantially Degrade the Existing Visual Character or Quality of Public Views of the Site and Its Surroundings) in Section 3.1, "Aesthetics" of the Draft EIR.
- Noise – Noise impacts, including construction, roadway, and stationary source impacts, are evaluated in Section 3.10, "Noise" of the Draft EIR.
- Lighting – See Impact 3.1-3 (Create a New Source of Substantial Light or Glare Which Would Adversely Affect Day or Nighttime Views in the Area) in Section 3.1, "Aesthetics" of the Draft EIR.

Comment I18-17

Where is the needs analysis and Master Plan need for such a proposal?

Why is this information not provided for the Trustees to make an informed decision on the appropriateness of developing a UBRC on the land west of Highway 1?

The University-Based Retirement Community is described as

> *University-Based Retirement Community The Master Plan includes a University-Based Retirement Community of approximately 200 units. The development would consist of senior living units (approximately 120 independent living units, 50 assisted living units, and 30 memory care units). Using standard density numbers for independent living units of 1.2 persons per unit and one person per unit for assisted living and memory care units, the community would have a population of approximately 225 residents and approximately 60 employees. The development would provide priority occupancy to retired Cal Poly faculty, staff, and alumni. If faculty, staff, and alumni demand is low, remaining units would be made available to the broader retirement community among the general public. Associated amenities may include restaurants, health centers, entertainment centers, theaters, craft studios, community gardens, and libraries. The details of design and operation of this development (e.g., access, site alteration, architectural style) have not yet been determined.*
>
> *This project would be located west of SR 1 on an approximately 25-acre parcel owned by Cal Poly. The University Based Retirement Community project would be located on approximately 12-acres of this site, and is proposed to have a development density of 16 units per acre, or approximately 200 units. This site is designated as "Residential Neighborhood" in the 2035 Master Plan and "Residential Community" in the 2001 Master Plan. The remaining portion of the larger 25-acre property is leased to CAL FIRE for a fire response facility and will remain in that use. The northern half of the site and a north-south-trending linear portion of the site adjacent to SR 1 are designated as "Open Space."*

Response I18-17

The comment asks for a needs analysis to inform the Trustee's decision-making process. The decision regarding whether to approve the University-Based Retirement Community would be made at a later date, after project details have been developed and any appropriate CEQA compliance review has been conducted, as described on page 2-31 of the Draft EIR. See also the response to Comment I18-12. The comment does not raise any environmental issues related to the adequacy of the EIR analysis, and no further response is required. The comment is included within the record for consideration by the decisionmakers as part of the 2035 Master Plan approval process.

Comment I18-18
Page 2-36 Section 2.6.6 Circulation Infrastructure Improvements

There is no discussion of the improvements and possible mitigations for the UBRC located west of Highway 1.

Response I18-18
The comment is correct that page 2-36 of the Draft EIR does not contain a discussion of roadways associated with the University-Based Retirement Community. Consistent with Draft EIR page 2-36, new facilities and improvements, including new roads as may be required, would be analyzed and constructed in conjunction with the major new developments they would serve. Descriptions of roadways related to the University-Based Retirement Community would be included in future analysis as project details are developed. Please also see the response to Comment I18-3.

Comment I18-19
Page 2-40 Wastewater

The environmental review of the WRF is woefully inadequate. Once again, the University is incorrectly putting off a thorough analysis to a later time. More study must be done to understand potential impacts of the WRF which might drive a decision on its location. Odor is a major consideration for the downwind community. There is no discussion of this issue nor an understanding of the potential impact. Another issue is disposal of the sludge. The Master Plan states

> *The WRF would produce sludge that would either be transferred to a local facility/landfill or reused (e.g., in land application). Refer to Section 2.6.10, below, for further information regarding the WRF.*

The potentially significant impacts of transporting this sludge and the potential of applying heavy metals from the sludge on ag land must be investigated at this point in the environmental review process.

Response I18-19
The comment states that the analysis of the WRF is inadequate. Like the University-Based Retirement Community, the WRF has been identified as a potential near-term project and as such, is evaluated as part of the 2035 Master Plan and embedded within the analysis of potential environmental impacts. An example of this is Impact 3.3-6, which evaluates potential odor-related impacts and requires Cal Poly to prepare an odor control plan for the WRF. Please also see the response to Comment I18-3. Further and with regard to the potential impacts associated with transport of materials, the storage, transport, and use of potentially hazardous materials would be performed in accordance with applicable regulations, including DTSC regulations, as explained further in the response to Comment S2-2. In addition, the Draft EIR (refer to Impact 3.14-5) evaluated potential impacts to solid waste handling facilities that may accommodate the sludge by-product and determined that adequate capacity is available at nearby solid waste facilities. As the design and planning of the WRF progresses, Cal Poly will evaluate whether additional/subsequent environmental review is necessary, as stated in Master Response 2.

Comment I18-20
Page 3.1-9 Figure 3.1-2

This Map demonstrates the lack of investigation into the significant public views affected by the Master Plan. There must be some viewshed analysis of the potential impacts to view sheds from Highway 1 and from residential areas in the City of San Luis Obispo from the proposed development of the UBRC. The closest site used is some distance away at Highland Drive and Highway 1. There must be more rigor and investigation along with mitigations for visual impacts from the UBRC. It is important to identify these impacts at this point in the process as they can be used to drive the final decisions on the suitability of locating a project.

Response I18-20
The comment states that visual impacts related to the University-Based Retirement Community are not sufficiently analyzed and that Figure 3.1-2 demonstrates a "lack of investigation." With respect to the level of analysis provided for the University-Based Retirement Community and as noted in the response to Comment I18-3, the Draft EIR appropriately evaluates the potential changes in visual character and long-distance views associated with implementation of the 2035 Master Plan, including the University-Based Retirement Community. Further, potential

visual impacts along SR 1 as a result of development of the University-Based Retirement Community are specifically mentioned on page 3.1-24 of the Draft EIR, and the potential visual impacts of the University-Based Retirement Community, as stated in the Draft EIR, are considered to be appropriately addressed. Of note, the potential changes in visual impacts at the University-Based Retirement Community site would likely be very similar to those associated with development of the site northeast of the intersection of Slack Avenue and Grand Avenue.

Contrary to the assertions made in this comment, the Draft EIR provides an appropriate and accurate evaluation of the potential impacts of the 2035 Master Plan. The viewpoints selected and reflected in Figure 3.1-2 were designed to be representative of the area and not comprehensive. Further, the comment does not indicate or provide evidence of impacts that were not appropriately evaluated, and no further response is possible.

Comment I18-21

Page 3.1-17 This section discusses the Guiding Principles of the planning effort for the Master Plan. Unfortunately, these principals do not drive the choices made in the plan. For example:

> *GP 05 Cal Poly's scenic setting – a campus surrounded by open spaces – should be preserved; its open lands and the surrounding natural environment are highly valued and should be considered in campus planning efforts.*

The development of the UBRC is not consistent with this principal as it is development on land that is currently open space

Response I18-21

The comment expresses the belief that the University-Based Retirement Community is in conflict with guiding principle GP 05 regarding open space settings surrounding the campus. The area where the University-Based Retirement Community is not considered open space in the context of this guiding principle. Although this site is current vacant and fallow agricultural land, it is abutted by the CAL FIRE facility and is surrounded by residential development at its City border. The area is also isolated and cut off from the rest of campus and other undeveloped land by State Route (SR 1). The comment does not raise any environmental issues related to the adequacy of the EIR analysis, and no further response is required. The comment is included within the record for consideration by the decisionmakers as part of the 2035 Master Plan approval process.

Comment I18-22

> *GP 07 Land uses should be suitable to their locations considering the environmental features of the proposed sites.*

A major flaw in this planning effort is that time and time again the authors of this plan chose to indicate that more detailed investigation into impact [sic] associated with development and implementation of this plan should be postponed to a later date and time. CEQA requires this investigation takes place as early in the process as possible. The impacts associated with parts of this plan need to be investigated and should be used to drive decisions about implementation of the plan. If impacts are identified the plan simply indicates that they are Significant and cannot be mitigated. Avoidance is not considered as a mitigation and must be contemplated.

Response I18-22

The comment states that the Draft EIR does not offer a more detailed investigation into individual 2035 Master Plan project impacts and that avoidance should be considered as mitigation. As explained above in the response to Comment I18-3 and Master Response 2, the Draft EIR is a program EIR and provides the appropriate level of review document for the 2035 Master Plan. This includes consideration of the potential impacts associated with the development of the University Based Retirement Community, and all other proposed 2035 Master Plan projects, on a program-wide level. Subsequent and project-level review, pursuant to CEQA will be conducted as projects under the 2035 Master Plan are considered, as stated in Master Response 2.

The comment also incorrectly states that CEQA requires an investigation take place as early in the process as possible, however this is not an accurate characterization of when CEQA review is intended to take place. In order to meet the requirements of Section 15124 of the CEQA Guidelines, a CEQA document's project description must be of sufficient detail to identify the precise location and boundaries of a project, as well as the project's technical, economic, and environmental characteristics.

The comment also states that CSU should consider avoidance as mitigation, but it does not provide specific examples of where avoidance is necessary or warranted; no further response is possible or necessary. Of note, the EIR does consider avoidance as mitigation where possible, including mitigation measures related to biological and cultural resources. The comment is included within the record for consideration as part of the 2035 Master Plan.

Comment I18-23

> *GP 09 The siting and design of campus buildings and other features should reflect and enhance visual and physical connections to the surrounding natural environment and outdoor spaces on-campus, and should maintain, enhance or create aesthetically pleasing views and vistas.*

The proposed UBRC will have significant impacts on the viewshed of neighboring residents and this impact has not be investigated and mitigated. The implementation of this goal is totally ignored when considering impacts along the Highway 1 corridor.

Response I18-23

The comment states that visual impacts related to the University-Based Retirement Community are not sufficiently analyzed. Contrary to statements made in this comment, the potential aesthetic impacts of the University-Based Retirement Community on adjacent sensitive uses, including adjacent residential neighborhoods, are considered as part of the Draft EIR's analysis, as shown on page 3.1-24. The analysis clearly states that the University-Based Retirement Community would be highly visible from adjacent neighborhoods and residence and would potentially block or alter existing views from the neighborhoods. Feasible mitigation is proposed, contrary to statements made in this comment. For further information, please see the responses to Comments I18-3 and I18-20 and Master Response 2.

Comment I18-24

> *GP 16 Cal Poly should consider potential impacts – including but not limited to traffic, parking, noise and glare – on surrounding areas, especially nearby single-family residential neighborhoods, in its land use planning, building and site design, and operations.*

These impacts are casually mentioned but no rigorous evaluation or mitigations are presented. The impacts are articulated but the plan seems to think the mitigation is to simply say the impact is significant and cannot be mitigated. This is not the way the process should work. Impacts should drive decisions.

Response I18-24

The comment expresses the belief that impacts to surrounding neighborhoods are only casually mentioned and that mitigation is not presented. The potential impacts of 2035 Master Plan implementation, including as it relates to surrounding neighborhoods, are presented in various sections of the Draft EIR, including Traffic (see Section 3.13, "Transportation"), Noise (see Section 3.10, "Noise"), and glare (see Section 3.1, "Aesthetics"). Regarding the requested evaluation of parking impacts, as of 2010, CEQA does not require an environmental evaluation of parking, and thus it is appropriately not addressed as a potential impact within the context of the 2035 Master Plan Draft EIR. For further information, see the response to Comment L8-26. The comment does not provide any further detail or specific examples of how the Draft EIR fails to evaluate these impact areas, so no further response is possible or necessary. The comment is included within the record for consideration as part of the 2035 Master Plan.

Comment I18-25

> *GP 18 Cal Poly should maintain open communication with neighbors, stakeholders, and local public agencies, respecting the community context and potential impacts of campus development.*

There has been no communication on the most recent version of the Master Plan. None of the property owners adjacent to the proposed UBRC have been notified that this type of a project is to be built just over their property lines. Many of these residents paid a premium for their houses because of the views their properties offered. Now Cal Poly is proposing to eliminate those views and degrade the value of their property without proper notification or solicitation of input.

Response I18-25

The comment expresses the opinion that there was not adequate notification related to the 2035 Master Plan. Please see Master Response 1 and the response to Comment I18-2 regarding public notification/outreach, as well as the response to Comment I18-20 regarding the visual analysis for the University Based Retirement Community. Regarding the potential socioeconomic impact to property values associated with implementation of the 2035 Master Plan, refer to Master Response 5.

Comment I18-26

Page 3.1-18 The DEIR states

> *New construction and expansion within the Academic Core and North Campus subareas would be largely consistent with existing uses and would not be located in areas of high viewer sensitivity. As required by 2035 Master Plan Policies GP09 and S05, project design would preserve or enhance the existing visual character and quality of the site. The siting, scaling, and design of new development would help to maintain or preserve the existing visual quality and character. However, proposed new, permanent structures in the West Campus, specifically the Farm Shop and the University-Based Retirement Community, and in the East Campus, specifically the residential neighborhood proposed for the northeast corner of Slack Street and Grand Avenue, would be located in areas of high viewer sensitivity and could be incompatible with the existing visual character and quality of the sites. Project development in the West Campus would potentially result in adverse effects to scenic vistas, including views of the Morros, and development of the Slack and Grand project in the East Campus could result in substantial degradation of existing visual character. Therefore, this impact would be* ***significant****.*

Without knowing what is actually proposed for the UBRC it is difficult to determine the significance of the visual impacts of this proposal. There is some discussion of the impacts from Highway 1 but no discussion or study of the impacts to the viewshed of residents of the City of San Luis Obispo adjacent to the site.

Page 3.1-24 The DEIR states

> *However, any construction on the proposed University-Based Retirement Community site, west of SR 1, would reduce views of the Morros from SR 1. Relocation of the University-Based Retirement Community would not be feasible because there is no other campus site large enough to accommodate the proposed housing while maintaining close proximity to important community services that are vital to serve the retirement community residents. Other potential residential sites would be intended to serve students and faculty/staff where proximity to the Academic Core subarea and other campus features is of paramount importance. In general, all lands east of SR 1 are reserved for academic and support functions. The Retirement Community would blend with the nearby neighborhood, would have access to the local community, and would be distinct from the undergraduate student housing in the North and East Campus subareas. Elimination of the University-Based Retirement Community would conflict with recommendations and campus policies to provide retirement housing and housing for faculty and alumni.*

The DEIR earlier in this section explains the CEQA guidelines which provide the legal requirement to consider another alternative. Even though the DEIR indicates that there is no way to avoid these significant impacts there is nothing in the record that indicates that there is no other location within the Cal Poly lands that can accommodate the UBRC

> *Significance after Mitigation In accordance with Section 15370 of the State CEQA Guidelines, mitigation includes avoiding the impact altogether by not taking a certain action or parts of an action; minimizing impacts by limiting the degree or magnitude of the action and its implementation; rectifying the impact by repairing, rehabilitating, or restoring the impacted environment; reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action; compensating for the impact by replacing or providing substitute resources or environments, including through permanent protection of such resources in the form of conservation easements. In the context of the aesthetic impacts of the Farm Shop and the University-Based Retirement Community developments in the West Campus subarea, and of the Slack and Grand project in the East Campus subarea, mitigation could include reducing the height and scale of development or relocating the development to other less visually sensitive areas. Smaller scale development*

coupled with landscape screening, as described above in Mitigation Measure 3.1-1, could reduce the aesthetic impact of these developments.

The UBRC is identified to have multiple significant impacts that are not mitigatable. This finding is flawed because

1. There is insufficient investigation into the scope of the impacts and little to no real mitigation for them
2. Avoidance of the impacts is not given enough attention.

The goal should be to mitigate impacts or to avoid the impacts not to just linguistically push the problems under the carpet by stating the impacts are significant and unmitigable.

There must be a visual impact analysis of the UBRC from the neighborhoods surrounding the proposed project.

Response I18-26

The comment reiterates the commenter's prior comment regarding the visual impacts associated with the University-Based Retirement Community and asserts that additional mitigation, including avoidance, must be considered. The reasoning and basis for locating the University-Based Retirement Community west of SR 1 is discussed in the Draft EIR, beginning on page 3.1-24. As noted there, elimination of the University-Based Retirement Community would conflict with recommendations and campus policies and project objectives to provide retirement housing and housing for faculty and alumni proximate to campus and other supporting off-campus uses, including grocery stores.

Please see the Master Response 2 and the response to Comment I18-3 for a discussion on the level of analysis for the University-Based Retirement Community and the response to Comment I18-20 regarding the visual analysis of the University-Based Retirement Community.

Regarding the need to consider an alternative that would involve placement of the University-Based Retirement Community at an alternative site, the comment erroneously states that the Draft EIR did not consider such an alternative. Alternative 4 (No Development along City Interface Alternative) is described and evaluated, beginning on page 5-19 of the Draft EIR. In the first paragraph on page 5-19, the Draft EIR clearly states that the University-Based Retirement Community would not occur at its currently proposed location and would be relocated to another site within the Master Plan Area, most likely within the North and West Campus subareas which have the most available land.

Comment I18-27

Page 3.4-9 Section 3.4

The following statement is factually incorrect and is indicative of the shallow investigation into the historical and cultural landscape of the project area. Mission San Luis Obispo is the 5th mission established in Alta California.

In 1772, Fray Junípero Serra founded Mission San Luis Obispo de Tolosa, the third Franciscan mission in Alta California,

Response I18-27

The comment requests that the Draft EIR be amended to reflect that the Mission San Luis Obispo was the fifth mission established in Alta California. The second sentence of the third full paragraph on page 3.4-9 has been revised as follows:

> Native American villages occupied by Chumash were first recorded in the Cal Poly vicinity by Europeans during Gaspar de Portolá's land expedition in search of Monterey Bay. In 1772, Fray Junípero Serra founded Mission San Luis Obispo de Tolosa, the fifth ~~third~~ Franciscan mission in Alta California, about 1 mile south of the future campus site. Mission livestock—cattle, horses, mules, and sheep—grazed freely on the slopes of the surrounding hills. This pastoral land use continued after the missions were secularized in the 1830s and former mission lands were parceled out as rancho grants.

Comment I18-28

Pages starting with 3.4-1 Section 3.4 Archaeological, Historical and Tribal Cultural Resources.

The DEIR list multiple rules and regulations that would protect the historical significance of the Master Plan yet tells the entire history of the University on two pages- 3.4-9 and 3.4-10. This does little to address the base line data to

make informed decisions about historical impacts to the site and more importantly implementation and compliance to the multiple rules and regulation cited earlier in this section.

A more thorough and complete history of the campus including legislative decisions, persons of historical interest and patterns of campus development both structural and cultural must be explored in a thorough history of the campus. This information would then better inform the decisions that are to be made in regard to level of significance and impacts on the history of the campus. The history of the campus must be completer and more rigorous. Without this body of knowledge, it is impossible to understand the impacts the master plan will have on the history of the entire planning area.

The DEIR identifies several requirements but does nothing to investigate them or to use them to better understand the historical impacts of the Master Plan. Simply mentioning Federal, State and Local rules provides no information to make informed decisions on the Master Plan. These different levels of government inform us of things that can become part of this investigation, but the authors of the DEIR do not investigate them to see which might apply to the Master Plan. Responding to the directions of these agencies should be part of the list of mitigations for this project.

The DEIR seems to focus its historical review on individual buildings and sites on the campus. This must happen but the history of the campus is more than that. To assess mitigations and impacts a more complete picture of the history must be provided. The history of the campus is more than its oldest buildings.

The historically significance of the campus is more than its buildings. A more complete history or Cultural Impact Report must be presented to focus on the impacts of the proposed project on the cultural landscape and historical integrity of the entire campus, not just a few of its older buildings.

A more complete history of the entire campus will better describe the historical landscape of the campus which will identify significant features and character-defining elements and assesses the potential effects of the proposed development of the significant qualities of the historical landscape. It will provide a detailed historical context within which these evaluations are made and offers recommendation to mitigate potentially significant impacts.

There was a cursory record search for the Archeological portion of the DEIR but there is no evidence of a record search to identify important and significant historical factors. This research would not be to just identify individual sites but to understand them within the holistic setting of the entire campus. A through historical survey of the entire campus should be carried out.

A plan should be developed to preserve all documentation and other cultural artifacts important to the history of the existing campus before the large-scale growth and development envisioned in the Master Plan is started.

There must be a documentation of all historical records and diaries that describe the historical context of the campus. If important sites are identified they must be protected and preserved for posterity. It is the historical and cultural research that will identify such sites for protection.

There are human activities that have shaped the campus from Native Americans, to Mission priest to railroad development and ranching families. An understanding of this past would be a valuable tool in moving forward with the Master Plan.

Natural features have had a major impact on the history of the campus. They must be considered in understanding the historical context of the site.

There has been major culturally important historical tradition that have influence past development of the campus and should influence future development. Those historical traditions must be understood and should be a factor in implementation of the master plan.

There is no evidence in the record that indicates any of this work has been done and it is not included in the DEIR of this project.

Response I18-28

The comment expresses the belief that additional historical investigation and documentation is necessary as part of the programmatic Draft EIR. However, the commenter does not indicate any potential impacts that were either not

identified or understated in the Draft EIR. Consistent with standard CEQA practice for a programmatic analysis, a comprehensive historical survey of the entire campus is not necessary or required for analysis of the 2035 Master Plan within the context of CEQA. Contrary to the assertions made in this comment, the records search and literature review that was conducted for the Draft EIR provides an accurate depiction of historical conditions within the Master Plan Area, including historic structures and archaeological resources, at a programmatic level. In particular, one of the citations used in the Draft EIR is a book published by Cal Poly entitled The First Hundred Years. Although the Draft EIR does not reproduce the book, word for word, it summarizes pertinent information necessary for the evaluation of potential physical environmental impacts.

The comment also appears to imply that the entire campus qualifies as a historic resource or potentially a historic district, which is not considered reasonable or in accordance with CEQA requirements. Like a City, the Cal Poly campus includes a mix of development both old and new, and potential cultural resources that have been identified during the course of development and analysis at the campus are appropriately identified within the Draft EIR. While several on-campus structures are considered historic, as shown in Table 3.4-1 on page 3.4-12 of the Draft EIR, they meet the definition of a historic resource under CEQA for different reasons (e.g., representative of a particular architect, etc.) Consideration of the entire campus as a historic district is considered neither warranted nor appropriate, although individual structures within the campus are considered historic for different reasons.

Also, of note, the comment appears to assert a broad definition of what qualifies as "historic" within the context of CEQA, whereas CEQA provides a much narrower interpretation of what qualifies as historic. CEQA requires public agencies to consider the effects of their actions on "historical resources," which is defined in State CEQA Guidelines Section 15064.5(a). Mitigation measures are provided as part of the Draft EIR's analysis with respect to known and unknown historic resources and intended to reduce the potential physical environmental impacts associated with implementation of the 2035 Master Plan. For example and as discussed in the description of Mitigation Measure 3.4-1 on page 3.4-14 of the Draft EIR, prior to work on a building or structure 50 years old or older, it shall be evaluated in accordance with the significance criteria set forth under CEQA Guidelines Section 15064.5. The evaluation process shall include the development of appropriate historical background research as context for the assessment of the significance of the structure in the history of the CSU system, Cal Poly, and the region. If the building is found to be historically significant, work would have to comply with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings. The mitigation presented in the Draft EIR also provides specific direction that can be implemented for individual projects, including avoidance, reuse, and recordation, depending on site-specific conditions. The Draft EIR's analysis as a programmatic evaluation of development within the Master Plan Area, as noted in Master Response 2, is considered a valid and appropriate examination of the potential physical environmental impacts of the 2035 Master Plan, contrary to the speculative statements provided in this comment.

Comment I18-29

The preferred mitigation measure is avoidance of the impacts described above. If avoidance cannot be achieved, other forms of mitigation, such as graphic documentation (photographs, drawings, etc.) and archaeological data recovery, will lessen the impacts but will not mitigate the loss of integrity to a less than significant level.

Under CEQA, an impact on a historical resource is considered significant if the impact lessens the integrity of the qualities of the property that qualify it for the California Register. If the proposed project may cause damage to a significant historical resource, the project may have a significant effect on the environment. Section 15064.5 of the CEQA Guidelines pertains to the determination of the significance of impacts to archaeological and historic resources. Direct impacts may occur by: (1) Physically damaging, destroying, or altering all or part of the resource; (2) Altering characteristics of the surrounding environment that contribute to the resource's significance; (3) Neglecting the resource to the extent that it deteriorates or is destroyed. Indirect impacts primarily result from the effects of project-induced population growth. Such growth can result in increased construction as well as increased recreational activities that can disturb or destroy cultural resources; or (4) The incidental discovery of cultural resources without proper notification.

Indirect impacts result primarily from the effects of project-induced population growth. Such growth can result in increased construction as well as increased recreational activities that can disturb or destroy cultural resources.

CEQA provides guidelines for mitigating impacts to historical or archaeological resources in Section 15126.4. Preservation in place is the preferred manner of mitigating impacts (14 CCR 15126.4(b)(3)). Preservation in place may be accomplished by planning construction to avoid the resource, incorporating sites within parks or open space, covering sites with chemically stable and culturally sterile fill, or deeding the site into a permanent conservation easement. For buildings and structures, maintenance, repair, restoration, preservation, conservation, or reconstruction consistent with the Secretary of Interior's Standards and Guidelines for the Treatment of Historic Properties is considered mitigation of impacts to a less than significant level (14 CCR 15126.4(b)(1)). Documentation of an historical resource, however, will not mitigate the effects of demolition to a less than significant level (14 CCR 15126.4(b)(2)). When data recovery excavation of an archaeological site is the only feasible mitigation, a detailed data recovery plan must be prepared and adopted prior to any excavation.

Cal Poly should pursue nomination to the national Register of Historic Places. Those important historical properties should comply with the Secretary of Interior's Standards and Guidelines for the Treatment of Historic properties.

Page 3.4-14 and 3.4-15 Mitigation Measure 3.4-1 This mitigation is indicative of many mitigations of the DEIR. It wants to piecemeal the impacts of the Master Plan. Mitigations for impacts to the Cultural and Historical importance of the campus are more than just protecting certain buildings. While this is important it missed the importance of understanding the historical and cultural context of the entire campus and how the new proposals might impact that. Piecemealing is not permitted under CEQA and should not be used when looking at the cultural and historical impacts of the Master Plan.

Mitigation measure 3.4-1 is flawed in that the work of identifying historically significant building should be done at this point in the process. If it is determined that it is important to protect and preserve that historical structure the Trustees can use that knowledge to drive their decisions on development.

Without doing that work upfront the DEIR is piecemealing the project and not providing appropriate mitigations such as avoidance in the planning process. There is little justification for a significant and unavoidable conclusion for historical impacts other than a desire to move the plan forward no matter what impact might be discovered.

Response I18-29

The comment expresses the belief that all historically significant buildings should be identified now and that Mitigation Measure 3.4-1 is "piecemealing." With respect to the comments assertion that the mitigation measure is piecemealing, this appears to refer to the commenter's belief that the entire campus should be considered a historical resource. please see the response to Comment I18-28. The commenter's preference for avoidance is noted and as noted in response to Comment I18-4, avoidance as mitigation is considered where warranted and appropriate.

Comment I18-30

Page 3.4-17 Shows a map of areas of Cultural Sensitivity. The entire parcel where senior housing is proposed is not identified. There is no explanation of why it is not considered.

Response I18-30

This comment states that the parcel where the University Based Retirement Community is proposed is not identified in Figure 3.4-1. The University-Based Retirement Community is identified in Figure 3.4-1, west of SR 1. This area, however, is not shaded as a "zone of cultural sensitivity." As described on page 3.4-16 of the Draft EIR, it is not shaded because it is not within 750 feet of Brizzolara Creek or Stenner/Old Garden Creek, or within or adjacent to a recorded archaeological site.

Comment I18-31

Page 3.5-15 the DEIR states

> *The site of the proposed University-Based Retirement Community in the West Campus subarea (west of SR 1) includes a small drainage that flows through the southwestern corner of the campus. The seasonal drainage*

collects runoff from the area and the Ferrini Heights neighborhood located to the west and conveys collected flow in a southerly direction off-site toward Old Garden Creek, a tributary to Stenner Creek. The drainage is ephemeral and supports non-native annual grassland and freshwater marsh vegetation. Due to the presence of an OHWM, bed and bank features, and the connectivity with Old Garden Creek, the drainage is likely waters of the United States and waters of the state.

This is another example of how the Draft EIR identifies an area and the impacts it might encounter as a result of the plan but does not completely investigate the impacts and provide appropriate mitigations. This creek provides a significant wildlife meeting place. The potential impact from the UBRC on that important location must be investigated further. A more thorough study is warranted to ensure proper mitigation of potential impacts and that study needs to happen at this point in the process.

The creek also flows into the city of San Luis Obispo. The impact of development of the UBRC on the runoff to that creek must be understood and mitigated at this point in the environmental review process because understanding that impact should influence the location of that facility on this site. There should be no contribution to flooding in the city from this development and there is no information in the record that indicates flooding will not happen. Where is the study that will demonstrate that there will be no contribution to flooding from development of the UBRC?

Response I18-31

The comment asserts that the small seasonal drainage located within the University-Based Retirement Community is a significant wildlife meeting place and that because the drainage flows into the City, development of the site could contribute to flooding. The potential biological impacts associated with implementation of the 2035 Master Plan, including the potential impacts to non-native grassland habitat and on-site drainage at the proposed University-Based Retirement Community Site, have been appropriately evaluated and mitigated in Section 3.5, "Biological Resources." As noted in Master Response 2, the Draft EIR presents a programmatic evaluation of development under the 2035 Master Plan, and proposes flexible mitigation measures that can be applied to specific development projects throughout the multi-year implementation of the plan. Mitigation measures in this section require preconstruction surveys during active periods of relevant species, avoidance, exclusion, and monitoring. These measures are consistent with current regulations and standard biological practices. That said, as also identified in Master Response 2, upon initiation of the refined design and planning of projects under the 2035 Master Plan, Cal Poly will reevaluate the project, as refined, to ensure that project-specific impacts have been appropriately addressed by the 2035 Master Plan EIR and that appropriate mitigation is applied. Of note, the commenter refers to the on-site drainage at the University-Based Retirement Community site as a creek, which is not correct. Within the University-Based Retirement Community Site, the potential water of the United States and water of the state is appropriately referred to as a seasonal drainage. Prior to development of the site under the 2035 Master Plan and depending on the potential modifications to the drainage, Cal Poly will conduct a project-specific jurisdictional delineation for verification by the U.S. Army Corps of Engineers and use in any regulatory permitting related to modifications to the drainage, consistent with existing regulatory requirements.

Similarly, the alteration of on-site drainage patterns such that flooding or an exceedance of the capacity of storm drainage systems would occur, including for the University-Based Retirement Community, is addressed in the discussion of Impact 3.9-4 of the Draft EIR. Refer to the response to Comment L8-9 for further information regarding the appropriateness of the Draft EIR's evaluation of stormwater/flooding impacts related to the University-Based Retirement Community.

Comment I18-32

Page 3.9-7 Figure 3.9-1 This map does not identify or show the unnamed tributary (creek) leading from the site of the UBRC into the City of San Luis Obispo.

Response I18-32

The comment correctly states that Figure 3.9-1 does not show an unnamed tributary leading from the proposed University-Based Retirement Community site. Figure 3.9-1 is not meant to show every drainage, creek, or stream in the region but instead is a representation of existing water resources, including reservoirs and major creeks. Further,

as noted in the response to Comment I18-31, the on-site feature at the proposed University-Based Retirement Community site is appropriate referred to as a seasonal drainage and not a creek. No further response is necessary.

Comment I18-33

Page 3.9-9 Flood conditions. There must be a study and understanding of potential flooding from the unnamed creek located south of the proposed UBRC. The map shown on page 3.9-10 in figure 3.9-2 shows a 100-year flood zone south and down gradient of the proposed UBRC. This impact is not investigated in the DEIR and therefore is not understood. This impact must be investigated as this information can help the decision makers understand the down gradient impacts of the UBRC and then use that information to decide if the proposed location is best for that scale of development.

Response I18-33

The comment correctly states that Figure 3.9-2 shows a 100-year flood zone south of the University-Based Retirement Community site. As described in the discussion of Impact 3.9-5 on page 3.9-17 of the Draft EIR, portions of the Master Plan Area are located within special flood hazard areas subject to inundation by the 100-year flood, as delineated by the Federal Emergency Management Agency. They are limited to areas located along Stenner and Brizzolara Creeks. Near-term projects under the 2035 Master Plan within flood zones along Stenner Creek include the proposed Farm Shop, while near-term projects under the 2035 Master Plan within the Brizzolara Creek flood zone include the Student Housing for Freshmen Students and the Facilities Operations Complex/interim parking lot. The University-Based Retirement Community is not located within this flood zone. The impact was sufficiently analyzed.

Comment I18-34

Page 3.10-15 Figure 3.10-2 The Noise monitoring locations chosen do not address the significance of noise impact of neighboring residents to the potential development of the UBRC. The RN site located west of Highway 1 should be a noise monitoring site. Without this information the DEIR is incomplete in understand the noise impacts of the UBRC on the existing neighborhoods.

There is no information concerning noise impacts from the UBRC.

Response I18-34

The comment states that the noise monitoring conducted for the 2035 Master Plan does not address the impact of neighboring residents on the proposed University-Based Retirement Community and that no information if presented regarding the potential noise impacts of the University-Based Retirement Community. With respect to the Draft EIR's evaluation of the University-Based Retirement Community, see the responses to Comments I18-3 and I18-16. With respect to the potential impacts of neighboring communities on the University-Based Retirement Community, the Draft EIR appropriately evaluates the potential physical environmental impacts of the project on the environment, not the impacts of the environment on the project. In 2015, a California Supreme Court decision clarified this point by stating that the effects of the environment on a project are generally outside the scope of CEQA unless the project would exacerbate these conditions, as concluded by the California Supreme Court (see California Building Industry Association v. Bay Area Air Quality Management District [2015] 62 Cal.4th 369, 377 ["we conclude that agencies generally subject to CEQA are not required to analyze the impact of existing environmental conditions on a project's future users or residents."] The operational noise associated with an existing residential neighborhood, therefore, would not be considered an impact within the context of the 2035 Master Plan EIR.

Comment I18-35

Section 3.13

Transportation Page 3.13-1 As with most of the Master Plan and the DEIR the focus is on the main campus. There is no discussion of the environmental impacts on transportation created by the UBRC. This is a major oversight of the DEIR. There should be a discussion of the traffic impacts associated with the UBRC. Some issue to be understood

1. How will traffic access the site? What are the impacts from this and how will they be mitigated?
2. How will the site accommodate pedestrian and bicycle traffic?

3. How many vehicle trips are expected on this site?
4. Will there be impacts from car lights on homes in the neighboring communities?

Response I18-35

The comment states that traffic related to the University-Based Retirement Community is not sufficiently analyzed. As noted in the response to Comment I18-3 and generally within Master Response 2, the Draft EIR assesses the entire program associated with implementation of the 2035 Master Plan and project-specific evaluations will be conducted later as further design and planning of each project proceeds. That said, the Draft EIR did consider the potential transportation impacts of the University-Based Retirement Community, contrary to the assertions made in this comment. Of note and as stated on page 3.13-12 of the Draft EIR, transportation issues related to roadway volumes, capacity, and congestion are no longer to be considered significant with respect to a project under CEQA. With respect to access, the University-Based Retirement Community is currently anticipated to provide site access/egress, including bicycle and pedestrian access via Westmont Avenue. Potential nightlighting associated with cars travelling to and from the site would be similar to existing conditions associated with residents and visitors travelling along Jeffrey Drive, Westmont Avenue, Pasatiempo Drive, Skyline Drive, and US 1, as the majority of vehicles would be single-passenger vehicles that currently travel through the area. However, as noted on page 3.1-28 of the Draft EIR, the addition of roadways and development, in general, in this area has the potential to contribute some additional lighting compared to existing conditions, and appropriate mitigation is proposed as part of the Master Plan EIR, including the development of project-specific lighting plans and which would apply to the University-Based Retirement Community.

Comment I18-36

Page 5-4 Alternatives

I think a modified Alternative 3 would be the environmentally superior scenario. Keep Slack Street and Grand Avenue facilities but eliminate the UBRC. The faculty and staff housing on Slack and Grand mitigate for the faculty and staff increases over the lifetime of the plan but the UBRC mitigates for none of the impacts caused by implementation of the plan. There are no environmental or university planning principles that can be mitigated by the UBRC. The environmental impacts which cannot be mitigated do not offset the need of construction of the UBRC.

Response I18-36

The comment expresses a preference for modified version of Alternative 3, which would remove the University-Based Retirement Community but keep the Slack and Grand workforce housing project. The comment also expresses an opinion that there are no environmental or planning principles that can be mitigated by the University-Based Retirement Community. Development of the University-Based Retirement Community is not meant to mitigate any environmental impact, but to meet objectives of the 2035 Master Plan, presented on page 2-21 of the Draft EIR. The sixth objective, which relates to the University-Based Retirement Community states, "Provide housing opportunities on campus primarily for University faculty and staff to promote recruitment and retention and enhance faculty and staff engagement with the campus. In addition, provide housing opportunities and complementary services that may be offered to nontraditional students such as graduate students, veterans, students with families; potentially alumni housing or a retirement community; and for members of the San Luis Obispo community." See the response to Comment I18-12. The alternatives presented in Chapter 5, "Alternatives," of the Draft EIR were developed in accordance with CEQA requirements. As noted on page 5-1, State CEQA Guidelines Section 15126.6(a) requires EIRs to describe "a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project." As the removal of the University-Based Retirement Community would not achieve a basic project objective or one of the primary tenets of Cal Poly's 2035 Master Plan to further connect and integrate with the local community, it's removal is not considered reasonable or required. However, the commenter's opinion is noted, and the comment is included within the record for consideration by the decisionmakers as part of the 2035 Master Plan approval process.

Comment I18-37
Appendix F Noise Modeling Results
There should be noise modeling results from the area of the URRC. It would be important to know what the noise impacts from that project will have on neighboring communities.

Response I18-37
The comment requests noise modeling be conducted in the area of the University-Based Retirement Community. The analysis of potential noise impacts, including modeling, assessed the potential distance between source and receptor, including at the site of the proposed University-Based Retirement Community. Standard construction equipment noise levels were evaluated based on potential distances between construction associated with the 2035 Master Plan and nearby receptors, including receptors adjacent to the University-Based Retirement Community. Further, the Draft EIR evaluated operational noise and modeled potential roadway noise levels along major road segments, including Highland Drive, using the projected increase in vehicle trips, inclusive of those associated with the University-Based Retirement Community, under the 2035 Master Plan. Also refer to the responses to Comments I18-3 and I18-34.

Comment I18-38
Consistency between the actual Master Plan and the DEIR
On page 2-12 the land use for the area west of Highway 1 and the potential location of the UBRC is listed as Residential Neighborhoods (RN)

> *Residential Neighborhoods (RN) are designated predominately for workforce housing, including some community facilities and convenience retail, designed for Cal Poly faculty, staff, retired university community members, or other persons employed in the area. Non-traditional students, including, but not limited to, graduate students, married students or students with families, veteran students, or other students needing specific accommodations may also be considered.*

From the Master Plan Figure F2-24 The land west of Highway 1 and the proposed site is not shown as pasture. For years this land has been used for grazing sheep and the map should reflect that use.

Response I18-38
The comment expresses a perceived inconsistency between the Draft EIR and the Master Plan. Although there is no figure or text on page 2-12 of the Draft EIR, the comment is correct that the land use designation for the University-Based Retirement Community is Residential Neighborhood under the 2035 Master Plan, indicating potential development as part of implementation of the 2035 Master Plan. Figure F2-24, which depicts potential agricultural lands, in the Master Plan does not shade the proposed site of the University-Based Retirement Community as pasture because the site would be developed. Further and regarding the use of sheep at that site, refer to the response to Comment I18-9.

Comment I18-39
From the Master Plan page 2-61 – The Master Plan states that the UBRC

> *As in Bella Montaña, the primary market for these units will be faculty and staff (including retired faculty and staff). In addition, this housing may be offered to other groups such as graduate students, veterans, and students with families, alumni or retirees*

If this is true, then the DEIR did nothing to include potential student housing in this area. The DEIR consistently spoke of this area as a retirement community, yet the Master Plan indicates students may live here too. This inconsistency must be made consistent.

Response I18-39
The comment correctly states that page 2-61 of the 2035 Master Plan describes the University-Based Retirement Community as potentially being offered to graduate students, veterans, and students with families, alumni or retires. Page 2-32 of the Draft EIR explains that "the development would provide priority occupancy to retired Cal Poly faculty, staff, and alumni. If faculty, staff, and alumni demand is low, remaining units would be made available to the broader retirement community among the general public." The Draft EIR evaluated potential impacts associated with

the maximum anticipated developable area (i.e., 200 units) for this near-term project, as shown in Table 2-12 of the Draft EIR. However as further explained on page 2-32, that "details of design and operation of this development (e.g., access, site alteration, architectural style) have not yet been determined." Contrary to the assertions made in this comment that the Draft EIR should have evaluated the proposed University-Based Retirement Community as housing students, it is intended to be and will be managed as a retirement community facility. As a result, this is not an inconsistency between the EIR and the Master Plan. However, in the interest of clarity, the fifth sentence of the second paragraph on page 2-32 of the Draft EIR has been modified as follows:

> If faculty, staff, and alumni demand is low, remaining units ~~w~~could be made available to the broader retirement community ~~among~~ and other groups such as graduate students, veterans, and students with families~~the general public~~.

The specific tenant types that occupy the units in the future would not have any meaningful effect on the analysis conducted throughout the Draft EIR. Once specific operational details of the University Based Retirement Community development are determined, subsequent environmental review would be conducted, and any additional project-specific information would be disclosed at that time.

Comment I18-40

Master Plan page 4-45 Figure 4-5 This plan shows the entire triangular shaped piece of property west of Highway 1 as New Residential Neighborhood Area. Most other maps show the northern portion of this property as Open Space. There should be consistency with other maps and descriptions in the document and the DEIR.

Response I18-40

The comment references Figure 4-5, on page 4-45 of the Master Plan. This figure is an illustration of the previous development plan under the Master Plan released in 2017. Therefore, it should not be consistent with other maps in the current Master Plan and Draft EIR.

Letter I19 Sarah Spann

January 29, 2020

Comment I19-1

The intent of this email is request an extension of the comment period on the Cal Poly Master Plan Recirculated Draft Environmental Impact Report. On the surface it appears that Cal Poly has met the bare minimum requirements of the CEQA Guidelines for Public Review of the RDEIR (Section 15087); however, for an institution that purports to embrace inclusivity, the public (including the campus community of students, staff, faculty, and administrators) have been overtly absent from the process of scoping the RDEIR (which is significantly different from the original DEIR) and now we have not been given ample time to review and comment on the RDEIR.

I think it is shameful that the RDEIR was released during winter break when the vast majority of the campus community was absent from the daily campus operations. In addition, there were no campus-wide emails announcing the availability of the RDEIR, there were no public hearings advertised for the RDEIR, and the comment period for a large and complex Master Plan has been confined to the mandated minimum of 45-days. While the legal requirements of the Guidelines *may* have been met, the objectives of the statute, including fostering/enhancing public participation certainly have not. Additionally, by not encouraging the involvement of the campus community it seems that the concept of campus inclusivity is merely rhetoric.

Again, I respectfully request that the RDEIR comment period be significantly extended to allow for meaningful public participation on this important project that affects the entirety of the campus community and the larger community of San Luis Obispo.

Response I19-1

This comment requests extension of the public review period of the Draft EIR for the 2035 Master Plan. Please refer to Master Response 1 for a response to this comment.

Letter I20 Eric Greening

January 31, 2020

Comment I20-1

Thank you for the opportunity to review and comment on a Revised Draft EIR that is, in SOME ways, an improvement over its grossly deficient predecessor, but that still is not adequate to move forward to the Final stage.

Response I20-1

The comment is prefatory to more detailed comments contained in the letter. No further response is required.

Comment I20-2

Before getting into the issues of the document's content that still fall short of providing a credible foundation for meaningful public comment, I must point out the apparent complete lack of any on-campus outreach to inform faculty, staff, and students of the availability of the document or the fleeting opportunity to comment. The starting of the comment period at the beginning of the holiday break, and sticking to the bare legal minimum period of 45 days, already put the campus community at a disadvantage, but this disadvantage was exacerbated by the lack of any evident notification: no messages in inboxes; no flyers or posters; no articles in the Mustang; no noticed meeting or hearing to provide a physical venue to take comments. I only learned of it because my natural suspicion kept me checking the Master Plan website through the holidays. Without exception, everyone member of the campus community I have spoken to once school was back in session did not have a clue about this comment period until I told them; this includes professors of environmental science and even the head of the Journalism Department! Requests for a time extension and for better notification, by myself and others, have apparently fallen on deaf ears. It is as if there were an intent to evade, rather than encourage, public comment. If that is NOT the intent, it is not too late to ask that this lack of outreach be remedied; nonetheless, given the deficiencies of the document, it may be a more efficient use of time if, rather than extending the comment period on the current document, it could be withdrawn for another round of at least partial recirculation before providing a better noticed, better-timed comment period on a document more adequate to the purpose than what we now have in front of us.

Response I20-2

This comment suggests that there was insufficient notification regarding availability of the Draft EIR. Per CEQA Guidelines section 15087(a), "Notice shall be mailed to the last known name and address of all organizations and individuals who have previously requested such notice in writing, and shall also be given by at least one of the following procedures: (a) Publication at least one time by the public agency in a newspaper of general circulation in the area affected by the proposed project. If more than one area is affected, the notice shall be published in the newspaper of largest circulation from among newspapers of general circulation in those areas."

Availability of the Draft EIR was published in the San Luis Obispo Tribune and notices were sent to all who had previously expressed interest. This comment also asks for an extension of the public review period of the Draft EIR for the 2035 Master Plan. Please refer to Master Response 1 and the response to Comment I18-2 for further information in response to this comment.

Comment I20-3

Those eager to move forward with implementation of the Master Plan are unlikely to be happy about yet another round of recirculation, in the wake of the two years it has taken to emerge with this revised DEIR. There is no reason to believe getting it right this time will need to take that long, and the time it does take will be time well spent. CEQA is best seen not as an obstacle to projects, but as a way to make projects more effective at attaining their objectives, while minimizing harm. In that connection, I would like to mention, for the record, the correspondence sent in two years ago by Whitney McDonald on City of San Luis Obispo letterhead relative to the previous draft. It has never been responded to, because the previous draft did not move forward toward a Final EIR that would incorporate such responses. But it remains on the public record of the City of San Luis Obispo, and as such, should be repeatedly referred to when this RDEIR is taken back for further work, because it is worth keeping track of how many of the important issues she raises have been constructively addressed. My take is that it is about half, and that is not enough.

Response I20-3

The comment suggests that the Draft EIR should be revised and recirculated, references correspondence submitted by the City of San Luis Obispo two years ago on a prior Draft Environmental Impact Report for the prior version of the Master Plan..

Regarding the suggested recirculation, the Draft EIR was prepared in compliance with CEQA and provides a sufficient evaluation of the project's potential environmental effects for the public and decision makers. The comment is general in nature and does not identify any basis that would require recirculation under CEQA and the implementing Guidelines. Therefore, the suggestion that the Draft EIR needs to be revised and recirculated is not supported. A lead agency is required to recirculate a Draft EIR when the agency adds "significant new information" to the EIR after the close of the public comment period but prior to certification of the Final EIR. (Pub. Resources Code, § 21092.1; CEQA Guidelines, § 15088.5.) "New information added to an EIR is not 'significant' unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement." (CEQA Guidelines, § 15088.5, subd. (a).) "Significant" new information includes information showing that "(1) [a] new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented[;] or (2) [a] substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance." (Ibid., subds. (a)(1), (a)(2).)

Regarding a letter received on a previous Draft EIR, Cal Poly appreciates the commenter's perspective that it may serve as a reminder of important issues, but the Draft EIR under review represents a new and comprehensive analysis of a new and different project. As such, responses to comments contained in correspondence submitted on a prior project are not required. Moreover, correspondence from the City of San Luis Obispo was received on the project under consideration and has been addressed in the responses to Comments L8-1 through L8-35.

Comment I20-4

On a positive note, I am very thankful that this time around, Greenhouse gas emissions are no longer erroneously dismissed as Class III, but recognized as Class II with mitigation measures proposed. That said, although the revised document does contain some worthwhile measures, I question their ability to mitigate greenhouse and climate impacts to insignificance. No apparent effort is made to mitigate the emissions inherent in the many products made elsewhere and brought onto campus, or in the covering of soil, whose microbes are currently drawing down carbon, with hardscaping. And the level of mitigation that IS attempted is entirely too dependent on purchase of offset credits: over 8000 Metric Tons of Carbon Dioxide Equivalent per year, compared to fewer than 2700 from on-campus efforts. The impacts of failing to do everything possible in the educational environment itself are magnified BECAUSE of the education taking place there; students in a "learn by doing" setting learn by example, and develop lifelong habits, whether they be of solving or evading the problem. The lack of land-based drawdown or sequestration measures, aside from some tree planting, is conspicuous.

Transitioning campus agriculture in a more plant-based and regenerative direction could make a significant contribution to on-campus greenhouse gas mitigation, and to students continuing to be part of the solution rather than part of the problem for the rest of their lives. Whether or not one believes that animal agriculture as routinely practiced raises significant moral issues, there is growing evidence that a diet dependent on production from confined animal facilities has a far larger ecological footprint, including climate footprint, than does plant-based sustenance. It is also increasingly clear that confining animals intended for consumption creates reservoirs for the development of epidemics and pandemics that can spread to people (as well as fomenting the development and spread to people of antibiotic resistance), and among people. The current health and economic impacts of the coronavirus scare are illustrative, and policy-makers are beginning to entertain the possibility of transitioning away from, and ultimately banning, confined animal facilities as a human health precaution. Cal Poly would be well advised to be preparing students for a future whose food production systems evolve away from present models.

In addition to a shift in emphasis from animals to plants, a shift in methods from industrial to regenerative is essential both in reducing greenhouse gas impacts of the proposed project, and to preparing students to create a livable

world freed from the current trajectory of increasing greenhouse gas concentrations and decreasing biodiversity. We can be thankful for the existence of the Cal Poly Organic Farm and of the Student Experimental Farm, and these efforts should be robustly supported and expanded, with the activities thereon directed toward contributing an added share of on-campus greenhouse gas mitigation.

The significant acreage of grassland and oak savanna owned and managed by Cal Poly could be the site of large-scale experiments in such solutions as biochar (for which trees and other vegetation that die onsite can be a feedstock for biochar applied onsite, keeping the biomass from being exported) and the sort of light applications of compost recommended by such researchers as Marcia deLonge, Rebecca Ryals, and Whendee L. Silver. Any practices that need small-scale trials before being expanded to wider campus acreage could be studied in miniature at the Student Experimental Farm.

Response I20-4

The comment questions the ability of the greenhouse gas mitigation measures to reduce potential impacts to less-than-significant levels and suggests that mitigation is required for greenhouse gas emissions resulting from products made elsewhere and brought to campus, and for hardscape coverage of soil microbes that draw down carbon.

The greenhouse gas (GHG) analysis conducted for the proposed Master Plan was prepared in accordance with San Luis Obispo County Air Pollution Control District's (APCD) CEQA guide. Recommended mitigation measures prioritize onsite GHG reduction measures first and mitigate remaining GHG emissions with offsite measures, consistent with California Air Resources Board (CARB) and APCD guidance. As a practical matter, there is no way to meaningfully quantify the sources of greenhouses gas emissions cited in the comment, nor is it reasonable to suggest that the proposed project would be responsible for, or could in any way influence, emissions associated with products made elsewhere and brought to campus. The comment offers no evidence to suggest otherwise.

The comment takes issue with mitigation that includes purchase of offset credits and suggests additional "land-based drawdown or sequestration measures," including a shift in emphasis of campus agriculture from animal-based to plant-based; a "shift in methods from industrial to regenerative," including expansion of the Cal Poly Organic Farm and of the Student Experimental Farm, as examples; and use of university-owned lands for experiments such as biochar and light applications of compost.

Regarding land-based drawdown or sequestration, or a shift to more plant-based agriculture, these ideas may be viable and are not precluded by Mitigation Measure 3.8-2. On page 3.8-20 of the Draft EIR, it is explained that Cal Poly may choose to develop a local GHG offset program, so long as the offsets comply with the criteria of CEQA Guidelines 15126.4(C) and the other listed criteria (e.g., achievable, quantifiable, enforceable, validated, permanent). That is, Cal Poly could develop an onsite GHG offset program from either agricultural practices (including regenerative agriculture), transportation emissions (as suggested by Mitigation Measure 3.8-2), or any other program, so long as it meets the performance standards listed within the mitigation. In addition, APCD and CARB guidance do recommend that lead agencies prioritize onsite mitigation measures first, and when considering offsite measures such as offsets, that local programs should be considered first, statewide programs second, national programs third, and international programs last. Mitigation Measure 3.8-2 explains this and provides options for mitigating GHG emissions and specific performance criteria that must be followed. Thus, should these options become available and meet the criteria listed in Mitigation Measure 3.8-2, they could be used to offset GHG emissions. In addition, these GHG mitigation measures pose many challenges and uncertainties when it comes to quantifying associated GHG reductions. For this reason, air districts in California, including APCD, have not approved the use of quantification models for these GHG reduction measures. Thus, from a CEQA standpoint, these measures would not be supported by substantial evidence and would not meet the criteria of CEQA Guidelines 15126.4(C) at this time.

It should also be noted that Cal Poly has prepared a Climate Action Plan, the Cal Poly CAP, that does include a number of agricultural-related GHG reduction strategies. Some of these include the reduction of grazing cattle herd size, reductions in water use, and installing updated irrigation infrastructure.

Regarding the suggestion to use Cal Poly-owned land for large-scale experiments in the use of biochar and light composting to reduce GHG emissions, mitigation measures under CEQA must be enforceable and supported by

substantial evidence (State CEQA Guidelines Section 15126.4 (c)). Experimental measures with unverified emissions reductions do not meet CEQA criteria, and therefore, these are not appropriate considerations for GHG mitigation measures.

Comment I20-5

Not only is the excessive dependence on purchase of offset credits a lost opportunity in educating students, but it is of uncertain effectiveness. What, exactly, will the money be used for? Will it go to vanity projects that are actually significant net emitters, such as High-Speed Rail, which now is the occasion for considerable fossil fuel consumed by bulldozers, and which will remain a net emitter for decades until (if ever) trains operate between metropolitan centers and actually induce people to fly dramatically less?

The CEQA Handbook for the California State University System mirrors CEQA law and the CEQA Guidelines in listing mitigation options in priority order, with avoidance being the highest priority, followed by minimizing, rectifying, reducing, and finally, compensating. Compensating is intended as a last resort after possibilities among the other options are exhausted. Purchasing offset credits for uncertain use offsite is a form of compensation, and it should be resorted to only after all feasible possibilities for onsite avoidance, minimization, rectification, and reduction are exhausted.

Response I20-5

The comment expresses the concern that money spent on GHG offsets may not actually offset emissions and suggests that compensation, as a form of mitigation, should be the last resort. Mitigation measure 3.8-2: Purchase GHG Offsets, described on page 3.8-20 of the Draft EIR, explains that purchased GHG offsets must come from verifiable registries such as California Air Resources Board, Climate Action Reserve, California Air Pollution Control Officers Association, the San Luis Obispo County Air Pollution Control District, or any other equivalent verifiable registry. For a GHG offset to be sold on one of these registries it must meet certain criteria, also explained on page 3.8-20, which ensures that GHG offsets are based on actual reductions generated by individual projects, before an offset can be generated and purchased. Therefore, it can be guaranteed that GHG offsets purchased pursuant to the criteria listed in Mitigation Measure 3.8-2 would in fact offset the quantity of GHG emissions needed to reduce project-generated emissions to a less-than-significant level.

The comment also suggests that compensation, as a form of mitigation, should be the last resort. Mitigation Measure 3.8-1: Implement On-Site GHG Reduction Measures includes a number of GHG-reducing measures that would be required on-site, prior to the purchase of any GHG offsets. Thus, the analysis and associated mitigation presented in Section 3.8, "Greenhouse Gas Emissions," is consistent with the mitigation priority options presented in the comment. To address the comment regarding the mitigation option of avoidance, when discussing GHG emissions, any level of development would result in some amount of GHG emissions. The Draft EIR evaluates the proposed project as described throughout. Chapter 5, "Alternatives," describes the no project alternative and other alternatives that were evaluated, including how the various alternatives could result in different levels of GHG emissions compared to the project.

Comment I20-6

But the most significant problem with dependence on purchase of offset credits, and on all other mitigation measures throughout the RDEIR that represent a significant ongoing financial commitment, is that the public has no basis for confidence that the promises to mitigate will be honored.

Financial issues are not generally considered environmental issues, but in this case, they are central to the credibility of the RDEIR and to its ability or inability to be certified. It has been my observation that many efforts to which Cal Poly is "strongly committed" in such areas as waste reduction are not generally BUDGETED commitments, but are dependent on the happenstance of grants. For the public to be able to count on such mitigation measures as purchase of offset credits, the public needs evidence that they WILL be budgeted, and at present there is no such evidence; there is, in fact, no evidence, either in the Master Plan or in its RDEIR, of the slightest awareness that the vastly expanded campus envisioned by the Master Plan will require a considerable ongoing expansion of the Cal Poly OPERATING budget, nor is there any indication of what source or sources of funds could be tapped for these demands. Even the capital funding gets almost no attention. The previous draft of the Master Plan contained a capital cost estimate of $500 million (certainly a vast underestimate, given that the William and Linda Frost Center for

Research and Innovation is costing over one fourth of that amount, compared to the dozens of new buildings envisioned in the Master Plan; that structure also raises the issue that, to the extent that a capital campaign depends on those able to make sizable contributions, it may find that these mega-donors have their own ideas about what should be built, regardless of the contents of the Master Plan) and a vague list of possible sources of such funds, without any precise indication of which among them would be activated. The latest draft of the Master Plan lacks even that. Neither draft, and neither EIR, looks at the issue of operational funding. Students can't help but be concerned that tuitions and/or dorm rents will spike to cover these inevitable but unexplored expenses. Faculty and staff can't help but be concerned that unbudgeted operational expenses might be backfilled through parsimoniousness with the pay and benefits that they earn. Even if such sacrifices are demanded, will they be enough to pay for the maintenance of all the infrastructure and functions of a vastly expanded campus AND the full implementation of every promised mitigation measure?

Response I20-6

The comment expresses concern about capital costs and ongoing operational expenses of the expanded campus, including mitigation costs, and expresses doubt as to whether mitigation will be implemented on an ongoing basis. As required by CEQA and the State CEQA Guidelines, all mitigation measures ultimately adopted by the CSU Board of Trustees "must be fully enforceable through permit conditions, agreements, or other legally binding instruments. In the case of the adoption of a plan, policy, regulation, or other public project, mitigation measures can be incorporated into the plan, policy, regulation, or project design." (State CEQA Guidelines Section 15126.4(a)(2)). In addition, "[i]n order to ensure that the mitigation measures and project revisions identified in the EIR…are implemented, the public agency shall adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigation or avoid significant environmental effects." (State CEQA Guidelines Section 15097(a)). Regarding the EIR's need to contain a discussion of the costs associated with certain mitigation or other financial information, refer to the response to Comment L4-11. The mitigation measures identified in the Draft EIR have been evaluated and are considered by Cal Poly to be feasible and able to be implemented within a timely manner when necessary. The comment's assumption that Cal Poly would not meet its CEQA obligations runs contrary to CEQA requirements and recent CEQA case decisions, including Save Our Peninsula Comm v. Monterey County Bd. Of Supervisors (2001) 87 Cal. App.4th 99, 141; Sierra Club v. City of Fresno (2018) 6 Cal. 5th 502, 527.

Comment I20-7

This raises the further question of how the public can be informed of the extent to which promised mitigation measures are carried out or avoided, and by what means the public can insure enforcement. Mitigation measures are an integral part of any project under CEQA, but in the case of Cal Poly, which is subject to no local land use authority, there is no clear pathway toward local accountability, nor is there any local entity the public can call on to come on campus and enforce the observance of promises made.

Response I20-7

See the response to Comment I20-6. Upon making Findings pursuant to 15091 of the State CEQA Guidelines, the CSU Board of Trustees will "also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. Measures must be fully enforceable through permit conditions, agreements, or other measures." (State CEQA Guidelines Section 15091(d)). Further, the conditions set forth in this comment are not specific to just Cal Poly. Any lead agency, which adopts CEQA mitigation measures related to a public project, is responsible for the implementation and monitoring of those mitigation measures. The condition and opinion regarding the level of reporting is noted, however, all mitigation implementation and monitoring would be completed in accordance with CEQA and other legal requirements.

Comment I20-8

When this RDEIR is taken back for more work prior to another comment period, as it must be, since it is not yet fit to move forward to a Final EIR, the re-revised document needs to clearly demonstrate to the public a credible plan by which all the mitigation measures will be budgeted and funded, and a credible mechanism by which members of the

public can stay apprised of, and can intervene to enforce compliance with, the orderly and predictable implementation of every mitigation measure.

Response I20-8

The comment requests recirculation of the Draft EIR prior to another comment period. As noted in the responses to the comments received during public review of the Draft EIR, no new significant impacts, substantial increases in the severity of impacts, substantially different project alternatives that would reduce environmental impacts of the project and are required to be analyzed under CEQA to constitute a reasonable range of alternatives, or errors/omissions that render the Draft EIR inadequate have been identified. As a result, substantial new information, as defined by the State CEQA Guidelines Section 15088.5, has not been presented. As such, recirculation of the Draft EIR is not required under CEQA standards and is not required prior to consideration by the Trustees for certification. See also the response to Comment I20-3 regarding further information on CEQA's recirculation standards, and the responses to Comments I120-6 through 120-8 regarding the enforceability of mitigation measures.

Comment I20-9

Before I leave the subject of economics, I must note that the RDEIR refers to one of the Master Plan's underlying goals: increasing the diversity of the student body and campus community. I must also observe that doubling the duration of compulsory dorm residency from one year to two further raises an existing economic barrier that will even more effectively filter out potential students of limited economic means. The economic burden is worsened by the lack of access to kitchen facilities for most dorm residents, leading to dependence on the costly "meal plan." I agree that there are virtues in providing on-campus housing for a greater proportion of the student body, to reduce direct transportation impacts from those who now commute to the campus, to free up housing stock in the adjacent city which could reduce the jobs/housing imbalance between the city of San Luis Obispo and the rest of the County, further reducing transportation impacts, and to create more of a learning (and doing) community. However, if "provide" means "compel," the "community" that forms is not based on the free association and autonomy that are essential ingredients to communities in a free country. The supposed justification of the existing compulsion imposed on first year students, and proposed for second year students, is statistics showing that a higher proportion of students who live on campus for at least two years graduate in four years than of students who do not. Two problems with using such a statistic as a basis for depriving students of choice: 1. Correlation may not be causation; it could be that students who can AFFORD to live on campus year after year are less likely to have their college careers delayed by distractions such as the need to work too many hours to take on a full course load, and 2. Even if on-campus life is good for more people than it is not good for, that doesn't mean it is good for everyone. People are individual in their needs, personalities, and circumstances, and that individuality needs to be respected if a GENUINE community is to be formed of diverse people each of whom bring their own special talents and needs. One size does not fit all.

Why can't options be provided that would ATTRACT more students of their own volition? There is no reason why expensive dorm rooms should be students' only on-campus choice for two years. UC Berkeley and UC Davis offer the option of co-op houses, which are far more of a "learn by doing" experience than are dorms. Students govern and care for their collective homes and cook for each other; if attracting a more diverse student body, including students from low income families, is a genuine goal, it is worth noting that students living in co-op houses on those campuses pay about half the annual cost for rent and food as do Cal Poly students living in dorms and on the meal plan. During the interval needed for revising the RDEIR to be truly ready for the sort of comment period that can genuinely lead to a Final EIR, the Master Plan should be revised to incorporate such options; to the extent that co-op houses could carry features of eco-villages, they could help mitigate greenhouse gases and other impacts. Knowing the strength of Cal Poly's departments such as Environmental Design, the tapping of student creativity at solving ecological and social problems in original ways that draw on, and expand, their knowledge base could be a worthy goal on its own, even if other goals, such as increasing student diversity and mitigating environmental impacts were not also being achieved.

Coming back from this excursion into issues that could be called "economic," then, but that do have a distinct bearing on the balance of environmental impacts with stated goals, when it comes to the section on greenhouse gas emissions, the need for partial recirculation in order to complete the inventory of impacts, and to propose all feasible

on-campus mitigation measures, provides a time interval which can also be used to revise the Master Plan to better align with stated goals, as noted above, an alignment which may, itself, open avenues of mitigation to the extent that alternative on-campus residential options can be built around environmental as well as community-building objectives.

Response I20-9

The comment does not address environmental impacts or the adequacy of the Draft EIR, but instead addresses goals of the Master Plan itself, which is outside of the scope of CEQA. Moreover, the nature of the comment addresses the economic impact of the Master Plan. As stated in CEQA Guidelines Section 15131, while economic or social effects may be included in an EIR if, and in whatever form, the agency desires, economic or social effect shall not be treated as significant effects on the environment. Regarding the suggestion about revising and recirculating the Draft EIR, see the response to Comment I20-3.

Comment I20-10

What other sections should participate in a partial recirculation? Unusually, there is no defined section of "Water," but the water-related issues, which are mostly but not entirely covered under "Utilities," need considerable clarification.

This comment letter was preceded by two earlier ones I also sent. The first was a simple request for a time extension; the second cc'd Mr. Dumars on a letter sent to the San Luis Obispo City Council, calling attention to discrepancies between the Water Resources Status Report that was received on Consent Item 5 on that council's January 14th agenda and the narrative accompanying the RDEIR's "Impact 3.14-1: Require or Result in the Relocation or Construction of New or Expanded Water Infrastructure." I have found, in further conversations online and in person with various people in City leadership (staff and council) that some share my concerns, while others are hopeful that the Water Reclamation Facility proposed for construction just west of the Student Experimental Farm will allow a better balancing of potable and non-potable sources and more efficient use of water from Whale Rock Reservoir. I won't indicate who is or is not concerned, because it is up to each person to share their concerns in their own correspondence, but I am among those who continue to be concerned, and to see the water supply issues as sufficiently unaddressed that I believe the chapters on Utilities and Hydrology should join the chapter on Greenhouse Gases in the at-least-partial recirculation this document needs.

Response I20-10

Regarding the suggested recirculation, please see the response to Comment I20-3. Regarding the perceived disconnect between the positions of Cal Poly and the City of San Luis Obispo with respect to water supply, see the response to Comment I11-1.

Comment I20-11

The orderly progression of Master Plan development depends on the completion of the first phase of the Water Reclamation Facility in 2022. Yet the RDEIR itself expresses skepticism about whether this will occur, and posits a significant impact from its non-occurrence. The re-revised RDEIR needs specific information about the state of development of this facility and a plausible timeline for the completion of its first phase. This must include such considerations as provision of adequate electrical power to that part of the campus, as well as what stage of design this facility is presently in, if any, and what it will cost and whether that cost is now budgeted.

Response I20-11

The Draft EIR does not express skepticism about the timing of completion of the first phase of the Water Reclamation Facility (WRF). Rather, Mitigation Measure 3.14-3, the measure that requires initiation of the WRF to offset potable water demand associated with campus growth includes prudent back-up provisions in the event operation of the facility is delayed. The Draft EIR addresses the environmental impacts of implementation and operation of the WRF, identified as a Master Plan near-term project (see Draft EIR Section 2, Project Description, Figure 2-17 and Table 2-12), at a level commensurate with available design detail. Regarding a revised and recirculated Draft EIR, see the response to Comment I20-3, and regarding the request that the EIR include information regarding the cost of the WRF, see the response to Comment I20-9.

Comment I20-12
Impact 2.14-1 also needs considerable work. It is currently considered insignificant, yet the Water Reclamation Facility IS new "water infrastructure," as are whatever pipelines convey water to and from this as-yet-undeveloped site. What are the SIGNIFICANT impacts of this new infrastructure, and what mitigation measures are proposed to ameliorate those impacts?

Response I20-12
The Water Reclamation Facility (WRF) is addressed in the Draft EIR as a near-term project of the Master Plan (see Draft EIR Section 2, Project Description, Figure 2-17 and Table 2-12). As such, the impacts of the facility are included in analyses of ground disturbance, biological resources impacts, water supply impacts, air pollutant emissions, and other effects of the Master Plan evaluated throughout the EIR. Impacts of individual projects are not assessed separately. The comment implies that the impacts of the WRF itself may be significant. This is not necessarily the case. Impacts of the Master Plan, as a whole, are addressed in the Draft EIR, and mitigation measures are recommended for significant effects, including those caused in whole or in part by the WRF. At such time as the WRF is proposed, Cal Poly will review the project in the context of the Master Plan EIR and complete a project-specific CEQA compliance review at that time. .

Comment I20-13
Also needing examination is the ongoing capacity of Whale Rock Reservoir to serve all anticipated needs of all three members of the Whale Rock Commission, INCLUDING the added needs occasioned by the Cal Poly Master Plan, given the uncertainties imposed by accelerating climate change. I suspect that Cal Poly IS concerned about excessive dependency on this source; why else would it have approached the City of Morro Bay seeking to purchase some of their State Water supply? When the City Council of that city discussed the ongoing negotiations on November 12th, it was clear that no contract for water was ready to result, and no certainty about the availability of water for sale could be attained until Morro Bay's new Wastewater Treatment Plant was operational; it has yet to break ground.

Where else is Cal Poly seeking added water supply? How much water, in excess of that vaguely accounted for in the present RDEIR, does it anticipate needing? What are the impacts of drawing on the yet-unknown sources, and of conveying water from those sources? How, given these yet-undisclosed uncertainties, can the impact of new water infrastructure be dismissed as insignificant?

Clearly, all sections that touch on water need reworking during the at-least-partial recirculation process, with the impacts of any possible option for bringing needed water to campus revealed, assessed, and mitigated.

Response I20-13
The comment questions the availability of adequate water supply and what the associated impacts with additional water demand would be. The Draft EIR includes a comprehensive water supply analysis discussed in Section 3.14, "Utilities and Service Systems," which was based on a water supply assessment (Appendix H of the Draft EIR) and a wastewater analysis (Appendix I of the Draft EIR) prepared for the Draft EIR. As further explained in response to Comment L8-27 and L8-30, the water supply and reliability analysis took into consideration the updated Safe Annual Yield (SAY) for Whale Rock Reservoir which accounts for potential reductions in water supply associated with climate change and multiple drought years. . No revisions are necessary. Also refer to the response to Comment I11-1, a previous comment provided by the commenter that raised concerns about an apparent discrepancy between City-published information and the WSA.

Comment I20-14
Do other parts of the RDEIR need to be included in the recirculation? Perhaps to the extent that changes in impacts result from changes in the underlying project description, as the goal of increasing campus diversity is addressed rather than thwarted by the provision of lower-cost living options such as co-op houses. It would also be good to see a route indicated for the section of the Chorro Valley Multi-use Trail that crosses the campus. That project as a whole, overseen by the Council of Governments pursuant to its Regional Transportation Plan, will be unfundable until Cal Poly joins local jurisdictions in allowing a complete route to be shovel-ready. Any impacts of that route could then be assessed in the re-revised RDEIR. it would also be good to have some clarity about the progress or lack thereof the

project that was broken off from the Master Plan to undergo separate environmental review and processing: the proposed faculty housing to the northeast of the intersection of Slack and Grand. Is this project moving forward; is its description stable or changing; what are the cumulative impacts on such issues as water supply and traffic flow taking both projects into account?

Response I20-14
No changes to the Draft EIR project description are proposed, nor is there evidence to suggest that other sections of the Draft EIR require revision. Regarding the Chorro Valley Multi-use Trail, see Master Response 4. Regarding Draft EIR revision and recirculation, Draft EIR, see the response to Comment I20-3. With respect to the Slack and Grand workforce housing project, this project is one of the 2035 Master Plan projects and is considered with the remainder of the projects in the Draft EIR. It has not been broken off from the Master Plan to undergo separate environmental review.

Comment I20-15
There are other issues that I may be able to get into a follow-up letter prior to the apparently-immovable expiration of the comment period, but it seems wise to get this present letter into the record as soon as possible, since addressing its issues will require a commitment of time, and sending it sooner rather than later underscores that the intent is not delay but thoroughness and a Master Plan that better meets its stated objectives with the fewest unmitigated impacts.

Response I20-15
The comment is includes conclusory language and does not address specific deficiencies with the Draft EIR. No further response is necessary.

Letter I21 Eric Greening

February 1, 2020

Comment I21-1
This is my fourth letter that the record needs to include during this comment period. The first was a brief request for a time extension. The second cc'd the EIR consultants on correspondence with the San Luis Obispo City Council, relative to inconsistencies between the Water Resources Status Report that council was receiving at their meeting of January 14th and assumptions in the Master Plan RDEIR. The third was a whirlwind attempt to hit the "high spots" in showing why, once again, this RDEIR is not yet ready to proceed to a Final EIR, and needs at least partial recirculation, unwelcome as that prospect might be for the impatient.

This fourth letter will continue to make that case. I apologize for the scattershot approach; it frankly surpasses belief that, once multiple requests for a time extension had been received, pointing out not only the inappropriate timing of starting a bare minimum 45-day comment period early in the holiday break, but also the utter lack of on-campus notification of the opportunity to comment, the deadline would not be extended. I suppose it was my own fault to have assumed that it would be extended, and to have assumed that I would have had time to employ a more organized, comprehensive, and thorough approach to delivering the needed comments. But the situation is what it is. Scattershot or not, however loosely they may be formatted, all the issues raised by all of us who comment need either to be thoroughly addressed with formal responses, or, better, used to help guide the preparation of yet another recirculated draft, since formal responses are only given in a Final EIR, and the document before us falls far short of being ready for that step.

Response I21-1
The comments are prefatory in nature and do not identify specific comments on the adequacy of the Draft EIR. With regard to the prior letters submitted by this commenter, please see the responses to comments provided in Letters I-1, I-11, and I-20.

Comment I21-2
Let's start, then, with a process question that should probably be addressed before any other: given that we have in front of us a new version of the Master Plan that substantially differs from the one on which the original DEIR was written, why was the EIR process not restarted from scratch, with fresh scoping?

Response I21-2
When the Notice of Preparation (NOP) was issued on October 3, 2016, it did not identify areas of growth but rather it identified a projected enrollment of 22,500 full-time equivalent students (25,000 head count). As this component/projection of the 2035 Master Plan was not modified between 2016 and the release of the Draft EIR in 2019, reinitiation of scoping is not required, as the information that was previously provided was not changed. Within the context of CEQA, the length of time can vary greatly from a few months to several years, and a certain span of time is not an indication of the need to reinitiate scoping. Furthermore and as noted in Master Response 1, Cal Poly has continually provided updates and engaged interested parties with respect to updates to the Master Plan.

Comment I21-3
Second process question: given that the proposed Faculty Housing northeast of the intersection of Slack and Grand was detached from the Master Plan and diverted into its own environmental review process, how are we to assess the cumulative impacts between the two projects? Given the total lack of notification of the campus community about the Master Plan RDEIR, I need, in fact, to ask: at what stage is the environmental review of this now-separate Slack and Grand project? Did scoping slip by us unnoticed? Did a Draft EIR's comment period slip by us unnoticed? If not, will notification be provided at the Cal Poly Master Plan website, or, if elsewhere, then where? Is the Slack and Grand project well enough understood that cumulative impacts with the Master Plan can be assessed? If so, the information needed for such an assessment must be in the re-revised RDEIR. If not, the Master Plan RDEIR needs to disclose this uncertainty and outline a plan for insuring that, to the extent that the Master Plan can't be responsible for mitigating cumulative impacts with an insufficiently characterized Slack and Grand project, the Slack and Grand project will bear that responsibility.

Response I21-3
The comment incorrectly states that the Slack and Grand project was detached from the Master Plan. The Slack and Grand Project is part of the 2035 Master Plan, addressed in the Draft EIR as a near-term project (see Draft EIR Section 2, Project Description, Figure 2-17 and Table 2-12). As such, the impacts of the project are included in analyses of ground disturbance, biological resources impacts, water supply impacts, air pollutant emissions, and other effects of the Master Plan evaluated throughout the EIR. Impacts of individual projects are not assessed separately. Cumulative impacts, that is, impacts of the 2035 Master Plan combined with the impacts of past, present, and reasonably foreseeable future projects, are assessed in Section 4 of the Draft EIR.

While a project-specific environmental document for the Slack and Grand project was initiated in 2017, it was never finalized. Following consideration, and if approved by the CSU Board of Trustees, certification of the 2035 Master Plan EIR and the approval of the 2035 Master Plan, Cal Poly would undertake additional planning and design of the Slack and Grand project, review the project in the context of the 2035 Master Plan EIR and complete any further required CEQA compliance review of this near term project. See also Master Response 2 and the response to Comment I20-14.

Comment I21-4
Third process question: given the lack of a credible plan for funding the massive capital expenses inherent in the Master Plan, and given the likely need to court people capable of very large donations, and given that such people generally have their own ideas about where they want their money to go, regardless of what any Master Plan might say, how will the unforeseen and cumulative impacts of any donor-driven changes to the Master Plan be assessed and mitigated? The William and Linda Frost Center for Research and Innovation received a Negative Declaration that occasioned very little notice on campus; apparently there was little outreach about it. We need, in the re-revised Draft EIR, to see a credible plan for insuring that any future development NOT anticipated in the Master Plan receives WELL NOTICED environmental review and mitigation.

Response I21-4
The comment raises a speculative concern about potential future amendments to the 2035 Master Plan, including amendments that could be driven by contributions from campus donors. This comment is based upon events that the commenter speculates might happen in the future, and does address environmental impacts or the adequacy of the Draft EIR. If the 2035 Master Plan were to be revised in the future because of "unforeseen and cumulative impacts of donor-driven changes" or for any other reason, Cal Poly would consider the environmental effects of such revisions. Such effects would be considered in the context of CEQA Guidelines Sections 15162-15164 to determine if the changes required preparation of a subsequent EIR, supplemental EIR, addendum, or no additional CEQA documentation. Regarding Draft EIR revision and recirculation, Draft EIR, see the response to Comment I20-3.

Comment I21-5
Fourth process question: given, as outlined in my third comment letter, that a project premised on mandating dorm residency by every student for two years is a significant barrier to attaining the stated goal of increasing campus diversity, the underlying Master Plan needs reworking to insure that students have less expensive options. Co-op houses have the virtue not only of vastly lower cost, but also of embodying the "learn by doing" philosophy far more effectively than dorms, so I advocate their robust inclusion in the Master Plan, as well as actual CHOICE for students, with many options provided on campus, but no penalty for exercising the choice to live off campus if this best meets the needs of a particular student. Since a new version of the Master Plan has already appeared since the original DEIR was written, does it not make sense to add further revisions, including those referenced here and elsewhere in my correspondence and brought to Cal Poly's attention by others, and then to restart the whole process, from scoping on up, based on this improved Master Plan? I understand the impatience of many to get moving on the project, but those looking back from the future years we are planning for will be grateful if we take the time to get it RIGHT.

Response I21-5
See the response to Comment I20-9. The comment does not address environmental impacts or the adequacy of the Draft EIR, but instead addresses goals of the Master Plan itself, which is outside of the scope of CEQA. Regarding the suggestion about revising and recirculating the Draft EIR, see the response to Comment I20-3.

Comment I21-6
Related issue: the lack of any exploration of where funding to operate the vastly expanded campus, and to pay for mitigation measures that require financial commitments, raises the prospect of truly extortionate dorm rents. I am not sure it is legal to use dorm rent for costs not directly associated with the services provided by the dorms, without a Prop 218 vote, since the increment that spilled over to address other operational needs on campus would technically be a tax rather than a fee. However, it is also unclear how a meaningful Prop 218 vote could be held among a population that shifts in and out of different residences year after year.

Response I21-6
See the response to Comment I20-9. The comment does not address environmental impacts or the adequacy of the Draft EIR, but instead raises concerns about the potential cost for on-campus student housing and speculates that a special vote pursuant to Proposition 218 may be required. The nature of the comment addresses the economic impact of the 2035 Master Plan. As stated in CEQA Guidelines Section 15131, while economic or social effects may be included in an EIR if, and in whatever form, the agency desires, economic or social effect shall not be treated as significant effects on the environment. The comment expresses economic concerns which are outside of the scope of CEQA.

Comment I21-7
Since massive dorm construction is planned as one of the early elements of the Master Plan, the question of how much is truly necessary should be explored before the expensive buildings are built. If students were not compelled to live in them for two years, or even for one year, what would the demand be? It seems perverse to commit huge resources (and stage a fund-raising campaign) to erect buildings that would stand half-empty if people had a choice on whether to occupy them, and from students' point of view, raising funds whose main impact would be to deprive

second year students of a choice of where to live is likely to convince students to discourage their families from contributing. As stated in my previous (third) comment letter, I do see the virtues in increasing the proportion of students who live on campus; the question should be: what range of options, including affordable options, would ATTRACT students?

Response I21-7
See the response to Comment I20-9. The comment does not address environmental impacts or the adequacy of the Draft EIR, but instead addresses goals of the Master Plan itself, which is outside of the scope of CEQA.

Comment I21-8
In the previous (third) letter, I made the case for shifting Cal Poly agriculture and agriculture instruction in the direction of being more plant-based and regenerative, in order to add on-campus greenhouse mitigation and to better prepare students for the world they will be living in. During the life of this Master Plan, an increasing proportion of students will be able to expect to live into the 22nd Century, and if the human race is to survive without a precipitous population decline, it will have no choice but to shift its agriculture from the greenhouse gas emissive, soil depleting industrial model to a more plant-based and regenerative one. Cal Poly should be in the forefront of leading this change. One element of this could be a blending of agricultural and residential functions in some of the co-op houses, on the "eco-village" model. Cal Poly has the expertise on the faculties of relevant departments, and can draw on the creativity of students, to help design such alternatives. The pause needed for re-recirculation of this RDEIR can also be used to modify the Master Plan to incorporate these features. There may then not need to be as many new dorms.

Response I21-8
See the response to Comment I20-4.

Comment I21-9
Getting back to the subject of the timing of dorm construction, the current language tying completion of the proposed Water Reclamation Facility to occupancy of the new dorms needs to be revised to tie the letting of construction contracts for new on-campus residences to groundbreaking on the Water Reclamation Facility, so there is reason to believe the one will be completed in time to serve the others, sparing the campus community, and donors, the demoralizing sight of expensive buildings sitting completely empty, mothballed, for however long it might take to bring the Water Reclamation Facility online.

Response I21-9
Mitigation Measure 3.14-3 is formulated specifically to require Cal Poly to initiate operation of its proposed Water Reclamation Facility (WRF), in sufficient time to offset potable water demand associated with campus growth accommodated under the Master Plan. There is no evidence to suggest that new student housing would sit empty for an extended period. For more information, please see also the responses to Comment L8-13 and I11-1.

Comment I21-10
Again apologizing for the scattershot nature of these comments, a major issue relative to Cultural Resources is the apparent failure to consult with the Northern Chumash Council. Two tribes are mentioned as having been consulted with. One is completely appropriate and necessary: Yak Tityu Yak Tilhini. The other seems like a geographical stretch. The Desert Cahuilla of the Torres Martinez Reservation have a beautiful culture, but their area of heritage and responsibility is 300 miles from Cal Poly, in the Lower Coachella Valley near the Salton Sea. Why are they consulted and not the Northern Chumash Council?

Response I21-10
This comment questions the level of tribal consultation that occurred as part of the Draft EIR. The yak titᵓu yak tiłhini is a tribe of Northern Chumash. Assembly Bill (AB) 52, signed by the California Governor in September of 2014, established a new class of resources under CEQA: "tribal cultural resources," defined in Public Resource Code (PRC) 21074. Pursuant to PRC Sections 21080.3.1, 21080.3.2, and 21082.3, lead agencies undertaking CEQA review must, upon written request of a California Native American Tribe, begin consultation before the release of an environmental

impact report. In order to participate in AB 52 tribal consultation, a tribe must request, in writing, to be notified by lead agencies through formal notification of proposed projects in the geographic area with which the tribe is traditionally and culturally affiliated (PRC Section 21080.3.1b). Because no tribes had previously requested to be on Cal Poly's notification list, Cal Poly correctly contacted the Native American Heritage Commission and requested a tribal contact list. The Desert Cahuilla of the Torres Martinez Reservation were on that list, and therefore Cal Poly was required by law to contact the Tribe. If other tribes wish to consult, there is a protocol in place, as dictated by AB 52, to ensure they receive notifications of future opportunities to consult.

Comment I21-11
On another issue, I do support a general reduction of turf where its use is primarily "ornamental" and suggest drought-adapted natives, and xeriscaping, to take its place. Turf worth keeping is that actively occupied on a regular basis by students: Dexter lawn in particular. I do support Dexter lawn's planned extension. One additional issue needs addressing there: the coast redwood tree near the center of Dexter Lawn stoically endures, but does not glow with the radiant health that make its species so iconic. It suffers from solitary confinement unnatural to its species. Coast redwoods' nature is to form GROVES, and this tree should be surrounded by young others of its species, who can then develop the interconnections and mycorrhizal networks that make for actual thriving.

Response I21-11
The comment does not raise address environmental issues or the adequacy of the EIR. The comment is acknowledged.

Comment I21-12
Summing up what needs to be done before we have before us a re-revised Draft EIR worthy of moving on to the Final EIR stage after receiving public comment:

Response I21-12
See the response to Comment I20-3.

Comment I21-13
The Revised Master Plan, being in some ways different from the previous one, can advantageously be further revised to better align with stated goals such as increasing student diversity, for which truly affordable living options are needed, and to better prepare students for the world they will be living in, which for some, leads into the 22nd Century, a time when, if humanity is to thrive, such phenomena as industrial monoculture and confined animal facilities will be historic relics.

Response I21-13
The comment does not address environmental impacts or the adequacy of the Draft EIR, but instead addresses goals of the Master Plan itself, which is outside of the scope of CEQA.

Comment I21-14
Being a new plan, its environmental review can then be restarted in an orderly way, including scoping. To make mitigation measures credible, the new Master Plan needs an actual PLAN for funding both capital and operational needs, the latter in an ongoing way.

Response I21-14
See responses to comments I20-3 regarding recirculation, I21-2 regarding the EIR process, and I20-9 regarding economic effects and comments on the Master Plan itself.

Comment I21-15
The proposed Faculty Housing northeast of Slack and Grand should either be re-incorporated into the re-revised Master Plan, or the environmental review of both should be cross-referenced in such a way that cumulative impacts of the two projects can be reliably addressed.

Response I21-15
See the response to Comment I21-3.

Comment I21-16
A more complete inventory of greenhouse gas emissions sources, including from materials and products brought to, and used on, campus, can be performed, and lost drawdown from soil covered by new buildings can be incorporated as part of the total impact. Complete mitigation from on-campus features and practices should then be sought, with dependence on purchase of offset credits avoided if at all feasible.

Response I21-16
See the responses to Comments I20-4 and I20-5

Comment I21-17
Campus development must be tied sequentially to needed water coming online, and all sources that will be sought during the entire duration of the Master Plan need to be fully inventoried, and the impacts on the sources drawn from, and of conveyance to campus, need to be revealed and mitigated to the extent feasible. Given clear evidence of the sought purchase of water from Morro Bay, the consequences of drawing on that source must be revealed and explored, along with comparable consequences relating to any other source being sought.

Response I21-17
See the responses to Comments I11-1 and I20-13.

Comment I21-18
Full consultation with any applicable LOCAL tribes must be carried out.

Response I21-18
See the response to Comment I21-10. Cal Poly followed the proper procedures for notifying interested tribes, as required by AB 52. As discussed under Impact 3.4-3 on page 3.4-19, neither tribe responded within the 30-day period mandated by PRC Section 21080.3.1(d). Therefore, Cal Poly has fulfilled its obligations for consultation.

Comment I21-19
The re-revised Draft EIR needs to reveal to the public whatever mechanisms of recourse the public will have available, throughout the lifetime of the Master Plan, to check on the performance of promised mitigation measures, and to enforce compliance therewith.

Response I21-19
See the responses to Comments I20-3, I20-6, and I20-7.

Letter I22 Mona Tucker

February 2, 2020

Comment I22-1
I have reviewed the section 3.4 Archaeological, Historical and Tribal Cultural Resources.

3.4 provides limited examples prehistoric physical formal and informal artifacts: In addition to the items mentioned, it would be appropriate to mention: items made from various stone, various shell and various animal bone. There is of course a very long list of items that could be included but an archaeologist trained in Northern Chumash cultural materials and a Northern Chumash Native American Monitor will know the numerous possibilities by site.

Response I22-1
This comment includes additional examples of prehistoric artifacts. The comment appears to refer to the second paragraph on page 3.4-1. The introductory text on that page is meant to give the reader a general idea of the different types of cultural resources. As noted in the comment, a long list of items could be included, but that text is not meant to provide a list of known prehistoric artifacts, context for analysis, or requirements for mitigation

measures. The comment does not raise any environmental issues related to the adequacy of the EIR analysis, and no further response is required. The comment is included within the record for consideration by the decisionmakers as part of the 2035 Master Plan approval process.

Comment I22-2

3.4.2 Environmental Setting REGIONAL PREHISTORY:

The statement that our homeland territory was approximately north to Point Estero isn't accurate. The Northern Chumash homeland would be as far north as approximately Ragged Point.

Response I22-2

The comment notes an error in the "Regional Prehistory" section of the Draft EIR. The second sentence of the first full paragraph on page 3.4-9 of the Draft EIR has been revised as follows:

> The city and county of San Luis Obispo are located within the area historically occupied by the Obispeño Chumash, the northernmost of the Chumash people of California. The Obispeño Chumash occupied much of San Luis Obispo County, including the Arroyo Grande area, and from the Santa Maria River north to approximately Ragged Point ~~Point Estero~~. The earliest evidence of human occupation in the region comes from archaeological sites along the coast (Breschini, Haversat, and Erlandson 1996; Moratto 1974). The period after A.D. 1000 was a time of emergent political and complexity, development of social ranking, and the rapid development of craft specialization along the Santa Barbara Channel. It was also marked by a decrease in climatic pressure. By the end of this period, the Chumash population had been decimated by foreign disease and declining birthrates (City of San Luis Obispo 2014b).

Comment I22-3

3.4.2 Environmental Setting REGIONAL PREHISTORY

Ethnography:

This section states that the Northern Chumash were bordered on the north by the Salinan Playano. I'm concerned that the mysterious Playano people are being misrepresented as a Salinan group. I would like to see the research that states there was Salinan-Playano group of indigenous people as Playano isn't the same as Salinan.

Response I22-3

The comment expresses the belief that the Playano are not a Salinan group. The comment does not raise any environmental issues related to the adequacy of the EIR analysis, and no further response is required. The comment is included within the record for consideration by the decisionmakers as part of the 2035 Master Plan approval process. Nonetheless, in recognition of the importance to accurately characterize local Native American history, the text of the EIR has been revised to indicate the broader "Migueleno" group. The second sentence of the paragraph under "Ethnography" on page 3.4-9 of the Draft EIR has been revised as follows:

> The Master Plan Area was historically occupied by the northernmost subdivision of the Chumash, the Obispeño (after Mission San Luis Obispo de Tolosa), with the Salinan bordering to the north. However, the precise location of the boundary between the Chumashan-speaking Obispeño Chumash and their northern neighbors, the Hokan-speaking Migueleno ~~Playanos~~ Salinan, is currently the subject of debate, as those boundaries may have changed over time.

Comment I22-4

Mitigation in general:

Much is said about mitigation measures but avoidance should always be the first consideration in any mitigation discussion. There are construction designs that may be able to eliminate the typical trenched footing for a building as the "mat slap" type of foundation is no longer uncommon. Trenching can sometimes be more narrow and sometimes trenching can be eliminated with "boring." But, boring has to be carefully designed as in order for it to protect cultural soil, it has to be a depth that is below cultural material.

Response I22-4
The comment contains recommendations related to mitigation measures but does not contain specific requests for modifications. Subsurface investigation (i.e., boring), is discussed in the description of Mitigation Measure 3.4-2a, item 3. Resource avoidance and project modification are discussed in the description of Mitigation Measure 3.4-2a, item 5. No further response is necessary.

Comment I22-5
I appreciate that you will be training Cal Poly personnel and all contractors on how to recognize evidence of prehistoric places and people. I recommend that you acquire a collection of formal and informal replica artifacts plus an example of midden type soil for personnel to see and handle first hand. I further recommend that a brief history the indigenous people of San Luis Obispo County and region be included in this cultural sensitivity training.

Response I22-5
The comment makes recommendations regarding cultural sensitivity training. Replica artifacts and specifics regarding ethnohistory may be used as part of mitigation implementation, pending further coordination with interested tribes under PRC Sections 21080.3.1 and 21080.3.2.

Letter I23 Brian Clark

February 3, 2020

Comment I23-1
Attached is a pdf of my comment to the DEIR.

I am a proud member of the Cal Poly community. I feel privileged to be surrounded by such brilliant and devoted staff and students in the Natural Resources and Environmental Sciences Department, who have collectively contributed to a movement of diverse information and approaches to problem solving that has shaped the scientist I am today.

As students in the B.S. Environmental Management and Protection major, we are expected to critique and improve the legitimacy of environmental documents under CEQA. However, the classroom expectations placed upon us-to dive into environmental review documents, in my experience, have always been absolved from real-world application upon the deliverance of an academic grade.

I write to you as a graduate of Environmental Management as a student in the M.S. Agriculture Specialization in Soil Science Program to express my concern regarding the paucity of accounting for soil greenhouse gas emission in the Cal Poly 2035 Master Plan recirculated Draft Environmental Impact Report (DEIR).

In the 1800-page recirculated DEIR, I keyword searched "sequestration" and it only occurred once[1], on page 3.8-9, under the local regulatory setting section, in a policy measure within the Air Quality Goal Number 4 of the County of San Luis Obispo.

[1]Facilities Management & Development-Cal Poly. 2019. Draft Environmental Impact Report for the 2035 Master Plan: 1–1879. https://afd.calpoly.edu/facilities/planning-capital-projects/ceqa/master-plan/ (accessed 29 January 2020).

This alarms me. Given, the potential of soils to minimize impacts from human greenhouse-gas emissions with carbon drawdown[2], I see two major failures in this document:

[2]Lal, R. 2004. Soil carbon sequestration impacts on global climate change and food security. Science 304(5677): 1623–1627. doi: 10.1126/science.1097396

1) There is no mention in this document of the impact that will incur given the amount of land in the development footprint that hosts "undisturbed soil" that will be type-converted into impervious-covered soil or removed entirely during excavation (as in the case of a bedrock foundations). This sort of disturbance (pavement or excavation) should certainly qualify as an impact to greenhouse gas emissions due to the disruption of the physical soil structure and living microbial communities that work together to retain carbon belowground.

I've attached a research article that compared carbon and nitrogen pools in soils beneath impervious surfaces and open-air soils in New York[3]. The authors found depleted soil carbon stocks and microbial activity in the impervious-coated soil as compared to the control. Any soil carbon loss with conversion to impervious soils should be included in the Cal Poly DEIR.

[3]Raciti, S.M., L.R. Hutyra, and A.C. Finzi. 2012. Depleted soil carbon and nitrogen pools beneath impervious surfaces. Environ. Pollut. 164: 248–251. doi: 10.1016/j.envpol.2012.01.046.

These calculations are the type of assignment undergraduate soil science students are expected to complete in 400-level related coursework. I find it disheartening that such a calculation wasn't even considered given the amount of in-house energy that is already practicing such problem solving.

I want to highlight two project objectives listed in the recirculated DEIR (page 2-21):

Objective 2 of 11: Enhance academic quality and student success through Cal Poly's "Learn by Doing" teaching methodology through the provision of physical facilities that allow students to take a hands-on approach and conduct project- based learning.

Objective 9 of 21: Advance campus-wide environmental sustainability and make progress toward goals of carbon neutrality and climate resilience.

While impacts to "soil carbon" are not included under the CEQA Appendix G Checklist[4] for Geology and Soils, under the Greenhouse Gas Emissions section, the checklist asks, would the project:

[4]Association of Environmental Professionals. 2019. Statutes and Guidelines of the California Environmental Quality Act.

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

I believe the analysis in the recirculated DEIR fails to it fails to investigate the role of the soil ecosystem, that otherwise would not be disturbed, to draw down greenhouse gases from the atmosphere.

While in my experience, the interconnectedness of soils and greenhouse gas emissions are not extensively discussed in CEQA review documents, I am astonished that Cal Poly failed to rise above the status quo to consider such project impacts and or propose restorative soil mitigation measures to offset greenhouse gas emissions in the recirculated DEIR. This is especially surprising, given Cal Poly's institutionalized commitment[1] to sustainable development (objective 9 above), and given its well-regarded aptitude and recognition for a hands-on learning approach (objective 2 above).

Pursuant to Section 15064 (b) (1), CEQA Guidelines[4] say that the role of the lead agency in determining whether or not a project will have a significant impact "calls for careful judgment on part of the public agency involved, based to the extent possible on scientific and factual data". I am not convinced that there has been a "careful" analysis "to the extent possible" on the depth of the impact associated with greenhouse gas emissions. There is no mention of why investigating the amount of soil disturbed as it pertains to displacement of carbon from the soil into the atmosphere is not feasible.

Response I23-1

The comment suggests that the GHG analysis should have quantified GHG emissions associated with the conversion to impervious soils due to increased land use development. As shown on Figure 3.2-1 of the Draft EIR, most of the land contained within the developable footprint of the 2035 Master Plan is within the Academic Core of campus, which is characterized primarily as urban and built-up, which implies that the land has already been disturbed by some level of development. In addition, current models and GHG quantification protocols do not include fine-grained methodologies for conducting such analyses and conducting such an analysis would be considered speculative. The analysis conducted in the Draft EIR was conducted in accordance with APCD guidance and State-approved emissions models. Based on the information available at the time the Draft EIR was prepared, and considering the programmatic level of analysis provided in the Draft EIR, GHG emissions from all reasonably and foreseeable sources

(e.g., mobile, building energy, area) were quantified. For further information on the potential for soil carbon sequestration, see the response to Comment I20-4. No further analysis is necessary.

Comment I23-2

2) "Learn by doing" has been the bread-and-butter phrase associated with Cal Poly's academic philosophy. Fortunately, when swaths of land are proposed to get bulldozed on and developed over, the University setting provides an excellent opportunity for students to "learn" about on site mitigation-whether the learning be for themselves, or for a greater audience in the interest of publishing research.

   The definition of "mitigation" includes actions that do the following to an identified impact[4]:

   i. Avoid
   ii. Minimize
   iii. Rectify
   iv. Reduce
   v. Compensate

In a 1990 memorandum[5], the U.S. Department of the Army and Environmental Protection Agency decided that the hierarchy of preferred mitigation is such that: avoidance is prioritized above minimization, and minimization is prioritized above compensation. Furthermore, the document states, "if on-site compensatory mitigation is not practicable, off-site compensatory mitigation should be undertaken in the same geographic area if practicable (i.e., in close proximity and, to the extent possible, the same watershed)".

[5]U.S. Department of the Army and the U.S. Environmental Protection Agency. 1990. Memorandum of Agreement concerning "Mitigation" under the Clean Water Act Section 404 (b)(1).

Under the mitigation section of the Greenhouse Gas Emissions chapter of the DEIR, I do not see an attempt to "rectify" any carbon emissions associated with the project. First there is "Mitigation Measure 3.8-1: Implement On-Site GHG Reduction Measures"[1], which will serve to "reduce" long-term operational impacts from the additional annual greenhouse gas emissions that exceed baseline conditions. I support this mitigation and agree that this is a good way to go about building sustainable structures.

Response I23-2

The comment expresses support for Mitigation Measure 3.8-1. No further response is required. The comment is included within the record for consideration as part of the 2035 Master Plan.

Comment I23-3

Then there is "Mitigation Measure 3.8-2: Purchase GHG Offsets"1, which to me, seems vague and difficult to ensure fulfillment. This measure is encased with non-committal language such as, "Cal Poly may choose to mitigate additional GHG emissions through the purchase of carbon credits available through any one of the following verifiable entities/registries…".

I interpret this as deferred mitigation, and I believe it to be legally inadequate under CEQA due to its infeasibility and lack of performance standards. In regards to mitigation performance standards, Sections 15126.4(c) and 150974, state that the lead agency is "subject to monitoring or reporting, of mitigating the significant effects of greenhouse gas emissions", and the discussion section lacks any such details of how that will occur. Additionally, infeasible mitigation has been ruled inadequate in the courts, e.g. Sundstorm [sic] v. County of Mendocino (1988) 202 Cal. App. 3d 296. The CEQA guidelines define "feasible" as "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors"[4].

Where is the budgeting for Mitigation Measure 3.8-2? Why was the amount of time to compensate the additional efflux of operational greenhouse gases capped at 25 years? I can understand that the total construction emissions were divided up over 25 years to be 833 carbon dioxide equivalent (MTCO2e) per year, but the operational emissions of the project will remain in perpetuity until the building is demolished or renovated. How will this post 25-year

annual operational impact of 7,243 MTCO2e/year be mitigated? This number was calculated using, 12,331 MTCO2e/year (total annual emissions associated with the project, for the first 25 years, taking into account Mitigation Measure 3.8-1), minus 833 MTCO2e/year (construction associated emissions amortized over 25 years), minus 4,255 MTCO2e/year (the mass emission threshold), to generate a total of 7,243 MTCO2e/year from non-construction associated impacts that were not included in the mitigation discussion for the post-25 year era.

Further, the proposed mitigation measure under-estimated the true price of a metric ton of carbon dioxide equivalent. The price of MTCO2e in CA is $15 per ton[6], yet the DEIR claims it is $0.85 to $8.5 per ton. At $15 a ton for a total of 201,900 MTCO2e emitted over 25 years (only), the cost is over $3 million purchased toward carbon offsets. Without any mention of where this cost is going to be paid from, I argue this mitigation is infeasible and non-defendable under CEQA. Additionally, if off-site compensation is to be used, more funds need to be allocated for the post 25-year operational impacts that are missing in the analysis.

[6]Larsen, John. 2018. The Footprint of US Carbon Pricing Plans. Rhodium Group. ttps://rhg.com/research/thefootprint-of-us-carbon-pricing-plans/

Response I23-3

The comment suggests that Mitigation Measure 3.8-2 defers mitigation, questions the available budget to meet GHG mitigation, is concerned with capping operational greenhouse gas emissions at 25 years, and believes the price of GHG offsets were underestimated.

Regarding mitigation deferral, Mitigation Measure 3.8-2 provides clear performance criteria that any GHG offset purchased, for the purpose of mitigating project emissions, must meet, and therefore, complies with State CEQA Guidelines 15126.4(c). The comment also seeks to understand how Cal Poly plans to budget for Mitigation Measure 3.8-2. The mitigation measures, including Mitigation Measure 3.8-2, were developed by Cal Poly and identified as feasible for implementation. The exact funding will be determined as part of the annual budgeting process for all Cal Poly departments and administrative functions. Detailed information regarding the exact budget required for implementation is not considered required or appropriate for presentation as part of the Draft EIR. Refer to the response to Comment I 20-6 for further clarification.

In addition, the comment questions why GHG operational emissions were capped at 25 years. GHG analyses under CEQA typically use 25 years as the operational lifetime of a conventional commercial building and 40 years for new residential buildings. These estimates are derived from the State of California Executive Order D-16-00 and US Green Building Council's October 2003 report on The Costs and Financial Benefits of Green Buildings (Sacramento Metropolitan Air Quality Management District 2009). It should further be noted that GHG emissions quantified for the Draft EIR represent conservative emissions based on known emission and energy consumption rates at the time the analysis was conducted and over time as new structures are built, building standards will have likely become more stringent, resulting in less GHG emissions from newer buildings compared to older buildings. In addition, regulations are currently in place in California that require utilities to increase their use of renewable energy (i.e., California Renewable Energy Portfolio Standard), which would further reduce building related GHG emissions in the future. Likewise, Cal Poly would be required to meet California State University sustainability goals of achieving net zero GHG emissions by 2050 and has made commitments to increase onsite renewable energy sources as described in Mitigation Measure 3.8-1 of the Draft EIR, which would further reduce GHG emissions in the future. In addition, mitigation measures have been imported into the Draft EIR that would reduce transportation-related emissions through a campus wide traffic demand management plan, explained in Section 3.13, "Transportation." Thus, summing operational emissions over a 25-year lifespan is consistent with industry standards, regulatory agency guidance, and would be considered conservative. For further information, see the responses to Comments I20-4 through 120-6.

The comment suggests that the cost of offsetting GHG emissions was under-estimated. Mitigation Measure 3.8-2 of the Draft EIR provided a range of the potential cost to mitigate one metric ton of carbon dioxide, based on the range of prices available from one GHG offset market, at the time the Draft EIR was prepared. The price estimate was provided solely for informational purposes and it was made clear that the information was only an estimate. The price to offset one GHG can vary from day-to-day based on market demand and availability of offsets and the type of project the offset comes from.

Comment I23-4

As described by the U.S. Department of the Army and Environmental Protection Agency[7], I recommend that the University follow the hierarchy of preferred mitigation (described above) and take a more local approach, instead of paying over $3 million to an offset fund that loses community intimacy quickly after the transaction.

[7]Lal, R. 2004. Soil carbon sequestration to mitigate climate change. Geoderma 123: 1–22. doi: 10.1016/j.geoderma.2004.01.032.

As a testimony, in my shared laboratory room on campus in Building 180, there are several grant-funded projects investigating soil carbon and soil greenhouse gas emissions. If I had to bet, the interest pool in this topic is not going to whither, and there will continue to be more faculty-initiated grants that aim to study land management and its impact on soil carbon dynamics, mostly because of its connection to greenhouse gas mitigation and global climate[8].

[8]DeLonge, M.S., R. Ryals, and W.L. Silver. 2013. A Lifecycle Model to Evaluate Carbon Sequestration Potential and Greenhouse Gas Dynamics of Managed Grasslands. Ecosystems 16(6): 962–979. doi: 10.1007/s10021-013-9660-5.

I argue that deferring mitigations for greenhouse gas emissions to an off-site compensation fund is a disservice to the local soil ecosystem and the greenhouse gas regulation services it provides, and to the classes of students that will continue to move through the Cal Poly university system, the same future students that bring us together over this document today.

Response I23-4

The comment suggests that a more local approach to mitigating GHG emission be taken and suggests soil carbon as a means to do this. See the responses to Comments I20-4 and I23-3.

Comment I23-5

Cal Poly owns 9,000 acres of rangeland (some of which is considered farmland). There is a growing body of scientific literature that has provided an array of rangeland management techniques and agricultural strategies to maximize soil C pools such as: regenerative grazing, compost application into wildlands and farmlands, no-till farming, cover cropping, and the list goes on. I suggest contacting campus dining to consider a share in using the abundant food waste that is already being generated on campus to achieve a more collaborative and cost-effective mitigation approach to any impacts from greenhouse gas emissions.

In addition to the University owned land in San Luis Obispo Co., the forests, grasslands, and farmlands of Swanton Pacific Ranch would be an excellent site to consider implementing soil carbon mitigation strategies.

Here are two excerpts from Section 15126.4 of the CEQA Guidelines:

(a) "The discussion of mitigation measures shall distinguish between the measures which are proposed by project proponents to be included in the project and other measures proposed by the lead, responsible or trustee agency, or other persons which are not included but the lead agency determines could reasonably be expected to reduce adverse impacts"

(b) "Where several measures are available to mitigate an impact, each should be discussed and the basis for selecting a particular measure should be identified"

Why is it that reduced-emission project design features and off-site offset measures are included in the mitigation discussion, but any measures to "sequester greenhouse gases", Section 15126.4 (c) (4), are completely left out of the discussion? I believe this document fails to provide an adequate discussion of greenhouse gas mitigation and fails to explore options (e.g. working with faculty, staff and students to sequester soil C) that would foreseeably be more feasible than the ones identified (e.g. more than $3 million to a compensation fund).

Response I23-5

The comment suggests various agricultural strategies to maximize soil C pools such as regenerative grazing, compost application into wildlands and farmlands, among others. Please see the response to Comment I20-4. In addition, the comment suggests that reducing food waste should be considered for GHG emissions reductions. As discussed within Mitigation Measure 3.8-1, Cal Poly has committed to achieving a waste diversion rate of 90 percent by 2040, which

would include food waste. Cal Poly already has a composting program and continues to explore new options to meet waste diversion goals. Regarding the comment to consider sequestration as a means to reduce GHG emissions see the response to Comment I20-4.

Comment I23-6

Another concern I have is not related to the analysis itself, rather the way in which the public comment period for the analysis was not made easily-accessible to the campus community. In a University that has a published vision statement of "building a diverse and inclusive campus community to prepare students for the future"[9], the nature of the comment period-being that the first 3 of 6 weeks for public comment occurred during a campus holiday, and being that there was no encouragement for staff, faculty, and student involvement- seemed contradictory to the above statement. Had it not been for a friend who is extremely devoted to public engagement in environmental affairs, I would have been completely unaware of this opportunity to voice my criticism of the environmental analysis.

[9]California Polytechnic University of San Luis Obispo. University Statements on Diversity and Inclusion. https://diversity.calpoly.edu/university-statements-on-diversity-and-inclusion/ (accessed 29 January 2020).

Response I23-6

The comment expresses the belief that the public comment period was not made easily accessible to the campus community. Please see the response to Comment I20-2 and Master Response 1.

Comment I23-7

In light of the gaps I have identified in accounting for the true cost of soil loss with the proposed plan, I request: 1) an extension and campus-wide announcement of the public comment period so that others can voice their opinion and

Response I23-7

This comment requests extension of the public review period of the Draft EIR for the 2035 Master Plan. Please refer to Master Response 1 for a response to this comment.

Comment I23-8

2) a supplemental EIR on the basis that "significant impacts previously examined will be substantially more severe than shown in the previous EIR" and "mitigation measures considerably different from those analyzed in the previous document would substantially reduce one or more significant effects" in regards to the Greenhouse Gas Emissions section, pursuant to CEQA Guidelines Section 15162 (3).

To clarify, I am not advocating for an addendum to the current recirculated DEIR as this will eliminate opportunities for future public collaboration on these issues. Given the expressed interest of the university to be inclusive and promote sustainable development[19], an effort to remove public participation would be a rash contradiction.

Response I23-8

The comment requests preparation of a supplemental EIR; however, a supplemental EIR can be prepared only after certification of the original EIR. Because the 2017 Draft EIR was not certified and preparation of the 2019 EIR is still in process, there is no certified EIR off which to base a supplemental EIR. The comment is included in the record for consideration as part of the 2035 Master Plan.

Comment I23-9

In summary, while at Cal Poly, I have been encouraged to view ecosystems in terms of their ecosystem services. When it comes to the soil ecosystems, many services are provided, sequestration of carbon being one of them, another one of them being the physical foundation for the construction of a learning facility. I believe this analysis misses the mark, in its failure to investigate and to not even mention the impact that would incur on said soil ecosystem service if the projects associated with the 2035 Master Plan are to be implemented.

Response I23-9

The comment provides summary text. Please see the responses to Comments I23-1 through I23-8.

Letter I24 Austin Gandler

February 3, 2020

Comment I24-1

My name is Austin Gandler, 5th year biochemistry major at Cal Poly and I am writing to comment on the revised EIR for the Cal Poly Master Plan and ask for an extension on the comment period as there has been no informing of the student body of the timeframe or updates in general. I, having a Cal Poly email in addition to this one, did not even receive a letter of notification on the comment period, updated EIR, open forums. nothing.

Response I24-1

This comment states that there was no notification to the student body of the timeframe for public comment of the Draft EIR. In accordance with CEQA Guidelines Section 15087(a), "[n]otice shall be mailed to the last known name and address of all organizations and individuals who have previously requested such notice in writing, and shall also be given by at least one of the following procedures: (1) Publication at least one time by the public agency in a newspaper of general circulation in the area affected by the proposed project. If more than one area is affected, the notice shall be published in the newspaper of largest circulation from among newspapers of general circulation in those areas."

Availability of the Draft EIR was published in the *San Luis Obispo Tribune*, and notices were sent to all who had previously expressed interest. This comment also requests extension of the public review period of the Draft EIR for the 2035 Master Plan. Please refer to Master Response 1 for a response to this comment.

Comment I24-2

I have a strong disagreement with the herding of people-- students, faculty, and now retirees-- into the confines of Cal Poly's campus, a place of historically volatile nature (i.e. SWAT teams for the Milo talk, free speech hate wall, on campus Ag frat with confederate flag and "no N*****s" sign, blackface just bordering campus, countless dorm room sexual assaults (just in my time at Poly!!)). You may be able to force students (who can afford it) to live in this environment in order to obtain a degree from our prestigious state school, but how many faculty and retirees do you expect to take up the offer, knowing Cal Poly's historical dissociation from SLO, the harmful events that have occurred in its borders, as well as their move not allowing them the right to vote in city elections--as Cal Poly is an unincorporated area.

Response I24-2

This comment expresses an opinion related to students, faculty, and retirees living on the Cal Poly campus. This is not a comment on the adequacy of the Draft EIR's analysis, and no further response is necessary.

Comment I24-3

I understand that student enrollment is expected to increase by ~5000 and number of beds expected to increase by 7000 by 2035, but even the predicted cases of Cal Poly-->City of SLO wastewater flow are quite unsure. Either the predictions at the end of Table 1: Summary of Average Annual Wastewater Flows (GPD) of the Wastewater Analysis Appendix are all going to be the worst case scenario (is it worth it? has there been communication with the city about these numbers?) or there is an apparent case false representation of information. An additional 7000 poopers on campus should be enough to dive in to the likely and worst case scenarios more accurately and I encourage both another wastewater analysis by another company other than Watearth and more open communication with the city before taking the liberty to pass your own plan with the same people that wrote it.

Response I24-3

This comment expresses concern related to wastewater flows from Cal Poly and the City's capacity. As noted in the comment, the last lines of Table 1 of the wastewater appendix does show the change in Cal Poly flows to the City's wastewater system, both worst-case scenario and likely-case scenario. Both scenarios show that flows to the City would be reduced (negative values), except for the possible 2025 worst-case scenario. This is related to timing of construction of the WRF. This is more fully explained in Section 3.14, "Utilities and Service Systems," of the Draft EIR, in

the discussion of Impact 3.14-4. As discussed on page 3.14-20, with the existing agreement between Cal Poly and the City to convey and treat a daily dry weather flow of up to 471,000 gallons per day (gpd) of wastewater from the campus and baseline wastewater generation of 197,557 gpd, ample capacity remains for some additional Master Plan development, particularly with implementation of planned water conservation measures and off-campus demand reductions (Table 3.14-10). Adequate wastewater treatment capacity would be available to meet future demands if the WRF is operational as projected, with the first phase completed in 2022 and second phase completed in 2028. There is also adequate wastewater treatment capacity to meet future demand up through 2030. However, without the capacity derived from reclaimed water production at the WRF, there would not be adequate treatment capacity at the City's Water Resource Recovery Facility at buildout in 2035. Implementation of Mitigation Measures 3.14-4a and 3.14-4b would require Cal Poly to demonstrate that adequate wastewater capacity is available to serve all Master Plan projects before it initiates operation of any new facilities or developments. Specifically, the WRF must be available for use, and Cal Poly must implement inflow and infiltration reduction projects and enhanced conservation measures before any new facilities or developments may operate. Therefore, implementation of the 2035 Master Plan would not result in inadequate wastewater conveyance or treatment capacity.

Comment I24-4

If there is another comment period after (hopefully) these revisions take place, PLEASE NOTIFY THE STUDENTS, PLEASE ALLOW ADEQUATE TIME (i.e. not start the period when students are separated from each other during breaks so half the comment period people are unsure even where/when the information was published) for response, and PLEASE hold and advertise info sessions so that the student body and administration may work together to make the future of Cal Poly welcoming and responsible. Thank you for the opportunity to comment.

Response I24-4

The comment requests recirculation of the Draft EIR before another comment period. As noted in the responses to the comments received during public review of the Draft EIR, no new significant impacts, substantial increases in the severity of impacts, substantially different project alternatives that would reduce environmental impacts of the project and that are required to be analyzed under CEQA to constitute a reasonable range of alternatives, or errors/omissions that render the Draft EIR inadequate have been identified. As a result, substantial new information, as defined by the State CEQA Guidelines Section 15088.5, has not been presented. For this reason, recirculation of the Draft EIR is not required under CEQA and is not required before the Trustees consider the EIR for certification.