

AGENDA

COMMITTEE ON CAMPUS PLANNING, BUILDINGS AND GROUNDS

**Meeting: 2:15 p.m., Tuesday, January 25, 1999**  
**Glenn S. Dumke Conference Center**

Ali C. Razi, Chair  
Stanley T. Wang, Vice Chair  
**Debra S. Farar**  
Harold Goldwhite  
Joan Otomo-Corgel  
Frederick W. Pierce IV  
Michael D. Stennis  
Anthony M. Vitti

**Consent Items**

Approval of Minutes of November 16, 1999

1. Amend the 1999/2000 Capital Outlay Program, Nonstate Funded *Action*
2. Purchase of Real Property *Action*
3. Status Report on the California State University, Northridge—University Club *Information*

**Discussion Items**

4. Status Report on the 2000/01 State Funded Capital Outlay Program—Governor's Budget, *Information*
5. Annual Report on Completed CSU Capital Outlay Projects *Information*
6. Certify a Final Program Environmental Impact Report, Approve the Campus Master Plan Revision and Amend the Nonstate Funded Capital Outlay Program for the Student Housing Project at California Polytechnic State University, San Luis Obispo *Action*
7. Approval of Schematic Plans *Action*

**MINUTES OF MEETING OF  
COMMITTEE ON CAMPUS PLANNING, BUILDINGS AND GROUNDS**

**Trustees of The California State University  
Office of the Chancellor  
Glenn S. Dumke Conference Center  
401 Golden Shore  
Long Beach, California**

**November 16, 1999**

**Members Present**

Stanley T. Wang, Vice Chair  
Harold Goldwhite  
William Hauck, Chairman of the Board, ex officio  
Joan Otomo-Corgel  
Frederick W. Pierce IV  
Charles B. Reed, Chancellor, ex officio  
Michael D. Stennis

**Members Absent**

Ali C. Razi, Chair  
Anthony M. Vitti

**Other Trustees Present**

William D. Campbell  
Dee Dee Myers  
Ralph R. Pesqueira

**Chancellor's Office Staff**

David S. Spence, Executive Vice Chancellor and Chief Academic Officer  
Richard P. West, Executive Vice Chancellor and Chief Financial Officer  
Jackie R. McClain, Vice Chancellor, Human Resources  
Douglas X. Patiño, Vice Chancellor, University Advancement  
Christine Helwick, General Counsel  
J. Patrick Drohan, Assistant Vice Chancellor, Capital Planning, Design and Construction

In the absence of Trustee Razi, chair, Vice Chair Wang greeted the audience and called the meeting to order at 3:05 p.m.

Trustee Wang opened the meeting by congratulating Patrick Drohan with his new title, assistant vice chancellor, capital planning, design and construction.

**Approval of Minutes**

The amended minutes of May 11, 1999, were approved with the note that at the top of page 4, the strikethrough is to be deleted.

The amended minutes of July 7, 1999, and the minutes of September 14, 1999, were approved as submitted.

Amend the 1999/2000 Capital Outlay Program, Nonstate Funded

With the concurrence of the committee, Vice Chair Wang presented Agenda Item 1 as a consent action item.

**The committee recommended approval by the board of the proposed resolution (RCPBG 11-99-18).**

#### **Acceptance of Interest in Real Property**

With the concurrence of the committee, Vice Chair Wang presented Agenda Item 2 as a consent action item.

**The committee recommended approval by the board of the proposed resolution (RCPBG 11-99-19).**

Certify a Final Environmental Impact Report, Approve the Campus Master Plan Revision, and Amend the Nonstate Funded Capital Outlay Program for the Multi-Purpose Event Center at California State University, Fresno

**Vice Chair Wang requested Patrick Drohan, assistant vice chancellor, capital planning, design and construction, to present the item. With the aid of a map of the campus and a video presentation, Mr. Drohan briefly reviewed the item as printed in the agenda. He noted that the five environmental impact items that were of concern to the university's community have been resolved, including the issues of traffic mitigation.**

**President Welty reiterated that the university has worked with the cities of Fresno and Clovis to resolve the traffic issues. The proposed site is actually in the city of Fresno and borders on the city of Clovis. The president stated that the city of Clovis expressed concerns early in the EIR process particularly with a nearby intersection. He said that while the university is unable to participate financially in mitigating this issue (approximately \$90,000), the university has pledged to work cooperatively with the city to seek the support it will need to make the changes in the intersection.**

**President Welty indicated that the university has also pledged support to the city of Fresno regarding traffic issues on Chestnut Avenue. Fresno will be conducting further studies to determine what alternatives exist to resolve the issues.**

**Trustee Otomo-Corgel inquired as to the anticipated cost of the suites in the multi-purpose arena and whether the students are going to be offered seating in the center court area. She indicated that she has received numerous calls telling her that the student seating will be located at the ends of the court.**

**President Welty stated that the suites are being leased on a 5-, 7-, or 10-year basis ranging from \$60,000 to \$45,000 per year. He said that of the 32 suites, 28 have been leased as of the date of this meeting.**

**Regarding seating in the facility, President Welty indicated that 2,000 seats have been set aside for students; the specific location is to be determined. He continued by saying that there is some interest in the community to provide financial support to assure good student seating. There is a committee working on this project as part of the overall fundraising process.**

**The committee recommended approval by the board of the proposed resolution (RCPBG 11-99-20).**

### **Approval of Schematic Plans**

This item proposes the approval of schematic plans for the San Diego State University, Residential Suites and Residential Dining Complex and the schematic plans for the California State University, San Marcos, Library Information Center. Using a computerized presentation, Mr. Drohan reviewed the item as printed in the agenda. He stated that for both projects the appropriate CEQA documentation had been prepared and approved.

**The committee recommended approval by the board of the proposed resolution approving schematic plans for both projects (RCPBG 11-99-21).**

### **Adjournment**

The meeting adjourned at 3:25 p.m.

**BRIEF**

**Action Item**

Agenda Item 1  
January 25-26, 2000

**COMMITTEE ON CAMPUS PLANNING, BUILDINGS AND GROUNDS**

**Amend the 1999/2000 Capital Outlay Program, Nonstate Funded**

**Presentation By**

J. Patrick Drohan, Assistant Vice Chancellor  
Capital Planning, Design and Construction

**Summary**

This agenda item requests approval to amend the 1999/2000 Nonstate Funded Capital Outlay Program to include the following projects:

1. California State University, Fullerton Sports Complex	PWCE	\$ 3,000,000
2. California State University, Fullerton Student Housing	PWCE	\$20,879,000
3. California State Polytechnic University, Pomona Los Olivos Commons Expansion and Dining Upgrades	PWCE	\$ 810,000
4. California State Polytechnic University, Pomona Student Housing	PWCE	\$21,933,000
5. California State University, Sacramento Parking Structure II	PWC	\$ 9,754,000
6. San Diego State University Aztec Center "La Tienda" Addition	PWCE	\$ 492,000
7. San Diego State University Parking Structure 6	PWC	\$17,080,000
8. San Jose State University Microelectronics Process Engineering Lab	PWCE	\$ 2,846,000

**Recommended Action**

Approval of the resolution.





project renovates an existing 2,400 GSF suite of teaching laboratories in the engineering building. The facility will provide students with “hands-on” experience in process engineering and fabrication used in microelectronics, data storage, flat panel displays, bio-chip, and other industries typical of Silicon Valley. The project will be entirely donor-funded. Construction will not proceed until funds are secured.

The following resolution is recommended for approval:

**RESOLVED**, By the Board of Trustees of The California State University, that the 1999/2000 Nonstate Funded Capital Outlay Program is amended to include: (1) \$3,000,000 for preliminary plans, working drawings, construction and equipment for the California State University, Fullerton, Sports Complex project; (2) \$20,879,000 for preliminary plans, working drawings, construction and equipment for the California State University, Fullerton, Student Housing project; (3) \$810,000 for preliminary plans, working drawings, construction and equipment for the California State Polytechnic University, Pomona, Los Olivos Commons Expansion and Dining Upgrades project; (4) \$21,933,000 for preliminary plans, working drawings, construction and equipment for the California State Polytechnic University, Pomona, Student Housing project; (5) \$9,754,000 for preliminary plans, working drawings, and construction for the California State University, Sacramento, Parking Structure II project; (6) \$492,000 for preliminary plans, working drawings, construction and equipment for the San Diego State University, Aztec Center “La Tienda” Addition; (7) \$17,080,000 for preliminary plans, working drawings, and construction for the San Diego State University, Parking Structure 6 project; and (8) \$2,846,000 for preliminary plans, working drawings, construction and equipment for the San Jose State University, Microelectronics Process Engineering Lab project.

**BRIEF**

**Action Item**

Agenda Item 2  
January 25-26, 2000

**COMMITTEE ON CAMPUS PLANNING, BUILDINGS AND GROUNDS**

**Purchase of Real Property**

**Presentation By**

J. Patrick Drohan, Assistant Vice Chancellor  
Capital Planning, Design and Construction

**Summary**

This item includes a resolution authorizing CSU Channel Islands to acquire a 35-acre parcel of land adjacent to the campus. The land would be purchased with donated funds and incorporated into the campus master plan at a future board meeting.

**Recommendation**

Approval of the resolution.

## ITEM

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Agenda Item 2  
January 25-26, 2000

### COMMITTEE ON CAMPUS PLANNING, BUILDINGS AND GROUNDS

#### **Purchase of Real Property**

The CSU Channel Islands Foundation has received a grant in the amount of \$150,000 that was specifically directed for the purchase of approximately 35 acres adjacent to the campus. The property is currently undeveloped natural terrain covered with native plants. It is proposed that the foundation donate the money to the CSU to purchase the land pursuant to authority in Section 89720 of the Education Code. The property would provide an open space firebreak for the campus's proposed residential development. CSUCI has completed a phase I environmental assessment on the parcel and found no existing conditions that would create a liability to the CSU. This is an important opportunity for the campus to establish the initial element of a future open space wildlife habitat preserve next to campus development that would mitigate impacts associated with its residential projects. The proposal is consistent with the "green campus" development concept in the campus's on-going master planning efforts.

The following resolution is recommended for approval:

**RESOLVED**, By the Board of Trustees of The California State University, that the campus president or designee is authorized to purchase from gift proceeds approximately 35 acres of undeveloped natural terrain adjacent to CSU Channel Islands with funds donated to the campus for that purpose.

**BRIEF**

**Information Item**

**Agenda Item 3**  
January 25-26, 2000

**COMMITTEE ON CAMPUS PLANNING, BUILDINGS AND GROUNDS**

**Status Report on the California State University, Northridge—University Club**

**Presentation By**

J. Patrick Drohan, Assistant Vice Chancellor  
Capital Planning, Design and Construction

**Summary**

This item presents a status report on the CSU Northridge University Club project presented to the Board of Trustees at the May 1999 meeting.

## ITEM

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Agenda Item 3

January 25-26, 2000

### COMMITTEE ON CAMPUS PLANNING, BUILDINGS AND GROUNDS

#### **Status Report on the California State University, Northridge—University Club**

At the May 1999 meeting, the Board of Trustees approved the schematic design for the CSU Northridge University Club with the condition that the campus engage a general contractor to review the plans and the architect's cost estimate for the purpose of reducing the project's cost. In conjunction with that review, the University Corporation contracted with a marketing consulting firm to assist in testing the project's program statement, pro forma business plans, and design criteria. The consultant performed market research within the trade area serviced by the club. In general, the consultant's findings validated the program statement and business plan. However, research indicated a demand for meetings/conference space within the club that the current design does not accommodate. Additionally, the research suggested that a design theme more evocative of CSU Northridge and the San Fernando Valley would have greater appeal than the architectural intensity of the initial design and its wine country theme.

Based on these findings, the university decided to redesign the project. The campus is currently revising the program statement to incorporate the market research findings, where appropriate. Once this effort is completed, CSU Northridge will present the project's revised schematic plans for review and approval by the Board of Trustees at a future meeting.

**BRIEF**

**Information Item**

Agenda Item 4  
January 25-26, 2000

**COMMITTEE ON CAMPUS PLANNING, BUILDINGS AND GROUNDS**

**Status Report on the 2000/01 State Funded Capital Outlay Program—Governor's Budget**

**Presentation By**

J. Patrick Drohan, Assistant Vice Chancellor  
Capital Planning, Design and Construction

**Summary**

The California State University's proposed 2000/01 Capital Outlay Program and Five-Year Capital Improvement Program 2000/01 through 2004/05 were presented at the September 1999 Board of Trustees' meeting. Although the 2000/01 state funded request identified campus needs totaling \$505.5 million, the trustees approved a priority list totaling \$153.3 million based on the anticipated funding level from the 1998 four-year general obligation bond measure (Proposition 1A). The trustees also requested that the chancellor explore with the governor and legislature possibilities of funding the entire \$505.5 million program. The CSU priority list includes completion of previously funded projects, telecommunication infrastructure, seismic safety, renovation, and growth projects for campuses to meet enrollment demands.

The governor's proposed 2000/01 budget is scheduled to be published prior to the January board meeting. A comparison between the CSU 2000/01 State Funded Capital Outlay Program request and the funding level included in the Governor's Budget will be distributed at the meeting.

**BRIEF**

**Information Item**

**Agenda Item 5**  
January 25-26, 2000

**COMMITTEE ON CAMPUS PLANNING, BUILDINGS AND GROUNDS**

**Annual Report on Completed CSU Capital Outlay Projects**

**Presentation By**

J. Patrick Drohan, Assistant Vice Chancellor  
Capital Planning, Design and Construction

**Summary**

In accordance with Board of Trustees' policy established in September 1999, a summary report of capital outlay projects completed in 1999 is being presented for information.

## **ITEM**

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Agenda Item 5  
January 25-26, 2000

### **COMMITTEE ON CAMPUS PLANNING, BUILDINGS AND GROUNDS**

#### **Annual Report on Completed CSU Capital Outlay Projects**

In accordance with Board of Trustees' policy established in September 1999, this item presents a summary report of CSU capital outlay projects completed in 1999. The report will be distributed at the meeting and includes performance data on all projects completed between October 1, 1998, and September 30, 1999, regardless of fund source. The information presented will illustrate each project's budgetary and schedule performance, as well as the performances of the project's architect and contractor.

## **BRIEF**

**Action Item**

Agenda Item 6  
January 25-26, 2000

### **COMMITTEE ON CAMPUS PLANNING, BUILDINGS AND GROUNDS**

**Certify a Final Program Environmental Impact Report, Approve the Campus Master Plan Revision and Amend the Nonstate Funded Capital Outlay Program for the Student Housing Project at California Polytechnic State University, San Luis Obispo**

#### **Presentation By**

J. Patrick Drohan, Assistant Vice Chancellor  
Capital Planning, Design and Construction

#### **Brief and Executive Summary**

##### *Brief*

This item requests the following actions by the Board of Trustees for a student housing project at California Polytechnic State University, San Luis Obispo:

- Certification of a Final Program Environmental Impact Report (FEIR)
- Approval of a Campus Master Plan Revision
- Approval of an Amendment to the 1999/2000 Nonstate Funded Capital Outlay Program

The campus master plan revision proposes the construction of an apartment-style residence facility that will accommodate approximately 800 students. Each unit will consist of bedrooms, a living/dining area, bathroom and kitchen. In addition to the apartments, there will be approximately 5,000 gross square feet of academic and multi-purpose space. The project will be built on six acres of undeveloped land north of the existing North Mountain Residence Halls. Construction is scheduled to begin in May 2001 and to be completed in August 2002 with occupancy planned for fall 2002. The estimated cost is \$34 million. This will be the campus's first student housing project built in over 25 years, and is Phase I of the Housing Long-Range Strategic Plan developed in 1996.

The FEIR is in the agenda mailout. The following attachments are included in this item:

- Attachment A is the proposed campus master plan dated January 2000.
- Attachment B is the existing campus master plan dated March 1997.
- Attachment C is the Finding of Fact & Statement of Overriding Consideration.
- Attachment D is the Environmental Mitigation Measures Monitoring and Reporting Plan.

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CPB&G  
Agenda Item 6  
January 25-26, 2000

*Executive Summary*

This executive summary identifies remaining potential contested issues raised through public participation, with CSU responses.

The one remaining potential contested issue raised through the public participation process follows:

**Mitigation of the Loss of Deep-Soil Annual Grasslands.** One comment on the Draft EIR recommended that the university consider requiring the permanent preservation of equivalent habitat elsewhere on campus as mitigation for the permanent loss of biological resources that may result from the construction of the project.

**CSU Response:** The Draft EIR concludes that the permanent loss of annual grasslands associated with the project is an unavoidable adverse impact for which no feasible mitigation is available. Determining the future use of land on-campus which is currently grassland is the statutory responsibility of the Board of Trustees, which should not be constrained. Future action by the board is subject to compliance with CEQA, which provides an adequate protection measure and balance with other societal needs.

**Recommended Action**

Approval of the resolution.

## ITEM

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Agenda Item 6  
January 25-26, 2000

### COMMITTEE ON CAMPUS PLANNING, BUILDINGS AND GROUNDS

#### **Certify a Final Program Environmental Impact Report, Approve the Campus Master Plan Revision and Amend the Nonstate Funded Capital Outlay Program for the Student Housing Project at California Polytechnic State University, San Luis Obispo**

##### **Background**

CPSU San Luis Obispo currently houses over 2,780 students. The proposed project is the first campus housing project in over 25 years and is Phase I of the university's Housing Long-Range Strategic Plan developed in 1996. Cal Poly's goal is to increase the amount of housing available to returning students and to provide the student population with convenient and affordable housing. The environmental impact report studied several potential housing sites on campus and concluded that the proposed site north of the North Mountain Residence Halls is the environmentally superior alternative. During the project's assessment and planning phases, the university held public discussions, meetings and open forums to receive input and to develop the goals and objectives for the project. Continuing discussions are being held with students, faculty, staff, and campus neighbors addressing environmental issues and improvements that can be incorporated into the design of the student housing project.

##### **Project Summary**

The proposed project includes an apartment-style residence facility that will accommodate approximately 800 students. Each unit will consist of bedrooms, a living/dining area, bathroom and kitchen, plus "state of the art" computer and communications infrastructure. The university retained a firm to conduct a market study. The study concluded the campus had an unmet demand for student housing of up to 1,400 beds based on the limited supply within the City of San Luis Obispo and increased competition for the facilities. Cal Poly has placed a priority on providing additional housing for its students. The project will be built on six acres of undeveloped land north of the North Mountain Residence Halls. Plans are being developed to provide additional parking and to improve lighting at the existing parking lot. The design will respond to the slope of the site as well as the visual character of the area. Buildings will utilize durable and sustainable materials.

In addition to the apartments, there will be academic and multi-purpose space of approximately 5,000 gross square feet. Amenities include laundry rooms, mailbox distribution areas, interior and exterior maintenance storage areas and bicycle storage areas. The project will also have a variety of outdoor study and recreational areas with well lighted walkways. Existing drainage swales and riparian habitat will be improved by utilizing native vegetation and retention ponds, enhancing the biological resources at the site.

### **Campus Master Plan Revision**

The proposed campus master plan revision refines and expands the development of the campus. The project components add a student housing project and previously approved minor master revisions as follows: replacement of the crops science unit; relocation of the corporation yard/farm shop; reconfiguring the campus store; and adjusting the location of the utilities upgrade water reservoir. The proposed revisions are identified with a hexagon numbering system on Attachment A as indicated below:

- Hexagon 1: Site for Student Housing and Adjacent Parking
- Hexagon 2: Site for Crops Science Unit Addition
- Hexagon 3: Site for the Relocation of Corporation Yard/Farm Shops
- Hexagon 4: Site for Campus Store
- Hexagon 5: Site for Utilities Upgrade Water Reservoir

### **Amend the 1999/2000 Nonstate Funded Capital Outlay Program and Fiscal Impact**

The university wishes to amend the 1999/2000 Nonstate Funded Capital Outlay Program to provide \$34 million for preliminary plans, working drawings, construction and equipment for the California Polytechnic State University, San Luis Obispo student housing project. Funding will be provided through the issuance of Dormitory Revenue Fund Housing Bonds to be presented for the Board of Trustees' approval at a future meeting.

The project cost breakdown follows:

Building Cost	\$19,212,000
Sitework	4,000,000
Hazardous Materials	280,000
Fees/Contingency	7,181,000
Group II Equipment	<u>3,327,000</u>
Total	\$34,000,000

### **Issues Identified Through Public Participation**

Comments were received in response to the Notice of Preparation/Initial Study and the Draft EIR for the proposed student housing project. The comments included concerns about:

- Air Quality
- Consistency with Policies of the City of San Luis Obispo General Plan
- Traffic and Circulation
- Mitigation of Potential Biological Impacts

The FEIR includes written responses to all comments received. The following is a summary of the comments and responses.

**1. Air Quality.** Generally, the Air Pollution Control District (APCD) concurred with the conclusions of the Draft EIR and applauded the university in providing additional housing on campus which will reduce vehicle trips and the corresponding emission of air pollutants.

**CSU Response:** The comments did not raise concerns regarding the adequacy of the analysis contained in the Draft EIR. The comments of the APCD are found in the FEIR appendix, pages 176-177.

**2. Electromagnetic Field Hazard.** A letter submitted by Pacific Gas and Electric (PG&E) contains information relating to the potential electromagnetic field (EMF) generated by the existing substation and power lines crossing the project site.

**CSU Response:** The letter includes EMF measurements taken by PG&E staff on the site at various distances from the sources (the substation and overhead power lines). These data vary between 0.7 milligauss at ground level at a distance of fifty feet from the power pole to as much as 2.9 milligauss, fifty feet from the substation at ground level. Mitigation measure 5.10.2 contained in the Draft EIR recommends that the student housing project be designed so that no structures for human occupancy shall be located within fifty feet of the existing substation. According to the data presented by PG&E, a person standing fifty feet from the substation could be exposed to as much as 2.9 milligauss of electromagnetic energy. Table 21 of the Draft EIR shows that this is about the same exposure a person would get while sitting under a fluorescent light fixture. The data suggests that the proposed mitigation measure requiring at least fifty feet separation between the EMF source and structures for human occupancy provides a more than ample measure of prudent avoidance.

**3. Mitigation of Impacts to Biological Resources.** Mr. Phil Ashley submitted a letter regarding the assessment of biological impacts contained in the Draft EIR. He recommended that the university consider requiring the permanent preservation of equivalent habitat elsewhere on campus as mitigation for the permanent loss of biological resources that may result from the construction of the project.

**CSU Response:** The Draft EIR concludes that the permanent loss of annual grasslands associated with the project is an unavoidable adverse impact for which no feasible mitigation is available. Determining the future use of land on-campus which is currently grassland is the statutory responsibility of the Board of Trustees, which should not be constrained. Future action by the board is subject to compliance with CEQA, which provides an adequate protection measure and balance with other societal needs.

### **California Environmental Quality Act Action**

The Final Program Environmental Impact Report (FEIR) has been prepared to analyze the potential significant environmental effects of the proposed project in accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The FEIR is presented to the Board of Trustees for review and certification as part of this agenda item. This item also requests approval of a revised campus master plan for the student housing project and additional parking. To determine the scope of the environmental review, a Notice of Preparation (NOP) and Initial Study (IS) was prepared in February 1999 for the proposed project. Local jurisdictions, including the City and County of San Luis Obispo, along with other interested agencies and individuals, were provided a copy of the NOP/IS. A copy of the NOP/IS is included in Appendix A of the Draft EIR.

Based on the NOP/IS process, it was determined that implementation of the proposed project would result in either less-than-significant impacts or no impacts in the following issue areas:

- Agricultural Resources
- Operational Noise
- Constancy with Adopted Plans and Policies

Therefore, these issue areas were “focused” out of the EIR because implementation of the project would not result in any adverse impacts on these resources. The Draft EIR addressed the following potentially significant issue areas:

- Geologic Hazards
- Watershed Resources
- Biological Resources
- Cultural Resources
- Public Services
- Traffic and Circulation
- Air Quality
- Noise
- Visual Resources, Light and Glare
- Growth Inducement
- Cumulative Impacts
- Alternatives

Additionally, the Draft EIR included a description of the project; an alternatives section that describes and analyzes alternative plans to reduce identified significant impacts; and the cumulative, growth-inducing, and significant and irreversible effects of project implementation.

The Draft EIR was made available for public and agency comments for a 45-day review period. During this period, written comments concerning the adequacy of the Draft EIR were submitted to

the campus. Jurisdictions, interested agencies and individuals were provided a copy of the Draft EIR along with a notice of a public meeting to be held on the project. Finally, a Notice of Availability of the Draft EIR was also published in the newspaper pursuant to state law. A public meeting on the Draft EIR was held on November 2, 1999, and the public review period closed on November 15, 1999.

The FEIR includes all the comments received on the Draft EIR and responses to those comments. Significant issues derived from these comments were discussed earlier in this item under issues identified through the public review process. A complete listing and discussion of significant environmental impacts associated with the proposed project and the proposed mitigation measures are analyzed in detail in Chapter 5 of the Draft EIR, and summarized in Chapter 2 of the Draft EIR. The FEIR also includes the Mitigation Monitoring Plan, describing the procedures the university and others will use to implement the mitigation measures to be adopted in the event that the Board of Trustees approves the proposed project as recommended.

### **Analysis of Focused Environmental Impacts**

**Air Quality:** Operational emissions, both on a project-specific and cumulative level, would exceed thresholds of significance used by the APCD. In addition, construction-related emissions were determined to be unavoidable and adverse.

**Biological Resources:** The permanent loss of 5.8 acres of annual grasslands would exacerbate the loss of 24 acres of this habitat associated with construction of the Cal Poly sports complex. Speculatively, the project may also result in the loss of a potential environment for sensitive plant species, but none were found and the site's status as grazing land reduces the likelihood of it being a site for sensitive plant species.

In connection with this agenda item, the Board of Trustees will be asked to balance the benefits of the proposed project against the unavoidable effects listed above. The board will also be asked to adopt Findings of Fact and a Statement of Overriding Considerations in Attachment C to the effect that the remaining significant and unavoidable effects associated with the project are acceptable due to the overriding benefits associated with the proposed project.

### **Alternatives**

The alternatives section of the Draft EIR has been prepared in accordance with the state CEQA Guidelines. The environmentally superior alternative is the university's proposed project. The alternatives shown below were analyzed and compared to the proposed project. The ability of each alternative to reduce impacts identified under the proposed project was also identified.

**No Project**—This alternative, required by CEQA {CEQA Guidelines 15126 (d)(2)}, examines the campus area housing in its current condition, without the development of additional on-campus housing. Current dormitory capacity would remain the same. This alternative would not meet the project objectives.

**Alternative 1**—This alternative involves construction of a similar scale student housing complex on an alternative site located at the intersection of Grand Avenue and Slack Street adjacent to Yosemite dormitory.

**Alternative 2**—This alternative involves construction of a similar scale student housing complex on an alternative site located along Poly Canyon Road.

**Alternative 3**—This alternative involves construction of a similar scale student housing complex on an alternative site located at the northwest corner of the intersection of Highland Avenue and Highway 1. This site is adjacent to the California Department of Forestry.

A detailed description and analysis of alternatives considered is found in Section 8 of the FEIR.

### **Resolution and Final Environmental Impact Report**

A proposed resolution is presented below with respect to the Board of Trustees' certification of the FEIR, approval of a campus master plan revision and amendment to the nonstate funded capital outlay program for the student housing project. Referenced in and adopted as part of this resolution are the attachments which are the required CEQA Findings of Fact and the Statement of Overriding Considerations (Attachment C), and the Mitigation Monitoring Plan (Attachment D).

The following resolution is recommended for approval:

**RESOLVED**, By the Board of Trustees of The California State University, that:

1. The Final Program Environmental Impact Report (FEIR) for the California Polytechnic State University, San Luis Obispo, student housing project (State Clearinghouse No. 99031006) was prepared to address the potential significant environmental effects, mitigation measures, and project alternatives associated with approval of the proposed student housing project and all discretionary actions related thereto.
2. The FEIR was prepared pursuant to the California Environmental Quality Act and the CEQA Guidelines.
3. This board certifies that the FEIR is complete and adequate and that it fully complies with all requirements of CEQA and the CEQA Guidelines.
4. This resolution is adopted pursuant to the requirements of Section 21081 of the Public Resources Code and Section 15091 of the CEQA Guidelines, which require that the Board of Trustees make findings prior to approval of a project (along with statements of facts supporting each finding).

5. This board hereby adopts the findings of fact in Attachment C and related mitigation measures in Attachment D, Agenda Item 6 of the January 25-26, 2000, meeting of the Committee on Campus Planning, Buildings and Grounds, which identify specific impacts of the proposed project and related mitigation measures and which are hereby incorporated by reference.
6. The findings in Attachment C and the related mitigation measures in Attachment D, are hereby incorporated by reference and adopted by this board, and said findings include specific overriding considerations which outweigh certain remaining significant impacts.
7. The Board of Trustees of The California State University has considered the information provided in the FEIR in making its findings.
8. Preparation of an Environmental Impact Report. The FEIR has been prepared to address the environmental impacts, mitigation measures, project alternatives, comments and responses to comments raised associated with approval of the proposed student housing project pursuant to the requirements of CEQA and the CEQA Guidelines.
9. Review and Consideration by the Board of Trustees. Prior to certification of the FEIR, the Board of Trustees has reviewed and considered the above-mentioned FEIR and finds that the FEIR reflects the independent judgment of the Board of Trustees. The board hereby certifies the FEIR for the proposed project as complete and adequate in that the FEIR addresses all significant environmental impacts of the proposed project and fully complies with the requirements of CEQA and the CEQA Guidelines. For the purpose of CEQA and the CEQA Guidelines, the record of the proceedings for the project is comprised of the following:
  - A. The Draft EIR for the California Polytechnic State University, San Luis Obispo, student housing project;
  - B. The FEIR including all comments received on the Draft EIR and responses to comments;
  - C. The proceedings before the Board of Trustees relating to the subject project, including testimony and documentary evidence introduced at such proceedings; and
  - D. All attachments, documents incorporated, and references made in the documents as specified in items (A) through (C) above.

All of the above information is (and in the case of the proceedings before the board in Item C above) on file with The California State University, Office of the Chancellor, Capital Planning, Design and Construction, 401 Golden Shore, Long Beach, California 90802, and California Polytechnic State University, San Luis Obispo, Office of Facilities Planning (Building 70), San Luis Obispo, CA 93407.

10. The Board of Trustees of The California State University adopts the findings set forth in Attachment C, Agenda Item 6 of the January 25-26, 2000, meeting of the Committee on Campus Planning, Buildings and Grounds, including the rejection or modification of mitigation measures and the other findings presented in Attachment C. The board specifically finds that the rejected or unmodified mitigation measures were not feasible for the reasons stated in the FEIR, and describes the reasons for modifying these measures in Attachment C.
11. The Board of Trustees of The California State University hereby certifies the FEIR for the California Polytechnic State University, San Luis Obispo, student housing project, and directs that the FEIR be considered in any further actions on the project.
12. The mitigation measures identified in the Mitigation Monitoring Plan are hereby adopted and shall be monitored and reported in accordance with the Mitigation Monitoring Plan, which is Attachment D, Agenda Item 6 of the January 25-26, 2000, meeting of the Committee on Campus Planning, Buildings and Grounds, and which meets the requirements of CEQA (Public Resources Code, Section 21081.6).
13. The California Polytechnic State University, San Luis Obispo, campus master plan revision dated January 2000 is hereby approved.
14. The 1999/2000 Nonstate Funded Capital Outlay Program is amended to include \$34 million for preliminary plans, working drawings, construction and equipment for the California Polytechnic State University, San Luis Obispo, student housing project.
15. The chancellor or his designee is requested under the Delegation of Authority granted by the Board of Trustees to file the Notice of Determination for the California Polytechnic State University, San Luis Obispo student housing project.

Please See Printed Agenda

Please See Printed Agenda

ATTACHMENT C  
CPB&G—Item 6  
January 25-26, 2000

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

**Findings of Fact and Statement of Overriding Considerations**

Pursuant to Sections 15091 and 15093 of the State CEQA Guidelines and  
Section 21081 of the Public Resources Code

Final Program Environmental Impact Report  
State Clearinghouse Number 99031006

Project Files May Be Reviewed at:

California Polytechnic State University, San Luis Obispo  
Office of Facilities Planning, Building 70  
San Luis Obispo, CA 93407

**CEQA Findings, Findings of Fact and Statement of Overriding Considerations Regarding the Final Program Environmental Impact Report for the California Polytechnic State University, San Luis Obispo Student Housing Project**

Pursuant to Sections 15091 and 15093 of the State CEQA Guidelines and Section 21081 of the Public Resources Code Final Environmental Impact Report (State Clearinghouse Number 99031006). Project Files May Be Reviewed at: California Polytechnic State University, San Luis Obispo, Office of Facilities Planning (Building 70) San Luis Obispo, CA 93407.

**SECTION 1: INTRODUCTION**

**1.1 Statutory Requirements for Findings**

The California Environmental Quality Act (CEQA) (Public Resources Code Section 21081), and the CEQA Guidelines (the Guidelines) (14 Cal. Code Regulations, Section 15091) require that:

*“No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale of each finding. The possible findings, which must be supported by substantial evidence in the record, are:*

- a. Changes or alterations have been required in, or incorporated into, the project, which mitigate or avoid significant effects on the environment.*
- b. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.*
- c. Specific economic, legal, social, technological or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the environmental impact report.”*

For those significant effects that cannot be mitigated to a less-than-significant level, the public agency is required to find that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment (see, Pub. Res. Code Section 21081(b)).

The Final Program Environmental Impact Report (“FEIR”) for the California Polytechnic State University, San Luis Obispo, Student Housing Project (“the project”) identified significant environmental impacts, which will result from the implementation of the project. However, the Board of Trustees of the California State University (“Board of Trustees”) finds that the inclusion of

certain mitigation measures as part of project approval will reduce most, but not all, of those potential significant effects to a less-than-significant level. Those impacts which are not reduced to a less-than-significant level are identified and overridden due to specific economic, legal, social, technological, or other feasibility considerations. As required by CEQA, the Board of Trustees, in adopting these findings, also adopts a Mitigation Monitoring Plan for the project. The Board of Trustees finds that the Mitigation Monitoring Plan, which is incorporated by reference and made a part of these findings as Attachment C, meets the requirements of Public Resources Code Section 21081.6 by providing for the implementation and monitoring of measures intended to mitigate potentially significant effects of the project.

In accordance with CEQA and the CEQA Guidelines, the Board of Trustees adopts these findings as part of the certification of the FEIR for the project. Pursuant to Public Resources Code Section 21082.1(c)(3), the Board of Trustees also finds that the FEIR reflects the Board of Trustees' independent judgment as the lead agency for the project.

### **1.2 Organization/Format of Findings**

Section 2.0 of these findings contains a summary description of the project and related background facts. Section 3.0 identifies the significant impacts that cannot be mitigated to a less-than-significant level even though all feasible mitigation measures have been identified and incorporated into the project. Section 4.0 identifies the potentially significant effects of the project which were determined to be mitigated to a less-than-significant level. Section 5.0 identifies the project's potential environmental effects that were determined not to be significant, and, therefore, no mitigation is required. Section 6.0 discusses the feasibility of project alternatives and mitigation measures. Section 7.0 includes the Board of Trustees' Statement of Overriding Considerations.

**NOTE: ALL NUMBERED REFERENCES IDENTIFYING SPECIFIC MITIGATION MEASURES REFER TO NUMBERED MITIGATION MEASURES FOUND IN THE FEIR.**

## **SECTION 2: THE PROJECT**

The project analyzed in the FEIR consists of a master plan revision to accommodate the siting, construction and operation of a student housing project on the California Polytechnic State University, San Luis Obispo campus. The FEIR fully analyzes all construction related impacts of the housing project.

**2.1 Cal Poly Student Housing Project.** A detailed site design and architectural plan for the student housing project has not been prepared. However, the program requirements have been prepared (incorporated herein by reference) and a conceptual design for the project is currently under way. The program indicates the housing project will include 200 dwelling units and will be designed to accommodate occupancy of 800 residents. The program provides further guidance regarding the design of the project as follows:

### **Site Design**

The site design should orient buildings in a manner that takes into consideration the prevailing winds, sun orientation and views. Although slopes on the project site are steep, grading should be minimized with no new finish grades greater than 4:1. Overall, the site design should cluster buildings around a common area such as courtyards and passive and active recreation areas.

### **Parking**

The project will accommodate additional parking for the housing units. The exact amount will be determined upon completion of the Campus Parking Study.

### **Buildings**

The buildings may be no more than three stories high, and two-story structures are preferred. Exterior design should be in character with existing buildings and should complement the setting. The buildings will have stucco exteriors with wood trim and will incorporate pitched roofs.

### **Dwelling Units**

The dwelling units will be designed as individual apartment units of 800–900 square feet on a single level (no townhouses). The units will have four bedrooms with single occupancy in each; a shared bathroom; kitchen and living room; storage and closets. Each dwelling will include a balcony (on upper floors) or a patio.

### **Community Center**

The community center will be 5,000 square feet in floor area and will consist of a lobby; offices; restrooms; a multi-purpose room with fireplace, kitchen and storage. The community center will be a single-story structure with flexible use capabilities.

### **Other Facilities**

Other facilities to be provided include common laundry facilities for each building cluster; an exterior covered kiosk for mailboxes; a grounds and maintenance shop and storage area; and custodial rooms.

The range of construction activities associated with the project will include grading and excavation; the extension of water, sewer, gas and electrical service; building construction; the installation of drainage facilities; paving of parking and walkways; installation of landscaping and irrigation facilities; and the installation of exterior lighting. On-site grading and excavation and the design of building foundations will be in accordance with a geotechnical engineering investigation, incorporated by reference. The project is expected to be constructed in one phase and completed in just over one year from the date construction begins. Target date for occupancy is fall 2002.

The FEIR has been prepared to analyze the potential significant environmental effects of the proposed student housing project in accordance with the California Environmental Quality Act (CEQA) and the state CEQA Guidelines. The Board of Trustees must certify that the FEIR is adequate and complete under CEQA in order for the board to approve the proposed project. The FEIR is included in the agenda mailout.

**2.2 Project Objectives.** The Board of Trustees has considered the statement of objectives sought by the project as found in Chapter 3.0 of the FEIR. The Board of Trustees hereby adopts those objectives as part of the project. For a detailed discussion of the proposed housing project, the Board of Trustees incorporates by reference Chapter 3.0 of the FEIR.

### **SECTION 3: SIGNIFICANT EFFECTS THAT CANNOT BE MITIGATED TO A LESS-THAN-SIGNIFICANT LEVEL**

The FEIR identified the following significant impacts that cannot be mitigated to a less-than-significant level even though the Board of Trustees finds that all feasible mitigation measures have been identified and incorporated into the project:

- a. Cumulative and operational air quality impacts;
- b. Construction-related air quality impacts;
- c. Permanent loss of 5.8 acres of annual grassland habitat;
- d. Potential loss of habitat for sensitive plant species.

#### **3.1 Construction, Cumulative and Operational Air Quality Impacts.**

3.1.1 Unavoidable Significant Impact: Development and occupancy of the proposed project would result in the generation of motor vehicle and construction-related emissions which will hinder efforts to achieve and maintain state and federal air quality standards on a local and regional basis.

3.1.2 Mitigation Measures: Mitigation is proposed for the increase in air pollutants in the project area (see FEIR Mitigation Measures 5.8.1).

3.1.3 Findings: The Board of Trustees finds, based on substantial evidence in the record, that the mitigation measures identified will reduce the above-described significant effects on air quality, but not to a less-than-significant level. Mitigation Measure 5.8.1 would improve the project's impact on air quality, but measures to fully offset vehicle emissions are not technically or economically feasible. Therefore, the impact would remain significant and unavoidable. However, pursuant to Section 21081(a)(3) of the Public Resources Code, as described in the Statement of Overriding Considerations, the Board of Trustees has determined that this impact is acceptable based on specific overriding considerations found herein in Section 8 below.

**3.2 Permanent Loss of Biological Resources** (5.8 acres of annual grasslands and potential loss of habitat for sensitive plant species.)

3.2.1 Unavoidable Significant Impact: Development of the project site with a student housing project will result in the permanent loss of 5.8 acres of annual grassland habitat and potential habitat for sensitive native plant species, as discussed in Section 5.6 of the Draft EIR. There is no feasible mitigation for the permanent loss of such habitat.

3.2.2 Mitigation Measures: Section 5.6 of the Draft EIR recommends a number of mitigation measures (measures 5.6.1, 5.6.2, 5.6.3 and 5.6.4) which will reduce potential impacts to biological resources, but not to a level of insignificance with regard to the permanent loss of annual grassland and the potential loss of habitat for sensitive plant species.

3.2.3 Findings: The Board of Trustees finds, based on substantial evidence in the record, that the mitigation measures identified will reduce the above-described significant effects on biological resources, but not to a less-than-significant level with regard to the permanent loss of annual grassland. The board finds that the potential loss of habitat for sensitive plant species is not a significant impact since no species has been identified as present and the site, grazed land, is not conducive to sensitive plant habitat. Mitigation Measures 5.6.1, 5.6.2, 5.6.3, and 5.6.4 would help reduce the project's impact on biological resources, but measures to fully offset the permanent loss of habitat are not technically or economically feasible. The trustees reject the mitigation measure of identifying a preserve on-campus land in favor of maintaining trustee determination of the best land use under their responsibilities under Education Code Section 89030 and 89031, and Public Resources Code Subsection 21080.09. Therefore, the impact would remain significant and unavoidable. However, pursuant to Section 21081(a)(3) of the Public Resources Code, as described in the Statement of Overriding Considerations, the Board of Trustees has determined that this impact is acceptable based on specific overriding considerations found herein in Section 8 below.

**SECTION 4: EFFECTS DETERMINED TO BE MITIGATED TO LESS-THAN-SIGNIFICANT LEVELS**

The FEIR identified certain potentially significant effects that could result from the project. However, the Board of Trustees finds that, based upon substantial evidence in the record, adoption of the mitigation measures set forth below will reduce those potential significant effects to less-than-significant levels.

**4.1 Geology**

4.1.1 Potential Significant Impacts: The project site is located on a hillside at the base of the Santa Lucia Mountains. Given the project's hillside location and physical evidence, which suggests the potential for potential geologic hazards, a geotechnical evaluation was prepared and incorporated into the Draft EIR. The geotechnical investigation concludes that the project site has the potential

to result in geologic hazards related to landslides, expansive soils and slope stability, and recommends mitigation measures to reduce these impacts to a less than significant level. However, construction of the project could expose people and property to potential geologic impacts associated with seismic activity; subsidence; landslides; expansive soils; and differential settlement.

4.1.2 Mitigation Measures: The Board of Trustees finds that, based on substantial evidence in the record, impacts of the project associated with geologic hazards will be reduced to a less-than-significant level by implementation of the following mitigation measures:

The project shall conform with all applicable requirements of the Uniform Building Code and other applicable construction regulations relating to potential seismic and/or geologic and slope-related hazards. (Mitigation Measure 5.1.1)

Construction of the student housing project, including site grading; drainage; soils preparation; utility trenches; slabs-on-grade and exterior flatwork; the design of retaining walls; pavement sections and foundation design shall incorporate the recommendations of the *Final Geotechnical Engineering Investigation Campus Housing Project July 1999*. (Mitigation Measure 5.1.2)

4.1.3 Findings: The Board of Trustees finds that the above mitigation measures are feasible, are adopted, and will reduce the potential impacts of the project associated with geologic hazards to a less-than-significant level. Accordingly, the Board of Trustees finds that, pursuant to Section 21081(a)(1) of the Public Resources Code, changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the utility impacts as identified in the FEIR, Section 5.1.

## **4.2 Drainage and Watershed Resources**

4.2.1 Potentially Significant Impacts: The project will involve the construction of parking and driveways, sidewalks, patios, and buildings. All of these impervious surfaces will increase the amount and velocity of runoff leaving the site to surrounding drainage systems, which in turn could accelerate erosion of the soils at the project site.

Degradation of water quality in Brizzolari and Stenner Creeks could occur from increased sediment load caused by erosion and from hazardous substances washed from parking lots. Silt and sediment loads are deposited by stormwater anywhere the water velocity slows. This might occur naturally in pools of the creek or at culvert entrances or outlets. Silt and sediments accumulating at these points could adversely affect creek habitat and the capacity of the creek to carry runoff.

4.2.2 Mitigation Measures: The Board of Trustees finds that, based on substantial evidence in the record, impacts of the project associated with drainage and watershed resources will be reduced to

a less-than-significant level by implementation of the following mitigation measures:

Construction plans for the student housing project shall include a complete grading and drainage plan incorporating the recommendations of the Geotechnical Engineering Investigation—Student Housing Project, which is incorporated herein by reference. (Mitigation Measure 5.2.1)

Prior to the commencement of construction activities, a General Construction Activity Storm Water Permit from the Regional Water Quality Control Board (RWQCB) shall be obtained. As part of this permit, a stormwater pollution prevention plan shall be prepared specifying Best Management Practices (BMPs) for erosion control and stormwater pollutant discharge control during construction activities and for occupancy and operation of the student housing project. For all project components, grading and drainage plans shall incorporate BMPs for erosion control and stormwater pollutant discharge control. This may also serve to reduce non-project-related sediment loads further downstream which would benefit Brizzolari Creek. (Mitigation Measure 5.2.2)

4.2.3 Findings: The Board of Trustees finds that the above mitigation measures are feasible, are adopted, and will reduce the potential impacts of the project associated with drainage and watershed resources to a less-than-significant level. Accordingly, the Board of Trustees finds that, pursuant to Section 21081(a)(1) of the Public Resources Code, changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the drainage and watershed impacts as identified in the FEIR, Section 5.2.

### **4.3 Noise**

4.3.1 Potentially Significant Impact: Construction related activities will generate noise that exceeds normally acceptable levels associated with a school or residential area.

4.3.2 Mitigation Measures: The Board of Trustees finds that, based on substantial evidence in the record, impacts of the project associated with construction noise will be reduced to a less-than-significant level by implementation of the following mitigation measures:

All construction equipment shall be in proper operating condition and fitted with factory standard silencing features. (Mitigation Measure 5.4.1)

A haul route plan shall be prepared for review and approval by the university which designates haul routes as far as possible from sensitive receptors. The most likely route will be via Grand Avenue to North Perimeter Road. (Mitigation Measure 5.4.2)

Stockpiling and vehicle staging areas shall be located as far as practical from occupied structures. (Mitigation Measure 5.4.3)

Whenever practical, the noisiest construction operations shall be scheduled to occur together in the construction program to avoid continuous periods of noise generation. Scheduling of noisier construction activities shall also take advantage of summer sessions and other times when classes are not in session. (Mitigation Measure 5.4.4)

Project construction activities that generate noise in excess of 60 dB at the project site boundary shall be limited to the hours of 7 a.m. to 6 p.m. (Mitigation Measure 5.4.5)

4.3.3 Findings: The Board of Trustees finds that the above mitigation measures are feasible, are adopted, and will reduce the potential impacts of the project associated with construction noise to a less-than-significant level. Accordingly, the Board of Trustees finds that, pursuant to Section 21081(a)(1) of the Public Resources Code, changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the construction noise impacts as identified in the FEIR, Section 5.4.

#### **4.4 Services**

4.4.1 Potentially Significant Impacts: Construction and operation of the student Housing Project would place additional structures, life and property at risk for damage or destruction from wildland fires. According to the City Fire Department, the project is not expected to require additional fire protection equipment or personnel to maintain fire safety. The recent installation of the campus Utilidor has greatly improved fire protection capabilities, and the requirement for fire sprinklers in all new construction further reduces the risk of fire (Bob Newman, City of San Luis Obispo Fire Department, personal comments).

Implicit in this conclusion is that adequate access for fire fighting equipment and personnel is provided to the project; the project must be designed consistent with emergency access requirements.

The addition of 800 students to the on-campus population might increase the demand for police protection. The project will house approximately 800 students. Based on discussions between housing and public safety departments, it has been determined approximately one to two additional officers will be provided. The actual number of additional police officers needed will be determined by the university based on such factors as:

- The number and type of units within the project.
- The types of residents to be housed.
- Residential hall staffing levels.
- Residence hall programs and policies, especially relating to the use of alcohol on campus.
- Whether or not possession or consumption of alcohol is permitted.
- Anticipated workload from new units.

4.4.2 Mitigation Measures: The Board of Trustees finds that, based on substantial evidence in the record, impacts of the project associated with services will be reduced to a less-than-significant level by implementation of the following mitigation measures:

To maintain the current level of public safety, the university shall provide a minimum of one to two additional University Police officers. (Mitigation Measure 5.5.1)

The project shall be designed to provide access for fire suppression equipment and personnel consistent with the requirements of the California Division of Forestry. (Mitigation Measure 5.5.2)

4.4.3 Findings: The Board of Trustees finds that the above mitigation measures are feasible, are adopted, and will reduce the potential impacts of the project associated with services to a less-than-significant level. Accordingly, the Board of Trustees finds that, pursuant to Section 21081(a)(1) of the Public Resources Code, changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the services-related impacts as identified in the FEIR, Section 5.5.

#### **4.5 Biological Resources**

4.5.1 Potentially Significant Impacts: Construction of the student housing project would result in the loss of up to 0.07 acres of California Department of Fish and Game-defined wetlands. However, about 0.03 acres of this area is associated with leakage of a livestock watering tank and will likely disappear in the absence of the proposed project. A threshold of significance for wetland loss has not been developed. Nonetheless, this is considered a significant impact.

The four swales on the project site and an area of wetland vegetation (mostly Mexican sprangletop [*Leptochloa uninervia*]) associated with a leaking livestock watering tank were investigated for the presence of wetlands.

The U.S. Army Corps of Engineers (Corps) has jurisdiction over waters of the United States (U.S.). The limit of jurisdiction in non-tidal waters extends to the ordinary high water mark and includes all adjacent wetlands. Waters of the U.S. are defined as:

*“All waters which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide; including all interstate waters including interstate wetlands, all other waters such as intrastate lakes, rivers, streams, mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate or foreign commerce.”*

The Corps and U.S. Environmental Protection Agency define wetlands as:

*“...those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.”*

The U.S. Fish and Wildlife Service and California Department of Fish and Game (CDFG) define wetlands as:

*“...lands transitional between terrestrial and aquatic systems where the water table is usually at or near the surface or the land is covered by shallow water. For the purposes of this classification, wetlands must have one or more of the following attributes: (1) at least periodically, the land supports predominantly hydrophytes; (2) the substrate is predominantly undrained hydric soil; and (3) the substrate is non-soil and is saturated with water or covered by shallow water at some time during the growing season each year.”*

The project will not substantially negatively impact any federally identified wetlands.

Without proper planning, a storm event during the construction phase of the project might result in the transport of large amounts of suspended sediment beyond what would otherwise naturally occur into Brizziolari Creek.

4.5.2 Mitigation Measures: The Board of Trustees finds that, based on substantial evidence in the record, impacts of the project associated with biological resources will be reduced to a less-than-significant level by implementation of the following mitigation measures:

The project shall be designed to incorporate on-site wetlands maintained by run-off and groundwater seepage from Swales A and B, to the extent possible. The location and characteristics of existing wetlands may be altered to suit project designs, but the area and functions of created wetlands (including habitat value, species diversity, period of inundation) must equal or exceed existing wetlands. Interpretive signage and education of surrounding residence hall occupants shall be provided to minimize disturbance and increase educational value of the wetlands. (Mitigation Measure 5.6.2)

Best Management Practices for stormwater management shall be fully implemented (reference water quality section) to minimize off-site transport of sediment. (Mitigation Measure 5.6.3)

4.5.3 Findings: The Board of Trustees finds that the above mitigation measures are feasible, are adopted, and will reduce the potential impacts of the project associated with biological resources to a less-than-significant level. Accordingly, the Board of Trustees finds that, pursuant to Section 21081(a)(1) of the Public Resources Code, changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the impacts to biological resources as identified in the FEIR, Section 5.6.

#### **4.6 Air Quality**

4.6.1 Potentially Significant Impacts: Construction activities will generate dust which may be considered a nuisance by existing student housing residents.

4.6.2 Mitigation Measures: The Board of Trustees finds that, based on substantial evidence in the record, impacts of the project associated with air quality (dust) will be reduced to a less than significant level by implementation of the following mitigation measures:

The following measures would reduce impacts related to PM<sub>10</sub> and NO<sub>x</sub> emissions from project construction to the extent feasible. However, residual emissions would remain above the significance threshold. (Mitigation Measure 5.8.1)

Equipment Emission Control Measures. To the extent feasible, the applicant shall utilize newer construction equipment (manufactured after 1990) that produces fewer emissions, especially for the highest emitting piece of diesel-fired heavy equipment. In any case, all equipment shall be properly tuned and maintained. Additional measures that would reduce construction-related emissions include, but are not limited to:

- Retarding fuel injection timing two degrees from the manufacturer's recommendation.
- Using high pressure fuel injectors.
- The use of reformulated diesel fuel.
- The use of Caterpillar pre-chamber, diesel-fired engines (or equivalent low NO<sub>x</sub> engine design) in heavy equipment used to construct the project to further reduce NO<sub>x</sub> emissions.
- Dust Control Measures. Dust generated by construction activities shall be kept to a minimum by full implementation of the following measures:
  - During clearing, grading, earth moving, excavation, or transportation of cut or fill materials, water trucks or sprinkler systems are to be used when necessary to prevent dust from leaving the site and to create a crust after each day's activities cease;
  - During construction, water trucks or sprinkler systems shall be used to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this would include wetting down such areas in the morning and after work is completed for the day and whenever wind exceeds 15 miles per hour;
  - Stockpiled earth material shall be sprayed as needed to minimize dust generation.

- During construction, the amount of disturbed area shall be minimized.
- Onsite vehicle speeds should be reduced to 15 mph or less;
- Exposed ground areas left exposed after project completion should be sown with a fast-germinating native grass seed and watered until vegetation is established;
- After clearing, grading, earth moving, or excavation is completed, the entire area of disturbed soil shall be treated immediately by watering or revegetating or spreading soil binders to minimize dust generation until the area is paved or otherwise developed so that dust generation will be minimized;
- Grading and scraping operations shall be suspended when necessary to minimize dust generation;
- All roadways, driveways, and sidewalks associated with construction activities should be paved as soon as possible. In addition, building and other pads shall be laid as soon as possible after grading unless seeding or soil binders are used.

4.6.3 Findings: The Board of Trustees finds that the above mitigation measures are feasible, are adopted, and will reduce the potential impacts of the project associated with air quality (dust) to a less-than-significant level. Accordingly, the Board of Trustees finds that, pursuant to Section 21081(a)(1) of the Public Resources Code, changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the impacts to air quality as identified in the FEIR, Section 5.8..

#### **4.7 Visual Resources**

4.7.1 Potentially Significant Impacts: The Cal Poly campus is located northeast of the City of San Luis Obispo against the foothills of the Santa Lucia Range which trend northwest to southeast through central San Luis Obispo County. The City and campus are located at the eastern end of a coastal valley formed where the Santa Lucias meet a series of small volcanic peaks known collectively as *The Morros* which stretch westward to Morro Bay. The campus is located at a slightly higher elevation, affording partial views to the south and west over the City to the hills beyond. The foothills wrap around the campus to the east and north providing the visual backdrop for the University and the project site.

The visual character of the project site is that of an undeveloped hillside covered with a mix of native and non-native grasses. Two mature Brazilian pepper trees of 20-30 feet in height are present. No prominent rock outcroppings or other natural features are present. The grasses covering the hillside are predominantly golden brown in color for much of the year, turning green briefly during the winter months.

Details regarding the size, scale and design of the student housing project have not been completed. However, certain characteristics of the project can be inferred from the technical specifications that are being used to guide the design. The project description suggests that the project will include 200

dwelling units and will be designed as a cluster of buildings with common open space areas. Buildings are intended to be no more than three stories high and will have stucco exterior, wood trim and pitched roofs. Each dwelling will incorporate a balcony on the upper floors and a patio on the lower floor. Included with the student housing project is a single-story community center of 5,000 square feet. The community center will be a single-story structure and presumably would incorporate similar design characteristics as those for the dwellings.

The project will introduce additional sources of light and glare from parking lot lighting and residential exterior lighting to an area currently devoid of light sources. These new sources of light will be visible from the adjoining student housing project and may be visible from areas beyond the campus.

Glare is produced when sunlight is reflected from surface materials of buildings and other structures associated with a developed site. Examples of sources of glare include asphalt parking lots, glazed surfaces (windows) and metallic roofing materials. Large expanses of flat building surfaces with lighter building colors would also produce glare. Impacts associated with glare resulting from the project are considered potentially significant. Sources of glare would include windows and any metallic surfaces on buildings, and light colored building wall materials.

The project will also involve parking lots and parking lot lighting for as many as 255 vehicles. Parking lot lighting will introduce a significant new light source in the area which may be visible from off-site.

The student housing project will be highly visible from the adjacent student housing units and may be partially visible from residents to the west within the city of San Luis Obispo. The introduction of buildings, parking and other structures into an otherwise natural setting will alter the visual character of the site. Although the project site is not visually prominent, portions of the upper (easterly) project site are visible from surrounding properties. Development that extends into this portion of the site may adversely impact views from surrounding properties.

4.7.2 Mitigation Measures: The Board of Trustees finds that, based on substantial evidence in the record, impacts of the project associated with visual resources will be reduced to a less-than-significant level by implementation of the following mitigation measures:

Parking lot lighting shall be hooded and designed to shine downward. To the extent practical, parking lot lighting shall be confined to the project site and shall be designed and oriented to ensure safety within the parking lots, driveway access and pedestrian walks, as determined by the University. (Mitigation Measure 5.9.1)

Exterior lighting among the student housing project buildings shall be sufficient to provide adequate safety. Exterior lighting fixtures shall be hooded and oriented downward in a way that avoids shining into dwelling units, patios or balconies. (Mitigation Measure 5.9.2)

Buildings shall be designed and oriented to minimize visual impacts as viewed from surrounding areas. (Mitigation Measure 5.9.3) The following features shall be incorporated into the design and location of buildings to minimize visual impacts:

- The use of highly reflective exterior materials shall be avoided;
- Building foundations shall be designed to conform to the natural topography of the site; foundations should step down the hillside;
- Avoid large continuous walls or roof structures, or prominent foundation walls;
- Include planting that is compatible with hillside vegetation and which provides a visual transition from developed to open areas;
- Use exterior materials, colors, and textures which blend with the natural landscape and avoid high contrasts;
- Avoid “daylighting” of buildings above the ridgeline.

Grading shall be designed to conserve natural topographic features and appearances by means of land sculpturing to blend graded slopes and benches with natural topography. Natural topographic features such as drainage swales and natural vegetation should be incorporated into the grading plan for the site wherever possible. (Mitigation Measure 5.9.4)

4.7.3 Findings: The Board of Trustees finds that the above mitigation measures are feasible, are adopted, and will reduce the potential impacts of the project associated with visual resources to a less-than-significant level. Accordingly, the Board of Trustees finds that, pursuant to Section 21081(a)(1) of the Public Resources Code, changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the impacts to visual resources as identified in the FEIR, Section 5.9.

## **SECTION 5: EFFECTS DETERMINED TO BE NOT SIGNIFICANT OR LESS THAN SIGNIFICANT**

The Board of Trustees finds that, based upon substantial evidence in the record, as discussed below, the following impacts associated with the project are less than significant and no mitigation is required.

### **5.1 Cultural Resources**

Based on the information in the FEIR, development of the proposed project would not result in disturbance or loss of artifacts of cultural or archeological significance. The Board of Trustees

finds that, based on substantial evidence in the record, the impacts to cultural resources associated with the project are less than significant and no mitigation is required or recommended.

## **5.2 Noise**

The noise associated with vehicle trips to and from the project site will increase, but will not generate noise in excess of normally acceptable standards for residential or school-related facilities. The Board of Trustees finds that, based on substantial evidence in the record, the impacts to noise associated with the project are less than significant and no mitigation is required or recommended.

## **5.3 Services**

The additional 800 students living on campus will increase the demand for personal safety services; water; wastewater collection and treatment; and solid waste disposal facilities. The Board of Trustees finds that, based on substantial evidence in the record, the impacts to services resources associated with the project with the planned design measures and augmentation to campus public safety staff are less than significant and no additional mitigation is required or recommended.

## **5.4 Biological Resources**

Construction activities and occupancy of the student housing project would extend existing human-related disturbance (human presence, wildlife predation by pets, noise, dust, lighting) further into open space areas.

Also, implementation of the project may disrupt wildlife movement along the slope above the project site, through the loss of grassland foraging habitat and the removal of the livestock watering tank.

Lastly, the proposed project would increase the area of impervious surfaces, increasing stormwater runoff into Brizzolari Creek. Mitigation measure 5.6 3. recommends Best Management Practices for stormwater management to address this potential impact.

The Board of Trustees finds that, based on substantial evidence in the record, the impacts to the above referenced biological resources associated with the project are less than significant and no mitigation is required or recommended.

## **5.5 Traffic and Circulation**

The project will generate vehicle trips from the relocation of 800 students on-campus, and will increase the demand for parking. However, the net impact on traffic generation will be a reduction in vehicle trips since trips to school will be largely eliminated for the relocated students. Also, the amount of parking will be increased as a result of the project.

The Board of Trustees finds that, based on substantial evidence in the record, the impacts to the traffic and parking associated with the project are less than significant and no mitigation is required or recommended.

### **5.6 Visual Resources**

Grading and construction activities and the storage of construction materials may be visible from Poly Canyon Road, Klamath Road, existing student housing units and from the adjoining R-1 parking lot. The Board of Trustees finds that, based on substantial evidence in the record, the impacts to visual resources associated with the project are less than significant and no further mitigation is required or recommended.

### **5.7 Electromagnetic Fields**

Residents of the student housing project will be residing near an electrical substation and overhead power lines which generate electromagnetic fields. Scientific evidence demonstrates that the health effects of electromagnetic fields associated with these facilities are negligible. As the issue is subject to some controversy, the Draft EIR recommends “prudent avoidance” by restricting structures for human occupancy to at least 50 feet away from these facilities.

The Board of Trustees finds that, based on substantial evidence in the record, the impacts associated with electromagnetic fields are less than significant and no mitigation is required or recommended. However, a fifty foot setback is being used.

## **SECTION 6: SIGNIFICANT CUMULATIVE EFFECTS**

### **6.1 Cumulative Air Quality Impacts**

6.1.1 Potential Significant Impacts: Based on the information in the FEIR, the cumulative air quality impacts of the project are expected to be unavoidably significant. The emissions contribution of the project to air pollution is marginal; however, the cumulative air quality of the project with related development in the region must be considered significant because regional emissions in the air basin exceed air standards.

6.1.2 Mitigation Measures: The Board of Trustees finds that there are no feasible measures available to mitigate the cumulative air quality impacts identified in the FEIR. As described in the Statement of Overriding Considerations, however, the Board of Trustees has determined that this impact is acceptable because of specific overriding considerations.

6.1.3 Findings: Pursuant to Section 21081(a)(1) of the Public Resources Code, changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant air quality impacts as identified in the FEIR. However, cumulative air quality impacts of the project in

conjunction with related development in the region must be considered unavoidably significant because regional emissions in the Central Coast air basin continue to exceed state and federal standards even after implementation of all feasible air quality mitigation measures (see FEIR, Mitigation Measure 5.8.1). However, pursuant to Section 21081(a)(3) of the Public Resources Code, as described in the Statement of Overriding Considerations, the Board of Trustees has determined that this cumulative air quality impact is acceptable because of specific overriding considerations (see Section 8.0, below).

## **SECTION 7: FEASIBILITY OF PROJECT ALTERNATIVES AND MITIGATION MEASURES**

### **7.1 Project Alternatives**

The FEIR, Chapter 8, Alternatives, contains an analysis of the alternatives to the project, including the “No Project” alternative. The following alternatives were considered and analyzed in the FEIR:

#### **No Project**

The No Project alternative is required by Section 15126.6 (e) of the CEQA Guidelines and refers to the potential environmental consequences of not building the student housing project or TES facility. Under the No Project Alternative, the student population would continue to use the current mix of on- and off-campus housing and the potential adverse impacts associated with development of the project site would be avoided. However, the objectives of the project would not be achieved, which is to provide comparable on-campus housing for 800 students.

The No Project Alternative would not reduce trips at the campus access points during the A.M. and P.M. peak commuter periods, but would reduce non-school trips at the campus access points during off-peak periods. The No Project Alternative would not increase parking demands on the campus. This alternative would not generate additional traffic or parking impacts.

Under this alternative, the 800 students that could be accommodated by the project would continue to rely on public services and infrastructure provided by the City of San Luis Obispo, including water, sewer, police and fire protection, and roads. Although the university obtains water and sewer service through contractual arrangements with the city, accommodating more students on campus would shift the demand for these services to the capacity allocated to, and paid for, by the university. Moreover, more students living on campus has the potential to reduce student-generated traffic on surrounding streets and intersections. Last, providing housing for 800 students on campus would have beneficial impacts on the availability of rental housing within the city.

#### **Alternative Site 1 – Grand Avenue/Slack Street**

Alternative Site 1 consists of about 9 acres located on the Cal Poly campus at the northeast corner of Grand Avenue and Slack Street. The site is slightly farther from the campus core than the project

site, but is just south of existing student housing and would be comparable for purposes of providing convenient access to school facilities. Slopes on the site are comparable to the project site; a vegetated drainage swale divides the site in a northeast/southwest direction which limits the developed area to the lower (southern) portions of the site. Water and sewer services are available in Grand Avenue.

*Geologic Impacts.* Alternative Site 1 provides a similar geologic setting for development as the project site. Because of the presence of the drainage swale supporting native vegetation, development of the site with housing for 800 occupants would result in comparable to slightly greater impacts associated with grading and drainage. These factors would limit the site's ability to accommodate the same scale of development as that of the project site without extensive grading.

*Biological Resources.* This site supports grassland dominated by Harding grass and false brome. In addition, two small drainage swales occur on the site, both lined with eucalyptus and olive trees. Although wetland vegetation is rare along these swales, they have well defined channels and may be considered wetlands by CDFG. In addition, the eucalyptus trees may be used for nesting and/or hunting perches by common raptors (red-tailed hawk and red-shouldered hawk) and possibly special-status raptors (Cooper's hawk, golden eagle). Assuming the same footprint as the preferred site, impacts associated with use of this site include:

- Loss of grassland would be similar, but impact may be greater because these grasslands are more perennial;
- Loss of wetlands would be greater, but impact may be less due to lower quality of these wetlands; and
- Impacts to foraging raptors would be greater, due to the loss of the eucalyptus trees.

Overall, impacts to biological resources would be greater under this alternative.

*Traffic and Circulation.* Impacts associated with traffic and circulation would be comparable to those associated with the project site, except that access may be constrained by its location near one of the main entrances to the university (Grand Avenue). Alternative 1 would result in the same trip generation attributes as the proposed project. This alternative would reduce trips during the A.M. and P.M. peak commuter periods but increase non-school trips immediately adjacent to the campus during off-peak periods. Given the location of Alternative 1, these changes would be more concentrated at the Grand Avenue campus access point. As with the proposed project, Alternative 1 would generate additional parking demands on the campus (a net of 40 to 120 spaces). This additional demand could be accommodated by the campus parking supply after the structure is built.

*Views/Aesthetics.* Development of Alternative Site 1 with housing for 800 occupants would be more visible to surrounding neighborhoods than the project site. Impacts to the aesthetic qualities of the site would be comparable or slightly greater than those associated with development of the project site.

*Land Use Compatibility.* Alternative Site 1 is adjacent to single-family residential neighborhoods south of the university. High density student housing developed in the site could result in a greater degree of land use compatibility impacts with surrounding neighborhoods.

Impacts associated with noise, public services, cultural resources and air quality would be comparable to those associated with the project site.

### **Alternative Site 2 – Eucalyptus Road**

Alternative Site 2 consists of about 5 acres bounded by Poly Canyon Road, Feed Mill Road and Eucalyptus Road. The site is relatively flat; Brizziolari Creek lies to the north. A number of small structures currently occupy the site which would have to be removed to accommodate student housing. This site is close to the academic core and would be comparable to the project site in this regard.

*Geologic Impacts.* Alternative Site 2 is relatively flat but may require additional grading and re-compaction to address potential flooding associated with the proximity of Brizzolari Creek. Areas within and adjacent to this site underlain by recent alluvium have a high potential for liquefaction or settlement. Potential significant geologic impacts associated with this site include liquefaction, subsidence, and differential settlement. Substantial reinforcement and excavation would most likely be needed to ensure stable building foundations. Alternative Site 2 poses greater overall geologic risks than the project site.

*Biological Resources.* This site is located immediately adjacent to Brizziolari Creek, including riparian forest along the creek, and chaparral and oak woodland adjacent to Poly Canyon Road. Brizziolari Creek may support numerous special-status species including southern steelhead, California red-legged frog, southwestern pond turtle, yellow warbler, yellow-breasted chat and Cooper's hawk. The use of this site may result in the loss of habitat for these species and disturbance of breeding habitat, associated with construction and occupancy of the student housing project. Impacts to water quality in Brizziolari Creek associated with stormwater run-off would be greater than the preferred site due to closer proximity. Impacts to wildlife movement would also be greater than the preferred site, because stream channels are typically used as movement corridors. Overall, impacts to biological resources would be much greater under this alternative.

*Drainage/Flooding.* This alternative project site is located near Brizzolari Creek which may subject the site to infrequent flooding. Impacts associated with potential flooding would be greater than those associated with the project site.

*Traffic and Circulation.* Impacts associated with traffic and circulation would be comparable to those associated with the project site. Alternative 2 would also result in the same trip generation

attributes as the proposed project. This alternative would reduce trips during the A.M. and P.M. peak commuter periods but increase non-school trips immediately adjacent to the campus during off-peak periods. Given the location of Alternative 2 (near the proposed site), the reductions and increases at the campus access point would be the same as the proposed project. As with the proposed project, Alternative 2 would generate additional parking demands on the campus (a net of 40 to 120 spaces). This additional demand could be accommodated by the campus parking supply after the structure is built.

*Views/Aesthetics.* Development of student housing on Alternative Site 2 would be less visible than the project site.

*Land Use Compatibility.* Alternative Site 2 is bordered by existing facilities that include the Transportation Services building, receiving warehouse and horseshoeing unit. Land use compatibility impacts would be comparable to those associated with the project site.

Impacts associated with noise, public services, cultural resources and air quality would be comparable to those associated with the project site.

### **Alternative Site 3 – Highland Drive**

Alternative Site 3 consists of about 5 undeveloped acres owned by the university at the northwest corner of Highland Drive and State Highway 1. Residential neighborhoods are located to the south and west.

*Geologic Impacts.* Previous grading of Alternative Site 3 has resulted in two level areas: one adjacent to Highway 1 and a lower and larger area adjacent to the single family residences to the west. The larger level building area is much smaller than the project site. Development of this site with housing for 800 students appears infeasible. Expansive soils may also be present.

*Biological Resources.* This site supports mostly non-native weedy vegetation. No sensitive biological resources occur here, and impacts associated with this alternative would be less than the preferred site and less than significant.

*Traffic and Circulation.* This site is located about one-half mile to the west of the campus core. This distance may be too far for most residents to walk or ride their bike to class and would not achieve one of the main objectives of the project, which is to bring students closer to the campus. Although the number and length of motor vehicle trips would probably be reduced, traffic associated with this alternative would likely be comparable to that associated with the No Project Alternative. Since Alternative 3 is located off-campus, this site would concentrate additional traffic at the Highland Drive access point and reduce traffic at other campus access points. This alternative is expected to add about 1,310 student commute trips per day to Highland Drive between Route 1 and the campus. The additional 1,310 trips could be accommodated by Highland Drive without significantly changing

the roadway's operations. New campus commute traffic and other trips generated by the dorms would be concentrated at the Route 1/Highland Drive intersection; and additional pedestrians and bicycles would use the intersection and Highland Drive between Route 1 and the campus. These increases may trigger the need for additional pedestrian and bicycle facilities at the intersection and along Highland Drive between Route 1 and the campus. The alternative would not affect the on-campus parking supply. Sufficient parking would need to be provided at the site for the demands generated by residents. The number of parking spaces needed would depend upon the number of parking permits that would be issued to students residing in the dorms.

*Views/Aesthetics.* Development of Alternative Site 3 would be much more visible than development of the project site, being located on a state highway and a main entrance to the city. The smaller size of the site may necessitate development of the upper portions near Highway 1, which could obstruct views of the Morros currently enjoyed by southbound motorists.

*Land Use Compatibility.* Alternative Site 3 is adjacent to single-family residential neighborhoods to the west and multi-family residential neighborhoods to the south. High density student housing developed in the site would result in comparable land use compatibility as with the project site.

*Public services.* This site is located off campus and is served by city water, sewer, police and fire services. Development of this site would result in comparable impacts to public services as the project site, but would not shift water and sewer impacts to the university's allocation for these services.

Impacts associated with drainage, noise, cultural resources and air quality would be comparable to those associated with the project site.

### **Mitigated Project**

The term Mitigated Project refers to the project as modified by the mitigation measures identified in the topical sections of this EIR. The conclusion of this EIR is that the recommended mitigation measures reduce the potential environmental impacts associated with the project to a less-than-significant level, with the exception of construction-related air quality impacts.

### **7.2 Mitigation Measures**

The Board of Trustees has considered all of the mitigation measures recommended in the Draft EIR for the project. None of these recommended measures that are within the university's jurisdiction have been rejected by the Board of Trustees. As stated above, the trustees have rejected a measure suggested in the comments for a designated preserve of grassland. A permit will be sought from the Regional Water Quality Control Board (RWQCB). Based on the measures to be undertaken by the university to control runoff, the board finds that the RWQCB should issue such a permit. In addition, a few mitigation measures were either added (in response to public comment) or modified. The

added mitigation measures are contained in the final Mitigation Monitoring Plan. The Board of Trustees finds that most of the modifications to the mitigation measures are minor clarifications that do not substantially affect any environmental issues associated with the project. The following mitigation measures contained in the Draft EIR, Section 5.8, Air Quality, and Section 5.10, Electromagnetic Fields, were revised in the FEIR as shown below:

5.8.1 (a) Equipment Emission Control Measures. Substitute the following:

*Prior to the initiation of excavation and grading activities, the following mitigation measures shall be implemented to reduce emissions from diesel powered construction equipment:*

- 1. Maintain equipment in tune as per manufacturers specifications;*
- 2. Use only CARB certified diesel fuel (reformulated);*
- 3. Install combination oxidation catalyst/particulate trap post-combustion controls on the three largest pieces of equipment.*

Mitigation Measure 5.10.2, amend as follows:

5.10.2 The student housing project shall be designed so that no structures for human occupancy shall be located within 50 feet of the existing substation *and overhead electrical lines.*

## **SECTION 8: STATEMENT OF OVERRIDING CONSIDERATIONS**

CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of the project against its unavoidable risks when determining whether to approve a project. If the specific economic, legal, social, technological or other benefits of the project outweigh the unavoidable adverse environmental effects, those effects may be considered acceptable (CEQA Guidelines Section 15093(a)). CEQA requires the agency to support, in writing, the specific reasons for considering a project acceptable when significant impacts are not avoided or substantially lessened. Those reasons must be based on substantial evidence in the FEIR or elsewhere in the administrative record (CEQA Guidelines Section 15093(b)). In accordance with the requirements of CEQA and the CEQA Guidelines, the Board of Trustees finds that the mitigation measures identified in the FEIR and the Mitigation Monitoring Plan, when implemented, avoid or substantially lessen virtually all of the significant effects identified in the FEIR. Nonetheless, certain significant impacts of the project are unavoidable even after incorporation of all feasible mitigation measures. These significant unavoidable impacts are:

- Cumulative, operational and construction-related air quality impacts.
- The loss of 5.8 acres of annual grassland habitat.

The Board of Trustees finds that the economic, education, social, and other considerations of the project outweigh the significant unavoidable impacts identified above. These considerations are described below, followed by an indication of the specific benefits of the project.

**Cumulative Air Quality Impacts.** The central Coast Air Basin is a non-attainment area for the State ozone standard and for the State PM10 standard. Although the project will reduce motor vehicle trips and actually have a net beneficial impact to air quality from an operational standpoint, any increase in emissions from a cumulative standpoint will be an unavoidable adverse impact to air quality. Additionally, construction-related emissions will exceed District thresholds for significance and cannot be reduced to a level of insignificance, even after the implementation of mitigation measures recommended by the Draft EIR.

The thresholds for significance used by the APCD are low, reflecting the severity of the air pollution problem on the Central Coast and the need to protect human health. However, in applying these thresholds, almost any new development will result in an unavoidable adverse impact. Strategies contained in the Air Quality Management Plan are intended to accommodate additional development while achieving and maintaining relevant air quality standards. In the absence of halting new development, and the associated economic, educational and social cost, the benefits of the project outweigh the unavoidable impact to air quality.

Loss of habitat for biological resources (sensitive plant species and annual grasslands). The campus thoroughly reviewed other possible locations on the campus to locate the proposed project. After this review, it was determined that the proposed project site was the most feasible and ultimately would result in fewer environmental impacts. The loss of habitat for sensitive plant or animal species is considered a significant impact and no feasible mitigation measures are available to offset the severity of the impact. However, as discussed below, this impact has been balanced against the specific benefits of the project, which include reduced traffic and associated air quality impacts.

The Board of Trustees specifically finds that there are specific overriding economic, legal, social, technological, and other reasons for approving this project, notwithstanding the disclosure of the significant unavoidable impacts referred to above. Those reasons are as follows:

- a. The proposed project would provide much-needed on-campus housing for 800 students in a setting comparable or more attractive than that enjoyed by residents living off-campus.
- b. The project will reduce motor vehicle trips and have beneficial impacts on traffic and air quality.
- c. The proposed project would support Cal Poly's educational mission by accommodating additional students on campus.

- d. The proposed project uses campus land resources as efficiently as possible.
- e. The loss of grazing land can be accommodated in the university's agricultural program. Use of the land for housing students better serves the university's mission than use of the land for grazing.

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

**Environmental Mitigation Monitoring and Reporting Program**

**California Polytechnic State University, San Luis Obispo, Student Housing Project  
Environmental Mitigation Measures Monitoring and Reporting Plan**

1. The chancellor or his designee is delegated responsibility for implementation and any revisions to this plan.
2. An annual Environmental Mitigation Measure Monitoring Report based on the attached Environmental Mitigation Measures and Monitoring Summary shall be prepared for this project by campus staff or until project compliance with the required mitigation measures is complete, whichever occurs first. The report shall be on file in Capital Planning, Design and Construction, Office of the Chancellor, The California State University, 401 Golden Shore, Long Beach, California 90802, and the Office of Facilities Planning, California Polytechnic State University, San Luis Obispo, Building 70, San Luis Obispo California 93407. The report shall describe the status of all mitigation measures for the project adopted by the Board of Trustees.
3. Once significant construction is begun and under way at the site, monitoring of the mitigation measures associated with construction shall be included in the responsibilities of the designated university construction supervision staff. The designated staff shall prepare or cause to be prepared reports of such monitoring no less than once a year until the project is complete and occupied.
4. Any substantive change in the monitoring and reporting plan made by campus staff shall be reported in writing to the executive vice chancellor/chief financial officer. Reference to such changes shall be made in the Environmental Mitigation Measures Monitoring Report prepared by the campus staff. The board finds this plan adequate to meet the requirements of Public Resources Code Section 21081.6.

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ATTACHMENT D  
CPB&G—Item 6  
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**BRIEF**

**Action Item**

Agenda Item 7  
January 25-26, 2000

**COMMITTEE ON CAMPUS PLANNING, BUILDINGS AND GROUNDS**

**Approval of Schematic Plans**

**Presentation By**

J. Patrick Drohan, Assistant Vice Chancellor  
Capital Planning, Design and Construction

**Summary**

Schematic plans for the following projects will be presented for approval:

1. California State University, Fresno—Department of Justice Crime Lab
2. California State University, Fresno—Event Center

**Recommended Action**

Approval of the resolutions.

**ITEM**

2

Agenda Item 7  
January 25-26, 2000

**COMMITTEE ON CAMPUS PLANNING, BUILDINGS AND GROUNDS**

**Approval of Schematic Plans**

**1. California State University, Fresno—Department of Justice Crime Lab  
Project Architect: ER+HDR Architecture, Inc.**

**Background**

At the November 1999 meeting, the Board of Trustees approved the development program for the Department of Justice Crime Lab at CSU Fresno. As a public-public venture, the State Department of Justice will develop, finance, construct, and operate a new 36,000 gross square foot (GSF) crime lab facility on 2.6 acres of campus land. The board also confirmed the chancellor’s authority to enter into agreements that will facilitate the development of the project. The crime lab facility is intended to establish a comprehensive and hands-on instructional program related to forensic chemistry and criminology. It will provide an educational partnership that will enhance the educational mission of the university and provide practical knowledge and realistic experiences that will better prepare students entering the field of forensic science. This facility will also support research by students and faculty that will be a significant resource for the Department of Justice. The existing crime lab was built in 1973 and is located on university land under a ground lease that expires on June 30, 2003. The facility will become the property of the trustees at the end of the lease.

**Scope**

The Department of Justice, working through the Department of General Services, will design, construct, manage, operate, and maintain the new 36,000 GSF facility with funding provided by the state. The facility will include laboratories, meeting rooms, offices, and storage areas. It will be located on a site master planned for Applied Sciences and Technology (building #17) which is consistent with the campus needs. The Department of General Services prepared a draft Initial Study/Negative Declaration and subsequently filed a Notice of Determination to meet CEQA requirements. The Department of Justice recognizes that the planning and development of the new crime lab facility must comply with Board of Trustees’ policies and be consistent with the university’s architectural review process and physical master plan.

**Timing (Estimated)**

Completion of Preliminary Drawings	January 14, 2000
Completion of Working Drawings	May 12, 2000
Construction Start	September 18, 2000
Occupancy	December 21, 2001

**Funding Data**

Project funding is coming through budget allocations to the Department of Justice from general funds and the issuance of lease revenue bonds. The total project cost is \$12,682,000 (\$1,012,000 for design and \$11,667,000 for construction).

**Basic Statistics**

Gross Building Area	36,000 square feet
Assignable Building Area	N/A
Efficiency	N/A
Cost Per Gross Square Foot	\$352.00

**California Environmental Quality Act Action (CEQA)**

The Department of Justice, as Lead Agency, prepared a Negative Declaration pursuant to the provisions of CEQA. The Initial Study/Draft Negative Declaration was distributed on October 7, 1999, for a 30-day public review period. No significant negative comments were received. A Notice of Determination was filed by the Department of Justice on November 9, 1999, in compliance with Section 21108 of the Public Resources Code.

The following resolution is recommended for approval:

**RESOLVED**, By the Board of Trustees of The California State University, that:

1. The board concurs with the Negative Declaration prepared for the project by the Department of Justice. The Negative Declaration determined that the project will not have a significant effect on the environment; and
2. The project will benefit The California State University; and, be it further

**RESOLVED**, That the implementation of the recommended project improvements specified in the Negative Declaration are hereby adopted as part of this approval of the California State University, Fresno, Department of Justice Crime Lab; and, be it further

**RESOLVED**, That the schematic plans for the Department of Justice Crime Lab at California State University, Fresno are approved at a project cost of \$12,682,000 at CCCCI 3847.

**2. California State University, Fresno—Event Center  
Project Architect: Sink Combs Dethlefs**

**Background**

Since the early 1980s, CSU Fresno has discussed developing an on-campus multi-purpose event center. Currently, the men's basketball games are held in the 10,200-seat Selland Arena owned by the City of Fresno in downtown Fresno. The university made the decision to pursue the development of an on-campus event center when it was determined that expansion of Selland Arena was not feasible. The proposed project will accommodate sporting and entertainment events. CSU Fresno is the only institution in the Western Athletic Conference without an on-campus arena.

**Scope**

The proposed project is a multi-purpose indoor arena for athletic, academic, recreational, and cultural events. It includes a complex of buildings totaling approximately 600,000 GSF. The east complex contains a 16,000-seat multi-purpose arena with luxury suites, public concourses, a club level dining area, food court, concession areas, and other typical amenities. The west complex includes a three-court practice gymnasium, academic support areas, office space for athletic administration/sports teams, and other support areas. Other elements in the west complex include a business incubator, an entrepreneurial center, and a family business institute with linkages to the Craig School of Business. Approximately 3,600 new parking spaces in surface parking lots will be constructed to accommodate the needs of the project.

**Timing (Estimated)**

Completion of Preliminary Drawings	May 2000
Completion of Working Drawings	October 2000
Construction Start	December 2000
Occupancy	December 2002

**Basic Statistics**

*East Complex*

Gross Building Area	476,000 square feet
Assignable Building Area	418,600 square feet
Efficiency	88 percent

*West Complex*

Gross Building Area	149,307 square feet
Assignable Building Area	123,055 square feet
Efficiency	82 percent

**Cost Estimate—East Complex (CCCI 3847)**

(\$128.44 per gross square foot)	\$61,140,000
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<i>System Breakdown</i>	<i>(\$ per GSF)</i>
a. Substructure (Foundation)	\$15.05
b. Shell (Structure and Enclosure)	\$37.72
c. Interiors (Partitions and Finishes)	\$23.38
d. Services (HVAC, Plumbing, Electrical, Fire Protection)	\$37.15
e. Equipment & Furnishings	\$13.10
f. Other Building Construction	\$ 2.04

Site Development	5,782,000
Group I Equipment	<u>Incl. Above</u>
Construction Cost	\$66,922,000
Fees and Contingency	<u>16,485,000</u>

Total Project Cost (\$175.22)	\$83,407,000
Group II Equipment	<u>5,000,000</u>
Total East Complex	\$88,407,000*

**Cost Estimate – West Complex (CCCI 3847)**  
 (\$107.79 per gross square foot) \$16,094,000

<i>System Breakdown</i>	<i>(\$ per GSF)</i>
a. Substructure (Foundation)	\$10.62
b. Shell (Structure and Enclosure)	\$31.39
c. Interiors (Partitions and Finishes)	\$22.81
d. Services (HVAC, Plumbing, Electrical, Fire Protection)	\$39.76
e. Equipment & Furnishings	\$ 3.21

Site Development	1,032,000
Group I Equipment	<u>Incl. Above</u>

Construction Cost	\$ 17,126,000
Fees and Contingency	<u>3,204,000</u>

Total Project Cost (\$175.22)	\$ 20,330,000
Group II Equipment	<u>7,300,000</u>

Total West Complex	\$27,630,000*
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Grand Total—East and West Complexes	\$116,037,000*
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*\*The total project cost is approximately \$11 million less than the original budget. This lower estimate represents value engineering efforts and reflects the total project cost for a base building design. If additional funds are raised, the design includes a number of additive alternates for both complexes that would total approximately \$11 million.*

**Funding Data**

The university intends to construct this project through the issuance of taxable and tax-exempt bonds by the California State University, Fresno Association, Inc. The bonds will be a limited obligation of the Association, payable solely from pledged revenues generated by the event center project. The revenue sources will include the following: naming rights sponsorship; private contributions and corporate sponsorships; leasing of luxury suites; sale of premium club seats and personal seat licenses, ticket receipts, rentals, royalties, concessions, parking, or other revenues received by the Association in connection with the project. The Association has retained Salomon Smith Barney as bond underwriter, Metropolitan West as financial advisor, and Orrick Herrington Sutcliffe as bond counsel. Construction will not proceed until funds are secured. Additional financing plan information will be presented to the trustees in an auxiliary organization financing agenda item as details of the plan are finalized.

**California Environmental Quality Act Action**

A Final Environmental Impact Report (FEIR) for the California State University, Fresno, master plan revision that included the event center construction plans was certified by the Board of Trustees on November 17, 1999. A copy of the previously approved FEIR, which includes all written and oral comments received by California State University, Fresno on the Draft EIR, and responses submitted by CSU, will be available at the meeting.

The following resolution is recommended for approval:

**RESOLVED**, By the Board of Trustees of The California State University, that:

1. The FEIR was previously certified by the Board of Trustees on November 17, 1999, pursuant to the requirements of the California Environmental Quality Act; and
2. Prior to certification of said FEIR, the Board of Trustees reviewed and considered the above-mentioned FEIR in relation to the CSU Fresno, event center schematic plans and construction project and that the board continues to consider the information provided by the FEIR in its action on the project; and
3. The project will benefit The California State University; and, be it further

**RESOLVED**, That the mitigation measures and implementation of recommended improvements contained in the FEIR certified by this board on November 17, 1999, for the master plan revision and event center project, relative to the event center construction plans are hereby incorporated by reference and made part of this approval of the CSU Fresno event center schematic plans; and, be it further

**RESOLVED**, That the schematic plans for the California State University, Fresno, event center are approved at a project cost of \$116,037,000 at CCCI 3847.