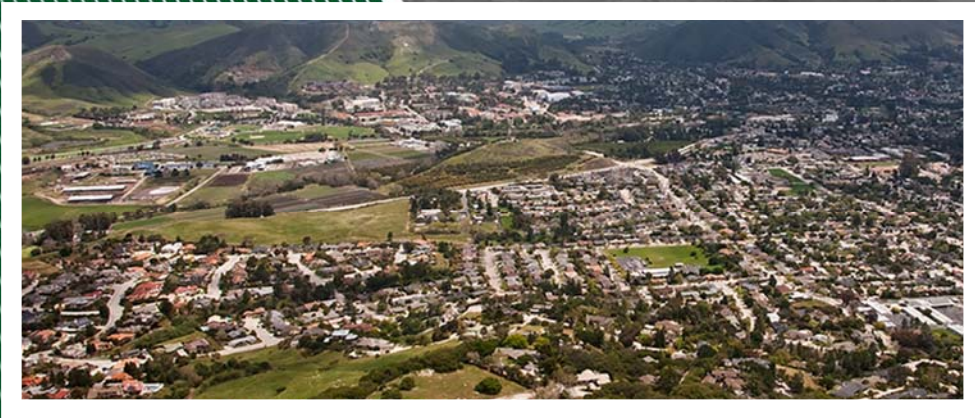


CEQA Findings of Fact and
Statement of Overriding Considerations for the
2035 Master Plan



Prepared for:



CAL POLY

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CEQA Findings of Fact and
Statement of Overriding Considerations for the

2035 Master Plan



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1 FINDINGS OF FACT

1.1 INTRODUCTION

1.1.1 Purpose

This statement of Findings of Fact (Findings) and Statement of Overriding Considerations addresses the environmental effects associated with the California Polytechnic State University, San Luis Obispo (Cal Poly) 2035 Master Plan (2035 Master Plan) project located in San Luis Obispo County directly north of the City of San Luis Obispo. These Findings are made pursuant to the California Environmental Quality Act (CEQA) under Sections 21081, 21081.5, and 21081.6 of the Public Resources Code and Sections 15091 and 15093 of the CEQA Guidelines, Title 14, Cal. Code Regs. 15000, et seq (CEQA Guidelines). The potentially significant impacts were identified in both the Draft Environmental Impact Report (EIR) and the Final EIR, as well as additional facts found in the complete record of proceedings.

Public Resources Code 21081 and Section 15091 of the CEQA Guidelines require that the lead agency prepare written findings for identified significant impacts, accompanied by a brief explanation for the rationale for each finding. The California State University (CSU) Board of Trustees is the lead agency responsible for preparation of the EIR in compliance with CEQA and the CEQA Guidelines. Section 15091 of the CEQA Guidelines states, in part, that:

- a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:
 - 1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
 - 2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
 - 3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

In accordance with Public Resource Code 21081 and Section 15093 of the CEQA Guidelines, whenever significant impacts cannot be mitigated to below a level of significance, the decision-making agency is required to balance, as applicable, the benefits of the proposed project against its unavoidable environmental risks when determining whether to approve the project. If the benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse effects may be considered "acceptable." In that case, the decision-making agency may prepare and adopt a Statement of Overriding Considerations, pursuant to the CEQA Guidelines.

Section 15093 of the CEQA Guidelines state that:

- a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."
- b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the

specific reasons to support its action based on the Final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.

- c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

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

In accordance with CEQA and the CEQA Guidelines, the CSU Board of Trustees adopts these Findings as part of its certification of the Final EIR for the 2035 Master Plan project. Pursuant to Section 21082.1(c)(3) of the Public Resources Code, the CSU Board of Trustees also finds that the Final EIR reflects the Board's independent judgment as the lead agency for the project. As required by CEQA, the CSU Board of Trustees, in adopting these Findings, also adopts a Mitigation Monitoring and Reporting Program (MMRP) for the project. The CSU Board of Trustees finds that the MMRP, which is incorporated by reference and made a part of these Findings, meets the requirements of Section 21081.6 of the Public Resources Code by providing for the implementation and monitoring of measures intended to mitigate potentially significant effects of the project.

1.1.2 Organization and Format of Findings

Section 1.0, Introduction, contains a summary description of the 2035 Master Plan project and background facts relative to the environmental review process.

Section 2.0 discusses the CEQA findings of independent judgment. Section 2.1 identifies the project's potential environmental effects that were determined not to be significant and, therefore, do not require mitigation measures. Section 2.2 describes the environmental effects determined not to be significant during the Notice of Preparation (NOP) scoping process and therefore were not discussed in the EIR. Section 2.3 identifies the potentially significant effects of the project that would be mitigated to a less than significant level with implementation of the identified mitigation measures. Section 2.4 of these Findings identifies the significant impacts of the project that cannot be mitigated to a less than significant level, even though all feasible mitigation measures have been identified and incorporated into the project.

Section 3.0 identifies the feasibility of the project Alternatives that were studied in the EIR.

Section 4.0 discusses findings with respect to mitigation of significant adverse impacts, and adoption of the Mitigation, Monitoring, and Reporting Program (MMRP).

Section 5.0 describes the certification of the Final EIR.

Section 6.0 contains the Statement of Overriding Considerations providing the Board of Trustees' views on the balance between the project's significant environmental effects and the merits and objectives of the project.

1.1.3 Summary of Project Description

As projected enrollment within the CSU system continues to increase, Cal Poly is now proposing a comprehensive update to the Master Plan to accommodate the anticipated enrollment increase and to provide a plan that meets housing, academic/program needs, sustainability, and other goals in support of Cal Poly's academic mission to foster teaching, scholarship, and service in a "Learn by Doing" environment in which students, staff, and faculty are partners in discovery. The 2035 Master Plan is the product of a robust planning and public outreach process. The current Master Plan update process began in 2014 and is the result of more than 200 meetings with stakeholders, including faculty, staff, the City of San Luis Obispo, and local communities, that addressed academic programming needs,

physical and environmental constraints and opportunities to support a gradual increase in future student enrollment to 25,000 headcount (22,500 FTES) by the year 2035. The physical improvements proposed in the Master Plan are guided by the narrative campus Master Plan which established, among other items, the core Master Plan Goals and Guiding Principles. These came from the work of six advisory committees appointed by the Cal Poly president and assigned to focus on different topics. The committees included representatives of administration, staff, faculty, students, and community interests, as well as outside experts. The Master Plan professional team considered these recommendations throughout the plan development. Through this process, the campus has proposed the 2035 Master Plan that provides for needed academic facilities, recreational and athletic facilities, on-campus housing, and other support facilities on the 855-acre main campus and would accommodate increased student, faculty and staff demands for facilities and services through the year 2035 in an environmentally sensitive and sustainable manner. Development under the 2035 Master Plan would include approximately 7,200 new student beds; an additional 1.29 million gross square feet (gsf) of academic, administrative, and support space; 380 residential units intended primarily for faculty/staff with supporting uses (retail and recreational space); and a 200-unit university-based retirement community. In addition, 455,000 gsf of existing academic, administrative, and support space would be redeveloped and replaced with new facilities. The 2035 Master Plan proposes circulation infrastructure improvements, to provide for the safe and efficient movement of pedestrians, bicycles, and vehicles around campus, while also encouraging a more complete shift to an active transportation approach. Further, utilities infrastructure improvements, such as new water, wastewater, and storm drainage infrastructure, are also proposed to accommodate growth under the 2035 Master Plan.

The 2035 Master Plan addresses academic program demand, physical and environmental constraints and opportunities, and capital and operating budget requirements to support projected future student enrollment. The future physical development focuses on sustainability and land use and circulation needs associated with increasing enrollment, including prioritizing the housing of additional students, faculty, staff, and others on campus. The plan emphasizes efficient, compact development in the Academic Core and phased new growth nearby (e.g., north of Brizzolara Creek). At the same time, the plan is designed to protect natural environmental features and prime agricultural lands that form the character of campus.

1.1.4 Project Objectives

The underlying purpose of the 2035 Master Plan is to support and advance the University's educational mission by guiding the physical development of the campus to accommodate gradual student enrollment growth while preserving and enhancing the quality of campus life. To do so, the 2035 Master Plan lays out the land use, circulation, and physical development plans of the campus to educate a future student enrollment of 22,500 FTES (or 25,000 headcount). The following objectives of the 2035 Master Plan have been established in support of its underlying purpose:

- ▶ Support and advance the University's educational mission by guiding the physical development of the campus to accommodate gradual student enrollment growth up to a future enrollment of 22,500 FTES by year 2035 while preserving and enhancing the quality of campus life.
- ▶ Enhance academic quality and student success through Cal Poly's "Learn by Doing" teaching methodology through the provision of physical facilities that allow students to take a hands-on approach and conduct project-based learning.
- ▶ Expand campus programs, services, facilities, and housing to support and enhance the diversity of students, faculty, and staff.
- ▶ Site campus facilities and housing to strengthen the campus's compact Academic Core and promote cross-disciplinary synergies between complementary academic, student/faculty support, and housing programs.
- ▶ House all first- and second-year students plus 30 percent of upper-division students in residential communities on campus.
- ▶ Provide housing opportunities on campus primarily for University faculty and staff to promote recruitment and retention and enhance faculty and staff engagement with the campus. In addition, provide housing opportunities and complementary services that may be offered to nontraditional students such as graduate students, veterans,

students with families; potentially alumni housing or a retirement community; and for members of the San Luis Obispo community.

- ▶ Provide and enhance campus facilities to create a more vibrant evening and weekend environment.
- ▶ Attain a modal shift from vehicles to more pedestrian, bicycle, and transit use.
- ▶ Advance campus-wide environmental sustainability and make progress toward goals of carbon neutrality and climate resilience.
- ▶ Consider the interface between Cal Poly and the surrounding communities with respect to shared economic health, housing, multimodal transportation, open space and agricultural resources, diversity, and public services.
- ▶ Preserve the core of the main campus for instructional and student service uses and move support functions/facilities to the perimeter.

1.1.5 Environmental Review Process

NOTICE OF PREPARATION

In accordance with CEQA (PRC Section 21092) and the State CEQA Guidelines (14 CCR Section 15082), Cal Poly issued a notice of preparation (NOP) on October 3, 2016. Cal Poly circulated the NOP to responsible and trustee agencies, organizations, and interested individuals to solicit comments on the proposed project. Cal Poly followed required procedures with regard to distribution of the appropriate notices and environmental documents to the State Clearinghouse. The NOP was received by the State Clearinghouse (State Clearinghouse No. 2016101003) and a 30-day public review period ended on November 1, 2016. One public scoping meeting was conducted by Cal Poly on October 20, 2016.

DRAFT EIR

In November 2017, a prior draft EIR was released for public review for an update to Cal Poly's 2001 Master Plan. After reviewing the comments on that draft EIR, the CSU and Cal Poly decided to amend the proposed Master Plan update and determined that a new and fully revised Draft EIR should be prepared and recirculated for public comment. The decision to prepare and recirculate the Draft EIR was primarily based upon the need to revise the Master Plan to reflect emerging priorities and to expand the discussion of Master Plan impacts relating to public services and recreation, utilities, transportation and circulation, and water supply. The revised Master Plan is the 2035 Master Plan project considered in these Findings.

In accordance with CEQA (PRC Sections 21000-21177) and the State CEQA Guidelines (14 CCR Sections 15000-15387), Cal Poly prepared a new Draft EIR (which is the subject of these Findings) to address the potential significant environmental effects associated with the Cal Poly 2035 Master Plan. The Draft EIR addresses the following potentially significant environmental issues:

- | | |
|--|-----------------------------------|
| ▶ Aesthetics; | ▶ Greenhouse Gas Emissions; |
| ▶ Agriculture and Forestry Resources; | ▶ Hydrology and Water Quality; |
| ▶ Air Quality; | ▶ Noise; |
| ▶ Archaeological, Historical, and Tribal Cultural Resources; | ▶ Population and Housing; |
| ▶ Biological Resources; | ▶ Public Services and Recreation; |
| ▶ Energy; | ▶ Transportation; and |
| ▶ Geology and Soils; | ▶ Utilities and Service Systems. |

Cal Poly published the Draft EIR for public and agency review on December 19, 2019 for a 45-day public review period that ended on February 3, 2020.

During the public review period, the Draft EIR was accessible online at <https://afd.calpoly.edu/facilities/planning-capital-projects/ceqa/master-plan/>, and copies of the Draft EIR were available at the following public library locations:

- ▶ San Luis Obispo: 995 Palm Street, San Luis Obispo, CA 93401
- ▶ Cal Poly: Robert E. Kennedy Library (Building 35 at Dexter Road and North Perimeter Road), San Luis Obispo, CA 93407

During the Draft EIR public review period, Cal Poly received 4 letters from state agencies, 9 letters from local/regional agencies, and 24 letters from individuals. All comment letters received in response to the Draft EIR were reviewed and included in the Final EIR, and responses to these comments relevant to CEQA were addressed in the Final EIR in compliance with the CEQA Guidelines (Sections 15088, 15132).

FINAL EIR

Section 15088 of the State CEQA Guidelines requires that the Lead Agency responsible for the preparation of an EIR evaluate comments on environmental issues and prepare written response addressing each of the comments. The intent of the Final EIR is to provide a forum to address comments pertaining to the information and analysis contained within the Draft EIR, and to provide an opportunity for clarifications, corrections, or revisions to the Draft EIR as needed and as appropriate.

The Final EIR assembles in one document all the environmental information and analysis prepared for the proposed project, including comments on the Draft EIR and responses by the Cal Poly to those comments.

In accordance with State CEQA Guidelines section 15132, the Final EIR for the proposed project consists of: (i) the Draft EIR and subsequent revisions; (ii) comments received on the Draft EIR; (iii) a list of the persons, organizations, and public agencies commenting on the Draft EIR; (iv) written responses to significant environmental issues raised during the public review and comment period and related supporting materials; and, (v) other information contained in the EIR, including EIR appendices.

The Final EIR was released on May 1, 2020 and was made available for review by commenting agencies, in accordance with CEQA requirements. The Final EIR was also made available to the public online at <https://afd.calpoly.edu/facilities/planning-capital-projects/ceqa/master-plan/>.

1.2 CEQA FINDINGS OF INDEPENDENT JUDGMENT

1.2.1 Effects Determined Not to Be Significant

Section 15128 of the State CEQA Guidelines requires an EIR to contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were, therefore, not discussed in detail in the EIR. This information is addressed under the heading "Issues Not Discussed Further" in each resource section of the Final EIR and, with respect to those issue areas that were scoped out as part of the NOP process, at the beginning of Chapter 3, "Environmental Impacts and Mitigation Measures" of the Final EIR. Based on these discussions, implementation of the Cal Poly 2035 Master Plan was determined to result in no potentially significant impacts related to the following issues, which were therefore, not discussed in detail in the EIR:

- ▶ Agricultural Resources: the 2035 Master Plan would not conflict with existing agricultural zoning for agricultural use or a Williamson Act contract;
- ▶ Agricultural Resources: the 2035 Master Plan would not conflict with existing zoning for, or cause rezoning of, forestland or timberland;

- ▶ Agricultural Resources: the 2035 Master Plan would not result in the loss of forestland or conversion of forestland to nonforest use;
- ▶ Biological Resources: the 2035 Master Plan would not have a substantial adverse effect on certain special-status plant and animal species that are not expected to regularly occur, or with a low probability to occur in the Master Plan Area;
- ▶ Biological Resources: the 2035 Master Plan would not conflict with local plans, policies, or regulations related to the protection of biological resources;
- ▶ Biological Resources: the 2035 Master Plan would not conflict with an adopted habitat conservation plan or natural community conservation plan;
- ▶ Geology and Soils: the 2035 Master Plan would not expose people or structures to potential substantial adverse effects related to the rupture of a known earthquake fault;
- ▶ Geology and Soils: the 2035 Master Plan would not involve the construction or use of septic tanks in soils incapable of adequately supporting such facilities;
- ▶ Hazards and Hazardous Materials: the 2035 Master Plan would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;
- ▶ Hazards and Hazardous Materials: the 2035 Master Plan would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment;
- ▶ Hazards and Hazardous Materials: the 2035 Master Plan would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;
- ▶ Hazards and Hazardous Materials: the 2035 Master Plan would not be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment;
- ▶ Hazards and Hazardous Materials: the 2035 Master Plan is not located within two miles of a public airport or public use airport and would not result in a related safety hazard or excessive noise for people residing or working in the project area;
- ▶ Hazards and Hazardous Materials: the 2035 Master Plan would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan;
- ▶ Hazards and Hazardous Materials: the 2035 Master Plan would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires;
- ▶ Mineral Resources: the 2035 Master Plan would not result in the loss of availability of a known mineral resource that would be of value to the region and residents of the state;
- ▶ Mineral Resources: the 2035 Master Plan would not result in the loss of availability of a locally-important mineral resource recovery site delineated on an applicable land use plan;
- ▶ Noise: the 2035 Master Plan would not expose people residing or working in the Master Plan Area to excessive noise associated with airport/airstrip-related operations;
- ▶ Noise: the 2035 Master Plan would not generate excessive groundborne vibration or groundbourne noise levels during operation;
- ▶ Population and Housing: the 2035 Master Plan would not displace substantial numbers of people or homes, necessitating the construction of replacement housing elsewhere;
- ▶ Transportation: the 2035 Master Plan would not substantially increase hazards because of a geometric design feature or incompatible uses;

- ▶ Transportation: the 2035 Master Plan would not result in emergency access;
- ▶ Utilities: the 2035 Master Plan would not require or result in the relocation or construction of new or expanded water facilities due to demand associated with fire flow, the construction or relocation of which could cause significant environmental effects; and
- ▶ Utilities: the 2035 Master Plan would not result in insufficient groundwater supplies.

1.2.2 Less Than Significant Impacts

The Board of Trustees finds that, based upon substantial evidence in the record, including information in the Final EIR, the following impacts have been determined be less than significant and no mitigation is required pursuant to Public Resources Code section 21081(a) and CEQA Guidelines section 15091(a):

AGRICULTURAL RESOURCES

An evaluation of the project's agricultural resources impacts is found in Section 3.2, "Agricultural Resources," of the Final EIR. Implementation of the Cal Poly 2035 Master Plan is not projected to result in any significant impacts related to the potential indirect conversion of important farmland to nonagricultural uses within the City and County of San Luis Obispo as a result of increased development pressure associated with on-campus development (**Impact 3.2-2**).

Finding

The CSU Board of Trustees finds that, based upon substantial evidence in the record, the potential impact related to the project's effects from conversion of important farmland to nonagricultural uses is less than significant, and no mitigation measures are required.

AIR QUALITY

An evaluation of the project's air quality impacts is found in Section 3.3, "Air Quality," of the Final EIR. Implementation of the Cal Poly 2035 Master Plan is not projected to result in any significant impacts related to conflicts with or obstructing implementation of an applicable air quality plan (**Impact 3.3-1**); short- or long-term increases in localized carbon monoxide (CO) emissions that exceed APCD-recommended thresholds (**Impact 3.3-4**); or exposure of sensitive receptors to substantial increases in TAC emissions (**Impact 3.3-5**).

Finding

The CSU Board of Trustees finds that, based upon substantial evidence in the record, the potential impact related to the project's effects from conflicts with or obstructing implementation of an applicable air quality plan, short- or long-term increases in localized carbon monoxide (CO) emissions that exceed APCD-recommended thresholds, or exposure of sensitive receptors to substantial increases in TAC emissions is less than significant, and no mitigation measures are required.

ARCHAEOLOGICAL, HISTORICAL, AND TRIBAL CULTURAL RESOURCES

An evaluation of the project's archaeological, historical, and tribal cultural resources impacts is found in Section 3.4, "Archaeological, Historical, and Tribal Cultural Resources," of the Final EIR. Implementation of the Cal Poly 2035 Master Plan is not projected to result in any significant impacts related to a substantial adverse change in the significance of a tribal cultural resource (**Impact 3.4-3**); or disturbance of human remains (**Impact 3.4-4**).

Finding

The CSU Board of Trustees finds that, based upon substantial evidence in the record, the potential impact related to the project's effects on tribal cultural resources or human remains is less than significant, and no mitigation measures are required.

ENERGY

An evaluation of the project's energy impacts is found in Section 3.6, "Energy," of the Final EIR. Implementation of the Cal Poly 2035 Master Plan is not projected to result in any significant impacts related to wasteful, inefficient, or unnecessary consumption of energy or wasteful use of energy resources (**Impact 3.6-1**); or conflict with or obstruct a state or local plan for renewable energy or energy efficiency (**Impact 3.6-2**).

Finding

The CSU Board of Trustees finds that, based upon substantial evidence in the record, the potential impact related to the project's effects from wasteful, inefficient, or unnecessary consumption of energy or wasteful use of energy resources, or conflict with or obstruct a state or local plan for renewable energy or energy efficiency is less than significant, and no mitigation measures are required.

GEOLOGY AND SOILS

An evaluation of the project's geology and soils impacts is found in Section 3.7, "Geology and Soils," of the Final EIR. Implementation of the Cal Poly 2035 Master Plan is not projected to result in any significant impacts related to risk of loss, injury, or death involving seismic ground shaking (**Impact 3.7-1**) or seismic-related ground failure, including liquefaction (**Impact 3.7-2**); or related to substantial erosion or loss of topsoil during construction (**Impact 3.7-4**).

Finding

The CSU Board of Trustees finds that, based upon substantial evidence in the record, the potential impact related to the project's effects from loss, injury, or death, involving seismic ground shaking or seismic-related ground failure, including liquefaction; or from substantial erosion or loss of topsoil during construction is less than significant, and no mitigation measures are required.

GREENHOUSE GAS EMISSIONS

An evaluation of the project's impacts on greenhouse gas emissions is found in Section 3.8, "Greenhouse Gas Emissions," of the Final EIR. Implementation of the Cal Poly 2035 Master Plan is not projected to result in any significant impacts related to conflicts with an applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of GHGs (**Impact 3.8-2**).

Finding

The CSU Board of Trustees finds that, based upon substantial evidence in the record, the potential impact related to the project's effects from conflicts with an applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of GHGs is less than significant, and no mitigation measures are required.

HYDROLOGY AND WATER QUALITY

An evaluation of the project's hydrology and water quality impacts is found in Section 3.9, "Hydrology and Water Quality," of the Final EIR. Implementation of the Cal Poly 2035 Master Plan is not projected to result in any significant impacts related to violation of any water quality standards or waste discharge requirements or otherwise cause substantial degradation of surface water or groundwater quality during construction or operation (**Impacts 3.9-1 and 3.9-2**); or conflict with or obstructing implementation of a water quality control plan or sustainable groundwater management plan (**Impact 3.9-6**).

Finding

The CSU Board of Trustees finds that, based upon substantial evidence in the record, the potential impact related to the project's effects from violation of any water quality standards or waste discharge requirements or otherwise cause substantial degradation of surface water or groundwater quality during construction or operation; or conflict with or

obstructing implementation of a water quality control plan or sustainable groundwater management plan is less than significant, and no mitigation measures are required.

NOISE

An evaluation of the project's noise impacts is found in Section 3.10, "Noise," of the Final EIR. Implementation of the Cal Poly 2035 Master Plan is not projected to result in any significant impacts related to generation of substantial increases in long-term (traffic) noise levels (**Impact 3.10-2**).

Finding

The CSU Board of Trustees finds that, based upon substantial evidence in the record, the potential impact related to the project's effects from generation of a substantial increase in long-term (traffic) noise levels is less than significant, and no mitigation measures are required.

POPULATION AND HOUSING

An evaluation of the project's population and housing impacts is found in Section 3.11, "Population and Housing," of the Final EIR. Implementation of the Cal Poly 2035 Master Plan is not projected to result in any significant impacts related to direct or indirect inducement of substantial unplanned population growth and housing demand (**Impact 3.11-1**).

Finding

The CSU Board of Trustees finds that, based upon substantial evidence in the record, the potential impact related to the project's effects from direct or indirect inducement of substantial unplanned population growth and housing demand is less than significant, and no mitigation measures are required.

PUBLIC SERVICES AND RECREATION

An evaluation of the project's public services and recreation impacts is found in Section 3.12 Public Services and Recreation, of the Final EIR. Implementation of the Cal Poly 2035 Master Plan is not projected to result in any significant impacts related to construction of new or physically altered fire (**Impact 3.12-1**), police (**Impact 3.12-2**), school (**Impact 3.12-3**), or library facilities (**Impact 3.12-5**) to maintain acceptable service ratios; deterioration of neighborhood or regional parks or require construction or expansion of recreational facilities (**Impact 3.12-4**).

Finding

The CSU Board of Trustees finds that, based upon substantial evidence in the record, the potential impact related to the project's public services or recreation effects is less than significant, and no mitigation measures are required.

UTILITIES AND SERVICE SYSTEMS

An evaluation of the project's utilities and service systems impacts is found in Section 3.14, "Utilities and Service Systems," of the Final EIR. Implementation of the Cal Poly 2035 Master Plan is not projected to result in any significant impacts related to relocation or construction of new or expanded water infrastructure (**Impact 3.14-1**), electricity, natural gas, or telecommunications facilities (**Impact 3.14-2**); generation of solid waste in excess of state or local standards or the capacity of local infrastructure or impairing the attainment of solid waste reduction goals or requirements (**Impact 3.14-5**).

Finding

The CSU Board of Trustees finds that, based upon substantial evidence in the record, the potential impact related to the project's relocation or construction of new or expanded water infrastructure, electricity, natural gas, or telecommunications facilities; generation of solid waste in excess of state or local standards or the capacity of local

infrastructure; or impairing the attainment of solid waste reduction goals or requirements is less than significant, and no mitigation measures are required.

1.2.3 Potentially Significant Impacts that Can Be Mitigated Below a Level of Significance

Pursuant to Section 21081(a) of the Public Resources Code and Section 15091(a)(1) of the CEQA Guidelines, the CSU Board of Trustees finds that, for each of the following significant effects identified in the Final EIR, changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the identified significant effects on the environment to less than significant levels. These findings are explained below and are supported by substantial evidence in the record of proceedings.

AESTHETICS

An evaluation of the project's impacts related to aesthetics is found in Section 3.1, "Aesthetics," of the Final EIR. Implementation of the 2035 Master Plan would introduce new sources of light and glare associated with new buildings and facilities, and new lighting at the Farm Shop, University-Based Retirement Community, and Slack and Grand project sites would contribute to degradation of visual character and quality of public views. Additionally, to support the Master Plan goal to create a 24-hour campus community, increased lighting would be required for longer hours. Such lighting could contribute to indirect lighting/glare on adjacent land uses that could adversely affect daytime or nighttime views and result in additional skyglow. (**Impact 3.1-3**).

Mitigation measures to avoid or reduce the environmental effects of the project on aesthetics are included as part of the project.

Mitigation Measure 3.1-3a: Use Nonreflective Materials on Building Surfaces

Cal Poly shall require the use of nonreflective exterior surfaces and nonreflective (mirrored) glass for all new or redeveloped structures.

Mitigation Measure 3.1-3b: Prepare and Implement Lighting Plans for Farm Shop, University-Based Retirement Community, and Slack and Grand Projects

Prior to approval of development plans for the Farm Shop, University-Based Retirement Community Project, or Slack and Grand project, Cal Poly shall prepare comprehensive, and site-specific lighting plans for review and approval by the Division of the State Architect that shall be implemented as part of project construction/implementation. The lighting plans shall be prepared by a qualified engineer who is an active member of the Illuminating Engineering Society of North America (IESNA) using guidance and best practices endorsed by the International Dark Sky Association. The lighting plans shall address all aspects of the lighting, including but not limited to all buildings, infrastructure, parking lots, driveways, safety, and signage. The lighting plans shall include the following, as feasible, in conjunction with other measures determined feasible by the illumination engineer:

- ▶ the point source of exterior lighting shall be shielded from off-site viewing locations;
- ▶ light trespass from exterior lights shall be minimized by directing light downward and using cutoff fixtures or shields;
- ▶ illumination from exterior lights shall be the lowest level necessary to provide adequate public safety;
- ▶ exterior lighting shall be designed to minimize illumination onto exterior walls; and
- ▶ any signage visible from off-site shall not be internally illuminated.

Mitigation Measure 3.1-3c: Use Directional Lighting for Campus Development

Cal Poly shall require all new, permanent outdoor lighting fixtures to utilize directional lighting methods (e.g., shielding and/or cutoff-type light fixtures) to minimize glare and light spillover onto adjacent structures. In addition,

light placement and orientation shall also be considered such that light spillover is reduced at nearby land uses, to the extent feasible. Verification of inclusion in project design shall be provided at the time of design review.

Mitigation Measure 3.1-3d: Install Vegetated Barriers if Needed

If the use of permanent, high-intensity lighting without directional considerations is necessary for recreational facilities, Cal Poly shall require installation of landscaping adjacent to lighted recreational facilities, to include trees and vegetation, that will shield substantial sources of light and prevent spillover light from affecting nearby receptors including existing residential neighborhoods. Barrier design would be determined at the time of individual project design, based on project details, proximity to existing land uses, and anticipated operational characteristics of the proposed development. Barriers shall be designed or approved by a qualified arborist or landscape architect, in coordination with Cal Poly, and shall consider vegetation types that are native to the region and provide year-round leaf cover, and overall design shall be consistent with other applicable University policies, while minimizing light spillover to the extent feasible.

Finding

The CSU Board of Trustees finds that the above mitigation measures are feasible, will reduce the potential aesthetics-related impacts of the project to less-than-significant levels, and are adopted by the CSU Board of Trustees. Accordingly, the CSU Board of Trustees finds, that pursuant to PRC Section 21081(a)(1), and the CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Rationale

Mitigation measures would require use of nonreflective surfaces, directional lighting with shielded and cutoff type light fixtures that minimize light spillage and skyglow, and use of vegetation to reduce light spillage from recreation facilities, residential developments and the relocated Farm Shop. These measures would limit impacts such that skyglow and light spillage would not substantially increase beyond existing conditions. Specific lighting measures for three developments proposed along the Master Plan Area perimeter (Farm Shop, University-Based Retirement Community, and Slack and Grand project) would minimize the potential for residents and receptors within the city and motorists on SR 1 to experience light spillover and/or night lighting effects associated with these developments. Effects on daytime and nighttime views from new sources of light and glare would be minimized.

ARCHAEOLOGICAL, HISTORICAL, AND TRIBAL CULTURAL RESOURCES

An evaluation of the project's impacts related to archaeological, historical, and tribal cultural resources is found in Section 3.4, "Archaeological, Historical, and Tribal Cultural Resources," of the Final EIR. Future development associated with the 2035 Master Plan could be located in areas that contain known or unknown archaeological resources and ground-disturbing activities could result in discovery or damage of yet undiscovered archaeological resources as defined in State CEQA Guidelines Section 15064.5 (**Impact 3.4-2**). Mitigation measures to avoid or reduce the environmental effects of the project on archaeological resources are included as part of the project. These measures include identification, avoidance, movement, recordation, and if necessary, treatment of previously undiscovered archaeological resources in accordance with pertinent laws and regulations. The mitigation measures are identified below.

Mitigation Measure 3.4-2a: Identify and Protect Unknown Archaeological Resources

During project-specific environmental review of development under the 2035 Master Plan, Cal Poly shall define each project's area of effect for archaeological resources in consultation with a qualified archaeologist, as defined by the Secretary of Interior. The University shall determine the potential for the project to result in cultural resource impacts, based on the extent of ground disturbance and site modification anticipated for the project. Cal Poly shall determine the level of archaeological investigation that is appropriate for the project site and activity, as follows:

- ▶ Minimum: excavation less than 18 inches deep and less than 5,000 square feet of disturbance (e.g., a trench for lawn irrigation, tree planting). Implement Mitigation Measure 3.4-2a(1).

- ▶ Moderate: excavation below 18 inches deep and/or over a large area on any site that has not been characterized as sensitive and is not suspected to be a likely location for archaeological resources. Implement Mitigation Measure 3.4-2a(1) and (2).
- ▶ Intensive: excavation below 18 inches and/or over a large area on any site that is within the zone of archaeological sensitivity, i.e., within 750 feet, along Brizzolara Creek or Stenner/Old Garden Creek (as shown in Figure 3.4-1) or that is adjacent to a recorded archaeological site. Implement Mitigation Measure 3.4-2a(1), (2), and (3).

Cal Poly shall implement the following steps to identify and protect archaeological resources that may be present in the project's area of effects:

- 1) For project sites at all levels of investigation, contractor crews shall be required to attend a training session before the start of earth moving, regarding how to recognize archaeological sites and artifacts and what steps shall be taken to avoid impacts to those sites and artifacts. In addition, campus employees whose work routinely involves disturbing the soil shall be informed how to recognize evidence of potential archaeological sites and artifacts. Before disturbing the soil, contractors shall be notified that they are required to watch for potential archaeological sites and artifacts and to notify Cal Poly Facilities Management and Development if any are found. A qualified archeologist would be present onsite during earth-moving activities to provide oversight to contractor crew and campus employees. In the event of a find, Cal Poly shall implement item (5), below.
- 2) For project sites requiring a moderate or intensive level of investigation, a surface survey shall be conducted by a qualified archaeologist once the area of ground disturbance has been identified and before soil disturbing activities. For sites requiring moderate investigation, in the event of a surface find, intensive investigation shall be implemented, as per item (3), below. Irrespective of findings, the qualified archaeologist shall, in consultation with Cal Poly Facilities Management and Development, develop an archaeological monitoring plan to be implemented during the construction phase of the project. If the project site is located within a zone of archaeological sensitivity (i.e., within 750 feet of Brizzolara Creek, Stenner Creek, or Old Garden Creek) or it is recommended by the archaeologists, Cal Poly shall notify the appropriate Native American tribe and extend an invitation for monitoring. The frequency and duration of monitoring shall be adjusted in accordance with survey results, the nature of construction activities, and results during the monitoring period. A written report of the results of the monitoring shall be prepared and filed with the appropriate Information Center of the California Historical Resources Information System. In the event of a discovery, Cal Poly shall implement item (5), below.
- 3) For project sites requiring intensive investigation, irrespective of subsurface finds, Cal Poly shall retain a qualified archaeologist to conduct a subsurface investigation of the project site, to ascertain whether buried archaeological materials are present and, if so, the extent of the deposit relative to the project's area of effects. If an archaeological deposit is discovered, the archaeologist shall prepare a site record and a written report of the results of investigations and filed with the appropriate Information Center of the California Historical Resources Information System.
- 4) If it is determined that the resource extends into the project's area of effects, the resource shall be evaluated by a qualified archaeologist, who shall determine whether it qualifies as a historical resource or a unique archaeological resource under the criteria of State CEQA Guidelines Section 15064.5. If the resource does not qualify, or if no resource is present within the project's area of effects, this shall be noted in the environmental document and no further mitigation is required unless there is a discovery during construction. In the event of a discovery item (5), below shall be implemented.
- 5) If archaeological material within the project's area of effects is determined to qualify as an historical resource or a unique archaeological resource (as defined by CEQA), Cal Poly Facilities Management and Development shall consult with the qualified archaeologist to consider means of avoiding or reducing ground disturbance within the site boundaries, including minor modifications of building footprint, landscape modification, the placement of protective fill, the establishment of a preservation easement, or other means that shall permit avoidance or substantial preservation in place of the resource. If avoidance or substantial preservation in place is not possible, Cal Poly shall implement Mitigation Measure 3.4-2b.

- 6) If archaeological material is discovered during construction (whether or not an archaeologist is present), all soil disturbing work within 100 feet of the find shall cease. Cal Poly Facilities Management and Development shall contact a qualified archaeologist to provide and implement a plan for survey, subsurface investigation as needed to define the deposit, and assessment of the remainder of the site within the project area to determine whether the resource is significant and would be affected by the project. Mitigation Measure 3.4-2a (3) and (4) shall be implemented.

Mitigation Measure 3.4-2b: Protect Known Unique Archaeological Resources

For an archaeological site that has been determined by a qualified archaeologist to qualify as a unique archaeological resource through the process set forth under Mitigation Measure 3.4-2a, and where it has been determined under Mitigation Measure 3.4-2a that avoidance or preservation in place is not feasible, a qualified archaeologist, in consultation with Cal Poly Facilities Management and Development, and Native American tribes as applicable, shall:

- 1) Prepare a research design and archaeological data recovery plan for the recovery that shall capture those categories of data for which the site is significant and implement the data recovery plan before or during development of the site.
- 2) Perform appropriate technical analyses, prepare a full written report and file it with the appropriate information center, and provide for the permanent curation of recovered materials.
- 3) If, in the opinion of the qualified archaeologist and in light of the data available, the significance of the site is such that data recovery cannot capture the values that qualify the site for inclusion on the CRHR, Cal Poly Facilities Management and Development shall reconsider project plans in light of the high value of the resource, and implement more substantial modifications to the project that would allow the site to be preserved intact, such as project redesign, placement of fill, or project relocation or abandonment. If no such measures are feasible, Cal Poly shall implement Mitigation Measure 3.4-2c.

Mitigation Measure 3.4-2c: Document Unique Archaeological Resources

If a significant unique archaeological resource cannot be preserved intact, before the property is damaged or destroyed, Cal Poly Facilities Management and Development shall ensure that the resource is appropriately documented. For an archaeological site, a program of research-directed data recovery shall be conducted and reported, consistent with Mitigation Measure 3.4-2a.

Finding

The CSU Board of Trustees finds that the above mitigation measures are feasible, will reduce the potential archaeological resources-related impacts of the project to less-than-significant levels, and are adopted by the CSU Board of Trustees. Accordingly, the CSU Board of Trustees finds, that pursuant to PRC Section 21081(a)(1), and the State CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Rationale

Mitigation measures would require the site-specific identification and protection of previously unidentified and unknown resources, to the extent feasible; avoidance through design to the degree feasible if resources are identified; monitoring of construction activities; and the appropriate treatment if significant resources are identified during construction and cannot be avoided. Pre-construction surveys are required for development within any previously undisturbed areas of campus or when more than 18 inches of excavation is required. Should resources be identified, avoidance through site design is recommended. If avoidance is infeasible, measures outlining the steps for data recovery, testing and treatment of significant resources are provided as part of the mitigation measures and in excess of regulatory requirements. Furthermore, monitoring for unknown subsurface resources would be required, and the measures provide for treatment of any inadvertent discoveries.

BIOLOGICAL RESOURCES

An evaluation of the potential biological resource impacts of the 2035 Master Plan is provided in Section 3.5, "Biological Resources," of the Final EIR. Implementation of the 2035 Master Plan could result in conversion of

undeveloped habitats resulting in loss of special-status plants if present (**Impact 3.5-1**); disturbance or conversion of habitats resulting in loss of special-status wildlife species, fish species, or habitat, if present (**Impact 3.5-2**); degradation or loss of arroyo willow thickets and riparian woodland (**Impact 3.5-3**); temporary or permanent degradation or loss of waters of the United States, waters of the state, and their habitat functions and values (**Impact 3.5-4**); degradation or loss of important wildlife movement corridors or nursery sites resulting from removal and/or encroachment into Brizzolara Creek, Stenner Creek, and other drainage riparian corridors and/or nursery sites (**Impact 3.5-5**).

Mitigation measures to avoid or reduce the environmental effects of the project on biological resources are included as part of the project. These measures include, but are not limited to the following:

- ▶ pre-construction and protocol-level surveys;
- ▶ avoidance or minimization of disturbance to or loss of special-status plants, wildlife, and fish species and sensitive habitat;
- ▶ consultation with resource agencies for any special-status species or sensitive habitats that cannot be avoided;
- ▶ mitigation for the loss of special-status species with a performance standard that achieves no net loss of occupied habitat;
- ▶ compensation for unavoidable losses of sensitive natural communities in a manner that results in no net loss of habitat functions and values, or acreage depending on the sensitive natural community;
- ▶ creation of a long-term management plan for preserved or compensatory populations;
- ▶ environmental monitoring;
- ▶ preparation of a Trail Management Plan;
- ▶ mapping and implementation of waterway and riparian area protection measures;
- ▶ implementation of water-quality protection measures;
- ▶ implementation of protection measures to avoid introduction or spread of invasive plant species;

The mitigation measures are identified below.

Mitigation Measure 3.5-1a: Conduct Special-Status Plant Surveys

Prior to approval of specific projects under the 2035 Master Plan, Cal Poly shall have a qualified botanist (i.e., a professional biologist with expertise in native and naturalized plants found in California who is able to use appropriate field survey methods and protocols that satisfy documentation and assessment requirements) evaluate the potential for special-status plant habitat at the proposed project sites containing undeveloped land cover types as shown in Figure 3.5-1, "Land Cover." Should suitable habitat for any of the species listed in Table 3.5-3 be identified, the qualified botanist, at Cal Poly's direction, shall conduct protocol-level surveys for the potentially occurring special-status plants that could be removed or disturbed by project activities during the blooming period for the plant(s) that could be present on-site. Protocol-level surveys shall be conducted in accordance with Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (CDFW 2009). Concurrent with the special-status plant survey, the botanist shall document non-native invasive plants within the project areas and provide a separate report with the location and extent of non-natives within the project area to Cal Poly. If special-status plants are not found, the botanist shall document the findings in a letter report to CDFW and further mitigation shall not be required.

Table 3.5-3 Normal Blooming Period for Special-Status Plants with Potential to Occur within the Main campus

| Species | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct |
|---|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Marsh sandwort <i>Arenaria paludicola</i> | | | | X | X | X | X | | |
| Mile's milk-vetch <i>Astragalus didymocarpus</i> var. <i>milesianus</i> | | X | X | X | X | X | | | |
| Coulter's saltbush <i>Atriplex coulteri</i> | | X | X | X | X | X | X | X | X |
| San Luis Obispo owl's clover <i>Castilleja densiflora</i> ssp. <i>obispoensis</i> | | X | X | X | | | | | |
| Dwarf calycadenia <i>Calycadenia villosa</i> | | | | X | X | X | X | X | X |
| San Luis Obispo sedge <i>Carex obispoensis</i> | | | X | X | X | | | | |
| Congdon's tarplant <i>Centromadia parryi</i> ssp. <i>congdonii</i> | | | | | X | X | X | X | X |
| San Luis Obispo fountain thistle [=Chorro Creek Bog Thistle] <i>Cirsium fontinale</i> var. <i>obispoense</i> | X | X | X | X | X | X | | | |
| La Graciosa thistle <i>Cirsium scariosum</i> var. <i>loncholepsis</i> | | | | X | X | X | X | | |
| Blochman's dudleya <i>Dudleya blochmaniae</i> ssp. <i>blochmaniae</i> | | | X | X | X | | | | |
| San Joaquin spearscale <i>Extriplex joaquiniana</i> | | | X | X | X | X | X | X | X |
| Coulter's goldfields <i>Lasthenia glabrata</i> ssp. <i>coulteri</i> | X | X | X | X | X | | | | |
| Jones's layia <i>Layia jonesii</i> | | X | X | X | | | | | |
| Spreading navarretia <i>Navarretia fossalis</i> | | | X | X | X | | | | |
| Shining navarretia <i>Navarretia nigelliformis</i> ssp. <i>radians</i> | | | X | X | X | | | | |
| Adobe sanicle <i>Sanicula maritima</i> | X | X | X | X | | | | | |
| Saline clover <i>Trifolium hydrophilum</i> | | | X | X | X | | | | |

Source: Data compiled by Ascent Environmental in 2019

Mitigation Measure 3.5-1b: Conduct Special-Status Plant Avoidance

If special-status plant species are found on a particular project site and are located outside of the permanent footprint of any proposed structures/site features and can be avoided, Cal Poly shall avoid and protect these species by establishing a no-disturbance buffer around the area occupied by special-status plants and marking the buffer boundary with high-visibility flagging, fencing, stakes, or clear, existing landscape demarcations (e.g., edge of a roadway); exceptions to this requirement are listed later in this measure. The no-disturbance buffers shall generally be a minimum of 40 feet from special-status plants, but the size and shape of the buffer zone may be adjusted if a qualified botanist determines that a smaller buffer is sufficient to avoid killing or damaging the plants or that a larger buffer is necessary to sufficiently protect plants from the proposed activity. The appropriate buffer size shall be determined based on plant phenology at the time of project initiation (e.g., whether the plants are in a dormant, vegetative, or flowering state), the individual species' vulnerability to the activity being conducted, and environmental conditions and terrain. Consideration of factors such as site hydrology, changes in light, edge effects, and potential introduction of invasive plants and noxious weeds may inform the determination of buffer width. If a no-disturbance buffer is reduced below 40 feet from a special-status plant, a qualified botanist shall provide a site- and/or activity-

specific explanation with the biological technical justification for the buffer reduction, which shall be included in a memo to CDFW and Cal Poly.

Mitigation Measure 3.5-1c: Special-Status Plant Impact Minimization and Compensation Measures

If special-status plants are found during rare plant surveys and cannot be avoided, Cal Poly shall consult with CDFW and USFWS, as appropriate depending on species status, to determine the appropriate action(s) to achieve no net loss of occupied habitat or individuals. Mitigation measures may include, but are not limited to, preserving and enhancing existing populations, creating off-site populations on mitigation sites through seed collection or transplantation at a 3:1 ratio, and restoring or creating suitable habitat in sufficient quantities which would collectively achieve no net loss of occupied habitat or individuals. Potential mitigation sites could include suitable transplant locations within or outside of the campus. Cal Poly shall develop and implement a site-specific mitigation strategy describing how unavoidable losses of special-status plants shall be compensated consistent with this mitigation measure and the no net loss standard. Success criteria for preserved and compensatory populations shall include:

- a) The extent of occupied area and plant density (number of plants per unit area) in compensatory populations shall be equal to or greater than the affected occupied habitat.
- b) Compensatory and preserved populations shall be self-producing. Populations shall be considered self-producing when:
 - i) plants reestablish annually for a minimum of 5 years with no human intervention such as supplemental seeding; and
 - ii) reestablished and preserved habitats contain an occupied area and flower density comparable to existing occupied habitat areas in similar habitat types in the project vicinity.

If off-site mitigation includes dedication of conservation easements, purchase of mitigation credits, or other off-site conservation measures, the details of these measures shall be included in the project-specific mitigation plan, including information on responsible parties for long-term management, conservation easement holders, long-term management requirements, success criteria consistent with those listed above and other details, as appropriate to target the preservation of long-term viable populations.

Mitigation Measure 3.5-1d: Conduct Environmental Monitoring

For projects and locations where mitigation measures are required to protect biological resources during construction activities, Cal Poly shall retain an environmental monitor to ensure compliance with the EIR mitigation measures. The monitor shall be responsible for: (1) ensuring that procedures for verifying compliance with environmental mitigations are implemented; (2) establishing lines of communication and reporting methods; (3) conducting compliance reporting; (4) conducting construction crew training regarding environmentally sensitive areas and/or special-status species; (5) maintaining authority to stop work; and (6) outlining actions to be taken in the event of non-compliance. Monitoring shall be conducted full time during the initial vegetation removal (clear/grub activities), then periodically throughout project construction, or at a frequency and duration as directed by the affected natural resource agencies (e.g., USACE, USFWS, CDFW, and RWQCB).

Mitigation Measures 3.5-1e and 3.5-3k: Prepare Trail Management Plan

Prior to improving existing Cal Poly trails or constructing new trails in Cal Poly's natural lands, Cal Poly shall prepare a Trail Plan as described in 2035 Master Plan Principle IP 9. The Trail Plan shall emphasize the use of existing trails in the trail system, identify all sensitive resources within and adjacent to the trail(s) alignment(s), and ensure that the trail alignments do not necessitate the removal of or otherwise adversely affect the sensitive resources. If the Trail Plan includes the construction of new trails, the new trail alignments shall be surveyed for sensitive biological resources before trail design. The new trail alignments shall be designed to avoid or minimize direct and indirect impacts on any identified sensitive resources. The construction of new trails shall minimize the number of creek crossings in the trail system. If the construction of new trails or improvement of existing trails includes the installation of pedestrian

bridges over Brizzolara Creek or other waterways, Cal Poly shall obtain the necessary permits from USACE, USFWS, CDFW, and/or RWQCB, as necessary. The Trail Plan shall include the following elements:

- a) Installation of interpretive signage to inform trail users of the presence of sensitive resources along the trails and identify appropriate trail use conduct.
- b) Identification of the department and/or individuals responsible for implementing all aspects of the trail plan.
- c) Provision of adequate buffers from waterways, seeps, springs, and other sensitive resources.
- d) Use of natural infiltration and best management practices for storm water management. Designs should focus on the use of natural dispersed infiltration systems, such as vegetated swales, rather than engineered systems, such as storm drains and catch basins, to the maximum extent feasible.
- e) Prohibition of public motor vehicle use of the trails.
- f) Identification of trails suitable for bicycle use and those for which bicycle use is prohibited.
- g) A trail decommissioning program to restore native habitats in trail sections that are no longer in use.
- h) A trail monitoring program.

Mitigation Measure 3.5-2a: Conduct Surveys for Areas with Significant Potential for Overwintering Monarch Butterfly Sites

1. Cal Poly shall retain a monarch butterfly habitat specialist to conduct surveys in riparian, live oak woodland, and non-native oak woodland habitat and identify areas with significant potential for overwintering monarch butterflies. The monarch butterfly habitat specialist shall provide Cal Poly with a report summarizing the result of the surveys, including a map of areas with significant potential for overwintering monarch butterflies. Cal Poly shall use the report to identify overwintering sites that are within 300 feet of any proposed Master Plan project. If no projects are within 300 feet of identified habitat, no further mitigation is required. If projects are identified within 300 feet, then the following measure shall apply.
2. Preconstruction surveys shall be conducted for potential overwintering monarch butterfly sites within 300 feet of any proposed 2035 Master Plan project construction areas. Surveys for overwintering aggregations of monarch butterflies shall be conducted over the winter season (November 1 to first week of March) before construction activities within 300 feet of the potential butterfly overwintering zone. A minimum of two surveys shall be conducted at least one month (30 days) apart within the monarch butterfly wintering season (November 1 to first week of March). Surveys shall follow survey methods specified by the Xerces Society for Invertebrate Conservation (Xerces 2011). If no overwintering monarch butterflies are found, no further mitigation is required. If overwintering monarch butterflies are found, then the following measures shall be implemented.

Mitigation Measure 3.5-2b: Implement Avoidance of Overwintering Monarch Butterfly and Protection of Active Overwintering Monarch Butterfly Sites

Construction activities in and around butterfly overwintering sites identified pursuant to Mitigation Measure 3.5-2a shall start outside of the overwintering season (overwintering season is typically between November 1 and first week of March), to the greatest extent feasible, to avoid potential impacts on monarch butterfly overwintering habitat. However, when it is not feasible to avoid the overwintering season and construction activities take place during this time, the following measures shall apply.

If an active overwintering site is located, work activities shall be delayed within 300 feet of the site location until avoidance measures have been implemented. Appropriate avoidance measures shall include the following measures (which may be modified as a result of consultation with CDFW to provide equally effective measures):

- a) If the qualified wildlife biologist determines that construction activities would not affect an active overwintering site, activities shall proceed without restriction.
- b) If the wildlife biologist determines there is a potential to affect an active overwintering site, a no-disturbance buffer shall be established around the overwintering site to avoid disturbance or destruction. The extent of the no-

disturbance buffers shall be determined by the qualified wildlife biologist familiar and in consultation with CDFW. Buffers shall be maintained until March 7 or until the qualified biologist determines that the monarch butterflies have left the wintering site.

- c) Throughout the year, Cal Poly shall avoid removing or trimming trees utilized by monarch butterflies or documented as active within the last 3 years pursuant to Mitigation Measure 3.5-2a, as well as trees adjacent to the documented active winter roost areas to prevent adverse indirect changes to the humidity, wind exposure, and temperature within the immediate vicinity of the roost site, unless Cal Poly consults with a monarch butterfly habitat specialist to identify appropriate variances to this measure. Any routine tree trimming shall be done between April and October to eliminate the risk of disturbance to overwintering monarch colonies during the core overwintering/clustering period and shall be conducted following the Management Guidelines for Monarch Butterfly Overwintering Habitat (Xerces 2017) and under the supervision of the monarch habitat specialist. This mitigation measure does not apply to removal or trimming of hazard trees or branches or management of the wintering site for the benefit of monarch butterfly.

Mitigation Measure 3.5-2c: Prepare Project-Specific California Red-Legged Frog Habitat Assessments

Future development that would directly affect reservoirs, ponds, or drainages or that would result in land disturbance within 1.6 kilometers of these features shall be subject to project-specific California Red-legged Frog Habitat Assessments. The assessments shall be prepared in coordination with, and submitted for review by, USFWS. The California red-legged frog habitat assessments shall be prepared and processed in accordance with the USFWS Revised Guidance on Site Assessments and Field Surveys for the California Red-Legged Frog (USFWS 2005), or the most recent applicable guidance. The assessments shall specifically evaluate the reservoirs, ponds, and drainages and their upland areas that may be disturbed by Master Plan Area projects and be submitted to USFWS for review/approval. Alternatively, Cal Poly can conduct a campus-wide habitat assessment to identify California red-legged frog aquatic and upland habitat. If prepared, the campus-wide assessment shall also be submitted to USFWS for review/approval and can be used to screen out projects that do not require consultation within the Master Plan Area.

Mitigation Measure 3.5-2d: Conduct California Red-Legged Frog Consultation

For 2035 Master Plan projects that would affect jurisdictional water features and would also affect California red-legged frog and/or California red-legged frog Critical Habitat as determined from Mitigation Measure 3.5-2c, Cal Poly shall coordinate with USACE during the CWA Section 404 permitting process to consult with USFWS regarding the potential for these activities to result in take of California red-legged frog and/or California red-legged frog critical habitat. If USACE in consultation with USFWS determines that the proposed projects may affect or result in take of California red-legged frog, USFWS may issue a Biological Opinion with an Incidental Take Statement for the project. Cal Poly shall comply with all measures included in the Biological Opinion, which may include compensatory mitigation for permanent and/or temporary loss of habitat, construction monitoring, salvaging of California red-legged frog, and installation of exclusion fencing between the project site and adjacent habitats.

If USACE declines to take jurisdiction over the project, thus removing a federal nexus from the project, Cal Poly shall consult directly with the USFWS pursuant to Section 10 of the ESA. If USFWS determines that the project may affect or result in take of California red-legged frog or detrimental modification of critical habitat, it may ask Cal Poly to prepare an HCP and obtain an ITP. Cal Poly shall comply with all measures included in the ITP.

A permitting strategy (i.e., programmatic versus individual project consultations) shall be determined between Cal Poly and USFWS as Cal Poly commences implementation of the 2035 Master Plan.

Mitigation Measure 3.5-2e: Avoid California Red-Legged Frog during the Wet Season

To avoid the potential for take of California red-legged frogs, unless otherwise authorized by the Biological Opinion and/or Incidental Take Permit per Mitigation Measure 3.5-2.d, the initial ground-disturbing activities associated with 2035 Master Plan projects that would affect California red-legged frog and/or California red-legged frog Critical Habitat as determined from Mitigation Measure 3.5-2c shall be completed in the dry season (between June 1 and the

first fall rains). Regardless of the seasonal rain patterns, no ground-disturbing activities may occur on these sites between first fall rains and May 31 of any year without prior authorization or concurrence from USFWS and CDFW.

Mitigation Measure 3.5-2f: Conduct Preconstruction Surveys for California Red-Legged Frog

Prior to construction of future Master Plan development projects that would affect California red-legged frog and/or California red-legged frog Critical Habitat as determined from Mitigation Measure 3.5-2c, Cal Poly shall retain a qualified biologist with demonstrated experience surveying for California red-legged frog. The biologist shall conduct preconstruction surveys for California red-legged frog. The survey(s) must be conducted within 48 hours before the site disturbance and encompass the entire project disturbance area and a 100-foot buffer of the disturbance area(s).

If California red-legged frog(s) are observed during the survey, the biologist shall immediately contact Cal Poly and inform them of the survey findings. Cal Poly shall delay the project activities that were planned to occur in the area until Cal Poly consults with USFWS and secures any necessary approvals, including a Biological Opinion or an Incidental Take Permit (if not already secured) as may be applicable, to move forward with the Master Plan project. In absence of USFWS approval, the surveying biologist shall not capture, handle, or otherwise harass California red-legged frog. Cal Poly and its contractors shall comply with all measures within any Biological Opinion or Incidental Take Permit.

Mitigation Measure 3.5-2g: Implement Waterway Protection Measures

Prior to construction of future development that would directly affect reservoirs, ponds, or drainages or that would result in land disturbance within California red-legged frog habitat as defined by Mitigation Measure 3.5-2c, implement Mitigation Measures 3.5-3a through 3.5-3d, described below.

Mitigation Measure 3.5-2h: Conduct Environmental Monitoring

During construction of future development that would directly affect reservoirs, ponds, or drainages or that would result in land disturbance within California red-legged frog critical habitat as defined by Mitigation Measure 3.5-2c, implement Mitigation Measure 3.5-1d, described above.

Mitigation Measure 3.5-2i: Prepare Trail Management Plan

Prior to improvements that would directly affect drainages or riparian habitat or that would result in land disturbance within California red-legged frog habitat as defined by Mitigation Measure 3.5-2c, implement Mitigation Measure 3.5-1e, described above.

Mitigation Measure 3.5-2j: Conduct Steelhead Impact Avoidance

As part of future design and planning of 2035 Master Plan projects that require work in Stenner Creek or Brizzolara Creek, their tributaries, or their riparian areas, all such work shall be conducted between June 15 and October 15 or as approved by a qualified biologist in coordination as required with USACE, NMFS, and CDFW.

Mitigation Measure 3.5-2k: Conduct Steelhead Consultation

Prior to implementation of 2035 Master Plan projects that require work in Stenner Creek, Brizzolara Creek, their tributaries, or riparian areas, Cal Poly shall coordinate with CDFW through the 1602 permitting process, and with USACE during the CWA Section 404 permitting to consult with NMFS regarding the potential for the project to result in take of steelhead and/or steelhead critical habitat. If USACE, in consultation with NMFS, determines that the project may affect or result in take of steelhead or result in the detrimental modification of critical habitat, NMFS may issue a Biological Opinion with an Incidental Take Statement for the project. Cal Poly shall comply with all measures included in the Biological Opinion, which may include restoration, habitat compensation to ensure no net loss of habitat, and monitoring. Cal Poly shall reference and include the *Guidelines for Salmonid Passage at Stream Crossings* (NMFS 2001), or as updated by NMFS, in all future bridge/crossing designs over Stenner Creek and Brizzolara Creek. Any new crossings shall not create new barriers to fish passage into the upper reaches of the creeks.

If USACE declines to take jurisdiction over the project, thus removing a federal nexus from the project, Cal Poly shall consult directly with NMFS pursuant to Section 10 of the ESA. If NMFS determines that the project may affect or result

in take of steelhead or detrimental modification of critical habitat, it may ask Cal Poly to prepare an HCP and obtain an ITP. Cal Poly shall comply with all measures included in the ITP.

Mitigation Measure 3.5-2l: Protect Steelhead Habitat through Implementation of Waterway Protection Measures

Prior to implementation of 2035 Master Plan projects that require work in Stenner Creek, Brizzolara Creek, their tributaries, or riparian areas, implement Mitigation Measure 3.5-3a through 3.5-3d, described below. Because mitigation for degradation or loss of riparian habitat and other sensitive natural communities would also minimize potential impacts on steelhead, those measures are recommended for this impact.

Mitigation Measure 3.5-2m: Conduct Environmental Monitoring

During implementation of 2035 Master Plan projects that require work in Stenner Creek, Brizzolara Creek, their tributaries, or riparian areas, implement Mitigation Measure 3.5-1d, described above.

Mitigation Measure 3.5-2n: Prepare Trail Management Plan

Prior to improvements that would directly affect Stenner Creek, Brizzolara Creek, their tributaries, or riparian areas or that would result in disturbance to steelhead habitat, Implement Mitigation Measure 3.5-1e, described above.

Mitigation Measure 3.5-2o: Conduct Ringtail Den(s) Surveys, and Avoidance

If vegetation removal or construction activities within riparian habitat occur outside of the breeding and pupping season for ringtail (February 1 through June 15), no mitigation is necessary. If the ringtail breeding season cannot be avoided, Cal Poly shall retain a qualified biologist to conduct pre-construction surveys within 3 weeks prior to commencement of construction for potential natal or maternity den trees/rock crevices. If an active den is found, the qualified biologist, in consultation with CDFW, shall determine a construction-free buffer zone to be established around the den until the young have left the den. At a minimum, the buffer shall be 500 feet unless a reduced buffer is warranted as determined by a qualified biologist in consultation with CDFW. Because ringtails are known to move their offspring between dens, the biologist may maintain the den under surveillance with a trail camera in a way that does not affect the use of the den. If the biologist determines that ringtails have vacated the den during the surveillance period, then construction may begin within 7 days following this observation, but the den must remain under surveillance in the event that the mother has moved the litter back to the den. If the den is within a tree hollow, and the tree needs to be removed, the hollow section of the tree must be salvaged and secured to a nearby unaffected tree in order to maintain the number of dens in the area.

Mitigation Measure 3.5-2p: Conduct Environmental Monitoring

During implementation of 2035 Master Plan projects that require work in riparian corridors where ringtail occupied habitat has been identified, implement Mitigation Measure 3.5-1d, described above.

Mitigation Measure 3.5-2q: Conduct Monterey Dusky-Footed Woodrat Midden Surveys, Avoidance, or Relocation

Prior to implementation of 2035 Master Plan projects that require work in riparian corridors, California sagebrush scrub, coast live oak woodland, and non-native woodland habitat, Cal Poly shall retain a qualified biologist to survey for Monterey dusky-footed woodrat middens and assist in the removal/relocation of woodrat middens no more than 2 weeks prior to start of ground disturbance activities. The biologist shall document the results of the survey(s) in a letter report to Cal Poly and CDFW that includes a map of observed middens. If dusky-footed woodrat middens are found on a particular project site and are located outside of the permanent footprint of any proposed structure/site features and can be avoided, Cal Poly shall establish and maintain a 40-foot protective buffer, unless a reduced buffer is warranted as determined by a qualified biologist in consultation with CDFW, ensuring that the buffer does not isolate the midden from available habitat. If middens can be avoided no further mitigation is required.

If middens cannot be avoided, relocation shall be conducted in consultation with CDFW. Relocation of the middens shall occur after July 1 and before December 1 to avoid the maternity season. During implementation of site clearing activities and under supervision of the biologist, the equipment operators shall remove all vegetation and other

potential woodrat shelter within the disturbance areas that surround the woodrat midden(s) to be removed. Upon completion of clearing the adjacent woodrat shelter, the operator shall gently nudge the intact woodrat midden with equipment or long handled tools. Due to the potential health hazards associated with removing woodrat middens, hand removal is not recommended. The operators shall place their equipment within the previously cleared area and not within the undisturbed woodrat shelter area. The objective is to alarm the woodrats so that they evacuate the midden and scatter away from the equipment and into the undisturbed vegetation. Once the woodrats have evacuated the midden(s), the operator shall gently pick up the midden structure and move it to the undisturbed adjacent vegetation. The objective of moving the structure is to provide the displaced woodrats with a stockpile of material to scavenge while they build a new midden; jeopardizing the integrity of the midden structure is not an adverse impact.

Mitigation Measure 3.5-2r: Conduct Environmental Monitoring

During construction of future development that requires work in or around active Monterey dusky-footed woodrat middens, implement Mitigation Measure 3.5-1d, described above.

Mitigation Measure 3.5-2s: Conduct American Badger Surveys and Avoidance

For projects within undeveloped grassland habitat and before ground-disturbing activities, a qualified biologist shall conduct a preconstruction survey for American badger dens. The American badger survey shall be conducted no more than 2 weeks prior to construction. If the survey results are negative (i.e., no active badger dens observed), no additional mitigation is required. If the results are positive (American badger dens are observed), the biologist shall contact Cal Poly within 24 hours and work in the area shall be delayed until Cal Poly's biologist has made one of the following determinations:

- a) If the biologist determines that dens may be active, the biologist shall install a game camera for 3 days and 3 nights to determine if the den is in use. If the biologist determines that the den is a maternity den, construction activities shall be delayed during the maternity season (February to August), or until the badgers leave the den on their own accord or the biologist determines that the den is no longer in use. If the game camera does not capture an individual entering/exiting the den, the den can be excavated as described below. If the camera captures badger use of the den, the biologist shall install a one-way door in the den opening and continue use of the game camera. Once the camera captures the individual exiting the one-way door, the den can be excavated as described below.
- b) If the biologist determines that potential dens are inactive, the biologist shall excavate the dens with hand tools to prevent badgers from reusing them.

Mitigation Measure 3.5-2t: Conduct Western Pond Turtle and Coast Range Newt Surveys and Relocation

To minimize adverse effects on western pond turtle and Coast Range newt during any projects that requires dewatering, dredging, fill of an aquatic site (e.g., a reservoir, pond, settling pond, or drainage), or the grading (during construction of new facilities) of inactive pasturelands or non-native grassland with a southern sun exposure within 500 feet of any of these aquatic habitats, Cal Poly shall retain a qualified biologist to survey for western pond turtle and Coast Range newt within 2 weeks of project activities. If no western pond turtle, Coast Range newt, or their eggs or nests are observed, no further mitigation is required. If western pond turtle, Coast Range newt, their eggs or nests are found then the following shall be conducted:

- a) Cal Poly shall retain a qualified biologist to capture and relocate western pond turtle and Coast Range newt adults and juveniles. Capture and relocation efforts must be conducted using visual survey and hand capture techniques. Any captured western pond turtles and Coast Range newts must be relocated to a nearby aquatic site that shall not be affected by project activities.
- b) If newt egg masses and/or larvae, or western pond turtle nests are identified, construction shall be delayed until the eggs have hatched and individuals are capable of vacating the site or being relocated. Because of the

delicate nature of newt egg masses/larvae and habitat requirements of western pond turtle nests, delaying construction is the only viable method to protect the resource.

Mitigation Measure 3.5-2u: Conduct Special-Status Bird and Other Bird Nest Avoidance

For any project-specific construction activities under the 2035 Master Plan, the following measures shall be implemented to avoid or minimize loss of active special-status bird nests including tricolored blackbird, grasshopper sparrow, burrowing owl, western yellow-billed cuckoo, white-tailed kite, least Bell's vireo, loggerhead shrike, and purple martin:

- a) To minimize the potential for loss of special-status or other bird nests, vegetation removal activities within potentially suitable nesting habitat shall commence during the nonbreeding season (September 16 - January 31), where feasible.
- b) If project construction activities, including ground-disturbing activities, vegetation trimming, or tree removal are scheduled to occur between February 1 and September 15, the following measures shall be implemented:
 - i. For project sites on or within 500 feet of agricultural land, pasture, non-native annual grassland, or riparian habitat as shown in Figure 3.5-1, "Land Cover," and ornamental/landscaping trees in developed habitat, Cal Poly shall retain a qualified biologist to conduct habitat assessment surveys for tricolored blackbird, grasshopper sparrow, burrowing owl, western yellow-billed cuckoo, white-tailed kite, least Bell's vireo, loggerhead shrike, and purple martin. If no suitable habitat is present within 500 feet of the project site, no further action is required.
 - ii. Where suitable habitat is present, surveys shall be conducted by biologists adhering to guidance offered in Western Yellow-billed Cuckoo Natural History Summary and Survey Methodology (Halterman et al. 2015); Least Bell's Vireo Survey Guidelines (USFWS 2001); CDFW Staff Report on Burrowing Owl Mitigation (CDFW 21012) and/or current industry standards. Cal Poly shall initiate consultation with USFWS and/or CDFW as required and shall mitigate for the loss of breeding and foraging habitat as determined by consultation.
 - iii. Two weeks prior to construction, a pre-construction nesting bird survey shall be conducted within suitable habitat identified in Mitigation Measure 3.5-2u(b)(i). If nests of these species are detected, a qualified biologist shall establish no-disturbance buffers around nests. Buffers shall be of sufficient width that breeding is not likely to be disrupted or adversely affected by construction. No-disturbance buffers around active nests shall be a minimum of 0.25 mile wide for white-tailed kite, 500 feet wide for other raptors, and 250 feet wide for other special-status birds, unless a qualified biologist determines based on site-specific conditions that a larger or smaller buffer would be sufficient to avoid impacts on nesting birds. Factors to be considered in determining buffer size shall include the presence of existing buffers provided by vegetation, topography, or existing buildings/structures; nest height; locations of foraging territory; and baseline levels of noise and human activity. Buffers shall be maintained until a qualified biologist has determined that young have fledged and are no longer reliant upon the nest or parental care for survival. Monitoring of the nest by a qualified biologist during and after construction activities shall be required if the activity has potential to adversely affect the nest.
 - iv. For tricolored blackbird, the qualified biologist shall conduct preconstruction surveys within tules, cattails, Himalayan blackberry, and riparian scrub habitat areas. The surveys shall be conducted no more than 14 days before construction commences. If no active nests or tricolored blackbird colonies are found during focused surveys, no further action under this measure shall be required. If active nests are located during the preconstruction surveys, the biologist shall notify CDFW. If necessary, modifications to the project design to avoid removal of occupied habitat while still achieving project objectives shall be evaluated and implemented to the extent feasible. If avoidance is not feasible or conflicts with project objectives, construction shall be prohibited within a minimum of 100 feet of the outer edge of the nesting colony, unless a qualified biologist determines based on site-specific conditions that a larger or smaller buffer would be sufficient, to avoid disturbance until the nest colony is no longer active.

Mitigation Measure 3.5-2v: Conduct Environmental Monitoring

During construction of future development within the active nesting season where nesting birds have been found and a no-disturbance buffer is established, implement Mitigation Measure 3.5-1d, described above.

Mitigation Measure 3.5-2w: Implement Bat Preconstruction Surveys and Exclusion

Before commencing construction activities with the potential to affect bats, including land surveying with a Global Positioning System (GPS) Total Station and removal of farm structures and trees with hollows or exfoliating bark suitable for bats, a qualified biologist shall conduct surveys for roosting bats 2 weeks prior to start of construction activities. GPS Total Stations used for land surveying emit high frequency noise outside of the human hearing frequency but within the hearing range of bats, which has resulted in colony abandonment. If evidence of bat use is observed, the species and number of bats using the roost shall be determined. Bat detectors may be used to supplement survey efforts. If no evidence of bat roosts is found, then no further study and no additional measures are required. If the roost site can be avoided, a 250-foot-wide no-disturbance buffer shall be implemented unless a qualified biologist determines, based on bat species and site-specific conditions, that a larger or smaller buffer would be adequate to avoid impacts on bat roosts.

If roosts of pallid bat or other bat species are found, and the roost cannot be avoided, bats shall be excluded from the roosting site before the tree or structure is removed. Exclusion efforts shall be restricted during periods of sensitive activity (e.g., during hibernation or while females in maternity colonies are nursing young). Once it is confirmed that bats are not present in the original roost site, the tree or structure may be removed. A detailed program to identify exclusion methods and roost removal procedures shall be developed by a qualified biologist in consultation with CDFW before implementation.

Mitigation Measure 3.5-2x: Conduct Environmental Monitoring

If construction of future development would occur where an active bat roost or maternity colony is found and a no-disturbance buffer has been established, conduct environmental monitoring as described in Mitigation Measure 3.5-1d.

Mitigation Measures 3.5-3a and 3.5-5a: Avoid and Protect Brizzolara and Stenner Creeks

For projects in the vicinity of Brizzolara and Stenner Creeks, a 50-foot buffer from the outer extent of the top-of-bank or outer extent of riparian vegetation, whichever is greater, shall be established unless a qualified biologist determines, based on site-specific conditions, that a larger or smaller buffer would be sufficient to avoid impacts on arroyo willow thickets or riparian woodland. Development of new parking areas and buildings within this buffer shall be prohibited.

If projects require work within the creeks or within the riparian area of the creeks, Cal Poly shall implement Mitigation Measures 3.5-2c through 3.5-2j, 3.5-2n, and 3.5-4.

Mitigation Measures 3.5-3b and 3.5-5b: Implement Low-Impact Development Principles

Pursuant to 2035 Master Plan Principle OR 17, Cal Poly shall incorporate Low-Impact Development (LID) principles in the design of all projects within 100 feet of Brizzolara Creek, Stenner Creek, campus reservoirs, waterways and riparian areas unless a qualified biologist determines, based on site-specific conditions, that a larger or smaller buffer would be sufficient to avoid impacts on these resources.

Mitigation Measures 3.5-3c and 3.5-5c: Install Exclusion Fencing

Prior to construction of any project within 100 feet of Brizzolara Creek, Stenner Creek, campus reservoirs, and other campus waterways, all grading plans shall clearly show the outer limits of riparian vegetation or top-of-bank features and specify the location of project delineation fencing that excludes the riparian areas from disturbance. The project delineation fencing shall remain in place and functional throughout the duration of the project, and no work activities shall occur outside the delineated work area. This measure shall not apply to any project specifically designed to cross a creek, such as a bridge or span.

Mitigation Measures 3.5-3d and 3.5-5d: Map and Protect Waterways and Riparian Areas

Prior to construction, plans shall clearly show all staging areas, which shall be located a minimum of 100 feet outside of the Brizzolara Creek, Stenner Creek, campus reservoirs, and other campus waterways and riparian areas. The minimum buffer size may be reduced at the discretion of a qualified biologist if, based on local habitat conditions and project features, the buffer is sufficient to avoid construction-related disturbances to waterways and riparian areas.

Mitigation Measure 3.5-3e: Minimize Ground Disturbance in Sensitive Natural Community Areas

For projects that require the demolition of existing structures and vegetation removal within sensitive natural communities, Cal Poly shall require that ground disturbance, vegetation removal, and tree removal is limited to that necessary for construction, especially in sensitive natural communities and riparian areas.

Mitigation Measure 3.5-3f: Mitigate for the Loss of Sensitive Natural Communities

If loss of sensitive natural communities would not be otherwise mitigated by the proposed projects (i.e., the sensitive natural community is recognized as sensitive, but not protected pursuant to other regulations or policies), then additional actions shall be implemented based on site- and project-specific impacts in order to ensure no net loss of habitat function or acreage. Such actions may include creating, restoring, and/or preserving in perpetuity in-kind communities at a sufficient ratio to achieve no net loss of habitat function or acreage. If habitat enhancement or creation takes place, Cal Poly shall develop and implement a monitoring and management plan to assess the effectiveness of the mitigation. If monitoring indicates that the actions have not adequately mitigated for the project's impacts, Cal Poly shall implement further remedial actions, restoration, and other activities to reach a no net loss of habitat function or acreage.

Mitigation Measure 3.5-3g: Avoid Planting Invasive Plants

Project landscaping shall not utilize any species included on the most recent Cal-IPC Inventory.

Mitigation Measure 3.5-3h: Use Clean and Weed-Free Vehicles and Equipment

- a) Cal Poly shall require of its contractor(s) that all vehicles and construction equipment arrive at project areas clean and weed free to avoid inadvertent transport of invasive species. Equipment shall be inspected by the on-site inspector or environmental monitor for mud and other signs that weed seeds or propagules could be present prior to use in project areas in or near sensitive natural communities. If the equipment is not clean, the environmental inspector or monitor shall deny access to the work areas until the equipment is clean.
- b) Vehicles and equipment shall be cleaned using high-pressure water or air in designated weed-cleaning stations after exiting a weed-infested area. Cleaning stations shall be designated by a botanist or noxious weed specialist and located away from aquatic resources, riparian areas, and other sensitive natural communities.

Mitigation Measure 3.5-3i: Require Use of Certified Weed-Free Construction Materials

Only certified weed-free construction materials, such as sand, gravel, straw, or fill, shall be used throughout each project site.

Mitigation Measure 3.5-3j: Treat Invasive Plant Infestations

Before construction activities begin, Cal Poly shall treat invasive plant infestations in the construction area, and within 50 feet of the construction activity area. Any new invasive plant infestations discovered during construction shall be documented, reported to Cal Poly, and treated where needed. After construction is complete, Cal Poly or its contractors shall monitor all construction disturbance areas for new invasive plant invasions and expansion of existing weed populations and treat invasive plant infestations where needed. Post-construction monitoring for invasive plant infestations would be conducted annually for 3 years within sensitive natural communities.

Mitigation Measure 3.5-4: Design Projects to Avoid and Minimize Disturbances to Jurisdictional Waters; Conduct Delineation of Jurisdictional Waters and Obtain Authorization for Fill and Required Permits; and Compensate for Unavoidable Degradation or Loss of Jurisdictional Waters

Cal Poly shall avoid, minimize, and compensate for potential degradation or loss of waters of the United States and waters of the state by implementing the following measures.

- ▶ Cal Poly shall design new facilities and improvements to existing facilities to avoid impacts on potential jurisdictional waters where feasible. If avoidance of these features is not feasible, or the jurisdictional status of an waterways that may be encroached upon is unknown, Cal Poly shall prepare a project-specific Jurisdictional Waters Delineation that identifies the project boundaries in relation to the jurisdictional boundaries of the site. For any unavoidable fill or alteration of a jurisdictional feature, Cal Poly shall coordinate with USACE to obtain a CWA Section 404 permit, CDFW to obtain a Streambed Alteration Agreement, and RWQCB to obtain a CWA Section 401 Certification. Cal Poly shall comply with all special conditions of the necessary permits.
- ▶ To support the permit applications, Cal Poly shall prepare a Habitat Mitigation and Monitoring Plan (HMMP) for inclusion into the permit applications. The HMMP shall, at a minimum propose a 2:1 replacement ratio for permanent impacts on jurisdictional areas and a 1:1 ratio for temporary impacts on the jurisdictional areas, or higher mitigation ratios if required by the permitting agencies. Unless otherwise directed by the permitting agencies, Cal Poly shall incorporate on-site, in-kind, permittee-responsible compensatory mitigation to ensure that the drainages' functions and values are retained or improved as part of the project. The HMMP shall identify the location(s) where the proposed compensatory mitigation shall be implemented and the type (e.g., creation, restoration, enhancement, preservation) of mitigation that shall be implemented. At a minimum, the HMMP shall include a 5-year maintenance and monitoring program that facilitates the successful completion of the mitigation efforts.
- ▶ Pursuant to Master Plan Principles S 02 and S 03, all improvements to the existing pedestrian pathways that currently cross Brizzolara Creek shall have the sole purpose of maintaining safe pedestrian and bicycle use of the crossings. Cal Poly shall not improve these existing pedestrian/bicycle crossings for vehicular use.
- ▶ Pursuant to Master Plan Principles S 02 and S 03, all improvements to the existing vehicle crossing at Via Carta shall have the sole purpose of maintain the existing use as a two-lane vehicle crossing or a pedestrian/bicycle crossing. The existing Via Carta crossing shall not be improved in such a manner that increases the width of the crossing or increases the amount of the crossing's surface area that covers Brizzolara Creek. Any improvements to the existing bridge shall be designed to result in a decrease of creek surface area being covered by bridge structure.
- ▶ Pursuant to Master Plan Principles S 02 and S 03, to the extent feasible, Cal Poly shall omit the one proposed pedestrian/bicycle crossing at the existing parking area located at the Highland Drive and East Creek Road intersection from future development plans. Cal Poly shall design the pedestrian/bicycle circulation routes to utilize the existing crossings in the area if feasible. The intent of omitting the proposed crossing is to minimize impacts on jurisdictional waters and the habitat functions and services that the creek provides.
- ▶ If omitting the one new pedestrian/bicycle crossing is not feasible, Cal Poly shall design, permit, and construct the new pedestrian/bicycle crossing in conjunction with the proposed California Boulevard extension crossing at East Creek Road. These two crossings shall not be designed and constructed independently from each other. The intent of combining the design of the two crossings is to ensure that the two crossings are developed in such a way that minimizes impacts on the creek and allows permitting agencies to evaluate the full effect of the two crossings on the creek functions and services during the permitting process.

Finding

The CSU Board of Trustees finds that the above mitigation measures are feasible, will reduce the potential biological resources-related impacts of the project to less-than-significant levels, and are adopted by the CSU Board of Trustees. Accordingly, the CSU Board of Trustees finds, that pursuant to PRC Section 21081(a)(1), and the State CEQA

Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Rationale

Mitigation measures include pre-construction surveys to determine whether sensitive habitat or species are present. If found to be present, mitigation measures would require avoidance (through physical design or seasonal construction windows) and, if not possible, compensation such that no net loss of sensitive species or habitat would occur. More specifically, the footprints of new facilities and improvements would be designed, where feasible, to avoid or minimize grading, construction, and/or material laydown in areas containing sensitive resources, including wetlands and/or other sensitive habitat. If avoidance cannot be implemented through design, the necessary permits from regulatory agencies will assist the project in mitigating for affected resources through direct compensation, contributions to mitigation banks, in-lieu fees, or permittee-responsible mitigation. Where construction may occur near sensitive resources, monitoring would be conducted to minimize disturbance/impacts to sensitive biological resources. In the event that impacts to biological resources are unavoidable, consultation with agencies with jurisdiction will assist in reducing or off-setting impacts through credit purchases at mitigation banks or permittee-responsible mitigation.

GEOLOGY AND SOILS

An evaluation of the potential impacts to geology and soils resulting from implementation of the 2035 Master Plan is provided in Section 3.7, "Geology and Soils," of the Final EIR. Implementation of the Cal Poly 2035 Master Plan could have the potential to expose people and structures to risks from landslides where construction on steep slopes within the eastern boundary of the East Campus subarea and along the northern portion of the North Campus subarea would occur (**Impact 3.7-3**); could increase the risk that soils would become unstable during grading and excavation, which could eventually result in on- or off-site landslides, lateral spreading, subsidence, liquefaction, or collapse (**Impact 3.7-5**); could result in damage to buildings and/or foundations where unstable soils or soils with high shrink-swell and linear extensibility potential are present (**Impact 3.7-6**); and could result in the discovery of and disturbance to as yet unknown paleontological resources during ground-disturbing activities (**Impact 3.7-7**).

Mitigation measures to avoid or reduce the environmental effects of the project related to geology and soils are included as part of the project.

Mitigation Measures 3.7-3, 3.7-5, and 3.7-6: Perform Site-Specific Geotechnical Investigations

For any areas within the campus where development is proposed in an area designated as having a high potential for landslide hazards, have substantial erosion potential, or be located on a geologic unit that is unstable or within an area known to have expansive soils, a site-specific geotechnical investigation shall be performed. Based on the findings of the geotechnical investigation for each future development or redevelopment projects under the 2035 Master Plan, any appropriate stabilization and site design recommendations, or low impact development features determined necessary to support proposed development shall be incorporated in the project design and implemented as part of project construction. Examples of stabilization and erosion control recommendations may include, but are not limited to:

- ▶ installation of earthen buttress(es);
- ▶ excavation of landslide mass/material;
- ▶ slope stabilization through excavation into benches and/or keyways and other methods;
- ▶ deep soil mixing;
- ▶ installation of retaining walls;
- ▶ use of tie-back anchors, micropiles, or shear pins; or

- ▶ a combination of any of these methods.

Before final plan approval, Cal Poly shall incorporate into the project design and implement all recommendations identified in the site-specific geotechnical investigation, including all recommendations included in the final geotechnical report prepared for the project. All recommendations shall be shown on final plans and/or included as project specifications.

Mitigation Measure 3.7-7: Treatment of Paleontological Resources

If any paleontological resources are encountered during ground-disturbing activities, the construction contractor shall ensure that activities in the immediate area of the find are halted and Cal Poly informed. Cal Poly shall retain a qualified paleontologist to evaluate the discovery and recommend appropriate treatment options pursuant to guidelines developed by the Society of Vertebrate Paleontology, including development and implementation of a paleontological resource impact mitigation program for treatment of the resource, if applicable.

Finding

The CSU Board of Trustees finds that the above mitigation measures are feasible, will reduce the potential geology and soils-related impacts of the project to less-than-significant levels, and are adopted by the CSU Board of Trustees. Accordingly, the Board of Trustees finds that, pursuant to Public Resources Code section 21081(a)(1), and CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project which mitigate or avoid potentially significant effects on the environment identified in the Final EIR.

Rationale

Mitigation Measures include performing site-specific geotechnical investigations and implementing appropriate stabilization and site design recommendations or low impact develop features in areas determined to have a high potential for landslides and other geologic hazards to reduce potential direct or indirect impacts associated with the risk of loss, injury, or death involving landslides, unstable soils, and expansive soils. In addition, construction would be halted if potential paleontological resources are encountered. A qualified paleontologist would be retained to evaluate the discovery and recommend appropriate treatment options pursuant to guidelines developed by the Society of Vertebrate Paleontology, which Cal Poly would then implement as treatment of the resource, under the guidance of the paleontologist.

GREENHOUSE GAS EMISSIONS

An evaluation of the potential greenhouse gas emissions and associated impacts resulting from implementation of the 2035 Master Plan is provided in Section 3.8, "Greenhouse Gas Emissions," of the Final EIR. Construction activity associated with development of the project is estimated to generate a total of 14,079 MTCO₂e. Operation of the project would result in GHG emissions associated with mobile sources, area sources, building energy, water consumption, and wastewater and solid waste generation. After full buildout, the project would generate approximately 14,537 MTCO₂e/year, including the total construction emissions amortized over 25 years. This would exceed the identified threshold of 4,255 MTCO₂e/year (**Impact 3.8-1**).

Mitigation measures to avoid or reduce the environmental effects of the project related to greenhouse gas emissions are included as part of the project.

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

Cal Poly shall implement the following GHG reduction measures:

- ▶ Design all new and renovated buildings to achieve a 30-percent or greater reduction in energy use compared to a standard 2019 California Energy Code-compliant building or other best practices as defined by CSU Sustainability Policy. Reductions in energy shall be achieved through energy efficiency measures consistent with Tier 2 of the California Green Building Energy Code Section A5.203.1.2.2.

- ▶ Design all new and renovated buildings to include Cool Roofs in accordance with the requirements set forth in Tier 2 of the 2019 California Green Building Energy Code, Sections A5.106.11.2.
- ▶ Install rooftop solar photovoltaics on all new and renovated buildings, including parking structures, where specific site parameters and constraints allow for adequate rooftop space. The amount of megawatt-hours that would be installed to offset electricity consumption would be based on the feasibility at each building site.
- ▶ Ensure that all new and renovated buildings comply with requirements for water efficiency and conservation as described in the 2019 California Green Building Standards Code, Division 5.3.
- ▶ Ensure that all new parking structures include preferential parking spaces to vehicles with more than one occupant and ZEVs. The number of dedicated spaces will be no less than 5 percent of the total parking spaces. These dedicated spaces shall be in preferential locations, such as near the entrance to the parking structure. ZEV spaces shall also include campus-standard electric vehicle charging stations, with electrical infrastructure capacity to expand charging stations by a factor of four as the number of electric vehicle drivers grows. These spaces shall be clearly marked with signs and pavement markings. This measure shall not be implemented in a way that prevents compliance with requirements in the California Vehicle Code regarding parking spaces for disabled persons or disabled veterans.
- ▶ Include multiple electrical receptacles on the exterior of all new and renovated buildings and accessible for purposes of charging or powering electric landscaping equipment and providing an alternative to using fossil fuel-powered generators. The electrical receptacles shall have an electric potential of 120 volts. There should be a minimum of one electrical receptacle on each building and one receptacle every 100 linear feet around the perimeter of the building.
- ▶ Ensure that all appliances and fixtures installed in project buildings are EnergyStar®-certified if an EnergyStar®-certified model of the appliance is available. Types of EnergyStar®-certified appliances include boilers, ceiling fans, central and room air conditioners, clothes washers, compact fluorescent light bulbs, computer monitors, copiers, consumer electronics, dehumidifiers, dishwashers, external power adapters, furnaces, geothermal heat pumps, programmable thermostats, refrigerators and freezers, room air cleaners, transformers, televisions, vending machines, ventilating fans, and windows (EPA 2018). If EPA's EnergyStar® program is discontinued and not replaced with a comparable certification program before appliances and fixtures are selected, then similar measures which exceed the 2019 California Green Building Standards Code may be used.
- ▶ Ensure that all space and water heating is solar- or electric-powered.
- ▶ Install high-efficacy lighting (e.g., light emitting diodes) in all streetlights, security lighting, and all other exterior lighting applications.
- ▶ Accomplish a waste diversion rate of 90 percent by and strive for 100 percent by 2040.
- ▶ Plant water-efficient and drought tolerant landscapes at all project buildings.

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

- ▶ At the time of contract renegotiation, work with current car share companies (e.g., ZIP car) to increase the use of fully electric vehicles or consider partnerships with other similar services that do use electric vehicles.
- ▶ Where appropriate site conditions exist, install solar photovoltaics on available land throughout the Cal Poly campus to offset the use of nonrenewable energy for existing and future facilities and buildings.
- ▶ Cal Poly shall work with San Luis Obispo County, the City of San Luis Obispo, Tri-County Regional Energy Network (3C-REN), and other local agencies to determine if Cal Poly can fund and take GHG reduction credit for energy efficiency retrofits of local existing housing stock, commercial spaces, and other land uses.
- ▶ Accelerate the expansion of Cal Poly's fleet vehicles to electric.

- ▶ Accelerate the expansion of Level 2 EV chargers on campus to meet the anticipated demand at Cal Poly.
- ▶ Implement energy efficiency retrofits for existing buildings on campus that will remain.
- ▶ Work with SLO Regional Rideshare to refine Cal Poly's use of the iRideshare trip reporting/incentive platform to help VMT and emission reduction goals.
- ▶ To help commute incentives more effectively change commute behavior to benefit VMT, emissions, and the modal hierarchy:
 - Expand faculty and staff daily benefits for using alternative transportation modes to an effective amount.
 - Consider reducing the frequency between parking permit purchasing (e.g. weekly, monthly)
 - Consider increasing faculty and staff parking permit costs over time.

Anticipated GHG emissions reductions resulting from the above mitigation measures were quantified and summarized below in Table 3.8-4.

Table 3.8-4 Summary of GHG Emissions Reduction from Mitigation Measure 3.8-1

| Emissions Source | GHG Emissions (MTCO ₂ e/year) |
|--------------------------------|--|
| Area | 43 |
| Building Energy | 2,205 |
| Mobile | 7,323 |
| Water-Related | 172 |
| Solid Waste | 325 ¹ |
| Amortized Construction | 563 |
| Total | 10,631 |
| Mass Emission Threshold | 4,255 |

Notes: GHG = greenhouse gas; MTCO₂e = metric tons of carbon dioxide equivalent.

¹ Emissions reduction related to the mitigation measure recommending zero waste by 2040 was not calculated owing to the uncertainty in available strategies for achieving the target. Rather, it was assumed that Cal Poly would continue to achieve, at a minimum, a diversion rate of 86 percent, a rate achieved in 2017. Thus, mitigated emissions were reduced consistent with current levels of waste diversion.

Source: Modeling conducted by Ascent Environmental in 2019

As shown in Table 3.8-4, implementation of Mitigation Measure 3.8-1 would reduce GHG emissions associated with the 2035 Master Plan to 10,631 MTCO₂e/year, reducing the project's operational emissions by 3,906 MTCO₂e/year. Most of these emissions would come from mobile sources. To meet the established threshold of significance, additional reductions of 6,376 MTCO₂e/year would be required.

Mitigation Measure 3.8-2: Purchase GHG Offsets

Annual project-generated GHG emissions would exceed the established threshold by 6,376 MTCO₂e/year after incorporation of Mitigation Measure 3.8-1. Additional GHG emissions reductions could be achieved from the development of a local (i.e., campus) offset program or direct investments in existing local programs such as financing installation of regional electric vehicle–charging stations or investing in local urban forests.

Where development or investments in local programs are not feasible or available, Cal Poly may choose to mitigate additional GHG emissions through the purchase of carbon credits available through any one of the following verifiable entities/registries: CARB, Climate Action Reserve, California Air Pollution Control Officers Association, the APCD, or any other equivalent or verifiable registry. Such offsets, either established by Cal Poly or purchased, will meet the requirements of CEQA Guidelines Section 15126.4(C)(3), and meet the following criteria:

- ▶ **Real**—They represent reductions actually achieved (not based on maximum permit levels).
- ▶ **Additional/surplus**—They are not already planned or required by regulation or policy (i.e., not double counted).

- ▶ **Quantifiable**—They are readily accounted for through process information and other reliable data.
- ▶ **Enforceable**—They are acquired through legally binding commitments/agreements.
- ▶ **Validated**—They are verified through the accurate means by a reliable third party.
- ▶ **Permanent**—They will remain as GHG reductions in perpetuity.

Carbon offset credits must be purchased prior to occupancy of individual structures developed under the Master Plan up to 159,400 MTCO₂e of credits (i.e., 25 years multiplied by 6,376 MTCO₂e) for the entire campus. The amount to be purchased for each development under the Master Plan can either be calculated based on the percentage share of the development as it relates to overall development under the Master Plan or based on updated modeling at the time the development is considered for approval. The price per MT of CO₂e varies depending on the availability of credits on the market, the number of credits purchased at one time, and the type and location of carbon offset being purchased. Current pricing estimates range from \$0.85 to \$8.5 per MTCO₂e..

Finding

The CSU Board of Trustees finds that the above mitigation measures are feasible, will reduce the potential greenhouse gas emissions-related impacts of the project to less-than-significant levels, and are adopted by the CSU Board of Trustees. Accordingly, the CSU Board of Trustees finds, that pursuant to PRC Section 21081(a)(1), and the State CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Rationale

The 2035 Master Plan and the mitigation measures described above employ a wide-ranging approach to reduce GHG emissions. This includes the incorporation of building design, construction and operational measures to achieve greater energy efficiency and reduce GHG emissions, such as through the inclusion of renewable energy features in project buildings, use of electric vehicles and landscaping equipment and the installation of efficiency rated appliances, fixtures, and lighting among other items. These mitigation measures would further assist Cal Poly in achieving its Climate Action Plan goal of net zero GHG emissions for structures and operations, by exceeding California Energy Code requirements and providing on-site renewable energy generation to match electricity consumption. In addition, this finding considers GHG emissions reductions (approximately 20 percent reductions in mobile-source exhaust GHG emissions) that would occur as a result of reduced vehicle miles traveled, which combined with offsite energy efficiency and carbon offsets, would put Cal Poly on a trajectory toward attaining established and applicable 2050 emissions targets. Finally, Cal Poly would purchase carbon offset credits (which is needed primarily due to campus-wide vehicle-related GHG emissions) to ensure project emissions are below mass emission thresholds. Thus, the 2035 Master Plan, as a whole, provides for a robust and aggressive reduction of GHG emissions at every stage of the process – from broader facilities siting considerations (e.g., the provision of additional on-site housing), to building design, construction, and fixtures and ongoing operational requirements.

HYDROLOGY AND WATER QUALITY

Hydrology and water quality impacts associated with project implementation are evaluated in Section 3.9, “Hydrology and Water Quality,” of the Final EIR. Development and redevelopment under the 2035 Master Plan could result in an increase in impervious surfaces within the main campus, which could reduce storm water infiltration into the underlying groundwater aquifers, and thus impede groundwater recharge (**Impact 3.9-3**); promote increased erosion and sedimentation or other storm water contamination, exceed the capacity of existing storm drain systems and/or could impact the existing drainage pattern of the site and surrounding area (**Impact 3.9-4**); and could increase the intensity of development within flood hazard zones resulting in risk of release of pollutants such as oil, pesticides, herbicides, sediment, trash, bacteria, and metals during a flood event (**Impact 3.9-5**).

Mitigation measures to avoid or reduce the environmental effects of the project on hydrology and water quality are included as part of the project.

Mitigation Measures 3.9-3 and 3.94a: Prepare Drainage Plan and Supportive Hydrologic Analysis

Before the commencement of construction activities associated with new development that will modify existing drainage and/or require the construction of new drainage infrastructure to collect and control storm water runoff, Cal Poly shall prepare a drainage plan and supportive hydrologic analysis demonstrating compliance with the following, or equally effective similar measures, to maximize groundwater recharge and maintain similar drainage patterns and flow rates:

- a) Off-site runoff shall not exceed existing flow rates during storm events.
- b) If required to maintain the current flow rate, appropriate methods/design features (e.g., detention/retention basins, infiltration systems, or bioswales) shall be installed to reduce local increases in runoff, particularly on frequent runoff events (up to 10-year frequency) and to maximize groundwater recharge.
- c) If proposed, drainage discharge points shall include erosion protection and be designed such that flow hydraulics exiting the site mimics the natural condition as much as possible.
- d) Drainage from impervious surfaces (e.g., roads, driveways, buildings) shall be directed to a common drainage basin.
- e) Where feasible, grading and earth contouring shall be done in a way to direct surface runoff towards the above-referenced drainage improvements (and/or closed depressions).

Mitigation Measure 3.9-4b: Implement Post-Development Storm Water Best Management Practices and Low-Impact Development

During the design review phase of each future development project within the Master Plan Area, Facilities Management and Development will verify that the storm water BMPs and LID technologies were evaluated for each project within the 2035 Master Plan and all appropriate BMPs are incorporated into the specific project. Additionally, consistent with MS4 requirements, Facilities Management and Development will also verify that post-development runoff from the project site will approximate pre-development runoff volumes. If post-development runoff does not approximate pre-development runoff, additional BMPs shall be required in order to ensure that storm drain system capacity is not exceeded and that the drainage pattern of each project site is not significantly altered in such a way that it would result in erosion, siltation, or flooding.

Mitigation Measure 3.9-5: Avoid Development in 100-Year Flood Zones Where Feasible and Incorporate Design Measures to Address Release of Pollutants

All development pursuant to the 2035 Master Plan shall be sited to avoid the 100-year flood zone to the extent practicable. If development within the flood zone cannot be avoided, design measures shall be incorporated into all habitable and critical structures to ensure finished floor levels are constructed above the 100-year flood elevation, or other flood-proofing measures, including a pollutant control plan in the event of a flood, shall be incorporated and approved by Cal Poly in conjunction with FEMA to ensure structures are designed to meet state and federal flood-proofing requirements and to prevent the release of pollutants if flooding does occur.

Finding

The CSU Board of Trustees finds that the above mitigation measures are feasible, will reduce the potential impacts of the project on hydrology and water quality to less-than-significant levels, and are adopted by the CSU Board of Trustees. Accordingly, the CSU Board of Trustees finds that, pursuant to Public Resources Code section 21081(a)(1), and CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project which mitigate or avoid potentially significant effects on the environment identified in the Final EIR.

Rationale

The above mitigation measures would reduce impacts on hydrology and water quality by requiring preparation and implementation of a site-specific drainage plan and appropriate measures to ensure proposed development and redevelopment projects do not interfere substantially with groundwater recharge, maintain existing storm event flow rates and patterns to avoid potential impacts such as erosion or siltation, flooding, exceedance of capacity of existing

or planned storm water drainage systems, providing additional sources of polluted runoff, or impeding or redirecting flood flows; requiring evaluation of storm water BMPs for each future development or redevelopment project within the 2035 Master Plan to ensure post-development runoff from the project site will approximate pre-development runoff consistent with the MS4 permit; ensuring that, if buildings are constructed within the 100-year flood zone, they would be placed above the 100-year flood elevation to avoid potential impacts associated with flooding, including the release of pollutants; and requiring further coordination with FEMA and implementation of applicable design considerations to avoid potential impacts related to flood hazards and risk of pollutant release if future development is proposed within an identified flood hazard area.

NOISE

An evaluation of the 2035 Master Plan's noise impacts is provided in Section 3.10, "Noise," of the Final EIR. During 2035 Master Plan implementation, if pile driving is required during project construction, it could expose existing nearby sensitive receptors and structures to levels of ground vibration that could result in structural damage and/or human disturbance (**Impact 3.10-4**).

Mitigation measures to avoid or reduce the environmental effects of the project related to noise are included as part of the project.

Mitigation Measure 3.10-4a: Implement Measures to Reduce Ground Vibration

For any future construction activity that would involve pile driving and be located within 300 feet of an existing sensitive land use or occupied building, the following measures shall be implemented:

- ▶ To the extent feasible, earthmoving and ground-impacting operations shall be phased so as not to occur simultaneously in areas close to sensitive receptors (i.e., within 300 feet). The total vibration level produced could be significantly less when each vibration source is operated at separate times.
- ▶ Where there is flexibility in the location of use of heavy-duty construction equipment, or impact equipment, the equipment shall be operated as far away from vibration-sensitive sites as reasonably feasible.

Mitigation Measure 3.10-4b: Develop and Implement a Vibration Control Plan

To assess and, when needed, reduce vibration and noise impacts from construction activities, the following measures shall be implemented:

- ▶ A vibration control plan shall be developed prior to initiating any pile-driving activities. Applicable elements of the plan shall be implemented before, during, and after pile-driving activity. The plan will include measures sufficient to reduce vibration at sensitive receptors to levels below applicable thresholds. Items that will be addressed in the plan include, but are not limited to, the following:
 - Identification of the maximum allowable vibration levels at nearby buildings may consider Caltrans's recommended standards with respect to the prevention of architectural building damage of 0.25 in/sec PPV for historic and some old buildings and for buildings that are occupied at the time of pile driving, FTA's maximum-acceptable-vibration standard with respect to human response, 80 VdB. However, based on site-specific parameters (e.g., building age, structural integrity), and construction specifics (e.g., time of day when vibration activities occur, pile frequency), these standards may be adjusted, as long as sensitive receptors and structures are protected.
 - Pre-construction surveys shall be conducted to identify any pre-existing structural damage to buildings that may be affected by project-generated vibration.
 - Identification of minimum setback requirements for different types of ground-vibration-producing activities (e.g., pile driving) for the purpose of preventing damage to nearby structures and preventing adverse effects on people. Factors to be considered include the nature of the vibration-producing activity, local soil conditions, and the fragility/resiliency of the nearby structures. Initial setback requirements can be reduced if

a project- and site-specific analysis is conducted by a qualified geotechnical engineer or ground vibration specialist that indicates that no structural damage to buildings or structures would occur.

- Vibration levels from pile driving shall be monitored and documented at the nearest sensitive land use to document that applicable thresholds are not exceeded. Recorded data shall be submitted on a twice-weekly basis to Cal Poly. If it is found at any time that thresholds are exceeded, pile driving shall cease in that location, and methods shall be implemented to reduce vibration to below applicable thresholds, or an alternative pile installation method shall be used at that location.

Finding

The CSU Board of Trustees finds that the above mitigation measures are feasible, will reduce the potential impacts of the project related to noise to less-than-significant levels, and are adopted by the CSU Board of Trustees.

Accordingly, the CSU Board of Trustees finds that, pursuant to Public Resources Code section 21081(a)(1), and CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project which mitigate or avoid potentially significant effects on the environment identified in the Final EIR.

Rationale

The above mitigation measures would reduce impacts related to construction vibration levels (due to pile driving within 300 feet of a sensitive use or occupied building) by requiring the contractor to locate equipment far from vibration-sensitive sites as reasonably feasible and phasing operations to minimize vibration exposure to nearby sensitive receptors. Further, if pile driving would be required, a vibration control plan would be prepared and implemented to refine appropriate setback distances and identify other measures to reduce vibration, if necessary, and identify and implement alternative methods to pile driving if required. These measures would ensure compliance with recommended levels to prevent structural damage and human annoyance.

TRANSPORTATION

An evaluation of the 2035 Master Plan's impacts to transportation is provided in Section 3.13, "Transportation," of the Final EIR. With implementation of the 2035 Master Plan, Cal Poly would, as a whole and taking into consideration existing uses and new 2035 Master Plan uses, exceed the countywide VMT per service population threshold of 19.22 (15 percent below the existing regional VMT per service population of 22.61 VMT) (**Impact 3.13-1**). In addition, the increase in on-campus population under the 2035 Master Plan would increase demand for transit, which may result in a failure to maintain quality service leading to losses of ridership and increases in travel by other modes (e.g., automobiles) (**Impact 3.13-2**); would increase bicycle travel on campus and pedestrian travel on and off campus, which could generate bicycle and pedestrian volumes that physically disrupt the use of existing facilities and increase the competition for physical space between the modes, thus increasing the risk of collisions (**Impacts 3.13-3 and 3.13-4**).

Mitigation measures to avoid or reduce the environmental effects of the project on transportation are included as part of the project.

Mitigation 3.13-1: Develop and Implement a Transportation Demand Management Plan

Using the CSU TDM Manual (Nelson Nygaard 2012) as a guide, Cal Poly shall develop and implement a TDM plan to reduce daily trips and VMT generated by campus employees, residents, and students by a minimum of 5.04 VMT per service population. TDM measures best suited for college towns generally include measures intended to reduce driving on campus such as subsidized transit passes, improved transit and shuttles, parking management, encouraging bicycle and pedestrian travel, and locating student housing on-campus. TDM policies that could reduce vehicle trip generation and VMT include, but are not limited to, the following:

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

- ▶ Support active transportation projects on and near campus through infrastructure improvements to enhance safety and efficiency of these travel modes. This would include additional on-campus shuttle service or separated facilities for active transportation, including bike and transit. In addition, campus would expand information programs to educate students about transportation options.
- ▶ Implement carpool and/or vanpool incentive programs. This could include expanded programs/incentives for both faculty/staff and students, including trip credits, the emergency ride home program, and rideshare.
- ▶ Offer remote working options for employees. This could include offering online courses/lectures for students where faculty/staff could work and students would participate remotely.

As part of the TDM plan, Cal Poly shall develop and implement a parking management plan. The parking management plan shall implement policies that focus on reducing academic and residential parking demand. Parking management strategies that would reduce vehicle trip generation and VMT include, but are not limited to the following:

- ▶ Restrict parking spaces by student class – Reduce the availability of or eliminate on-campus parking for freshman and/or sophomores.
- ▶ Adjust the cost of parking permits – Increase the cost of on-campus resident parking permits, implement tiered parking pricing based on the distance to campus or time of day, and/or employ a tiered pricing from limited days (1-day, 2-day, etc.).
- ▶ Designate parking locations – Establish designated parking locations by academic program to manage the academic parking demand.
- ▶ Establish pick-up/drop-off parking district(s) – To account for emerging forms of transportation, such as transportation network companies (e.g., Uber and Lyft) and the associated VMT generated, develop a parking district or districts that charge for pick-up and drop-off on campus.

As part of the parking management plan, to better understand the commute patterns of students, residents, and employees Cal Poly shall study the distribution of VMT by commute-shed (e.g., intra-county trips, inter-county trips, on-campus trips) to help develop appropriate TDM and parking management policy responses.

On a biannual (every two years) basis, Cal Poly shall monitor and evaluate the efficacy of the TDM Plan and its strategies. If necessary and in order to achieve the target VMT reduction, Cal Poly shall increase the level of implementation and/or scope of TDM measures in order to ensure the 5.04 or greater VMT standard is met.

Mitigation Measure 3.13-2: Monitor Transit Service Performance and Support Transit Improvements

Currently, SLO Transit and RTA regularly monitors transit service performance and adjusts service levels, as feasible, according to established service standards. Cal Poly shall work with SLO Transit and RTA staff to identify and support implementation of transit service and/or facility improvements (e.g., through fair share contribution[s] based on University-related ridership) necessary to adhere to applicable, established service standards (e.g., fewer than 125 percent of seated capacity) identified in the SLO Transit Short Range Transit Plan (SRTP) and applicable RTA plans and, in turn, maintain a high-quality customer experience so as not to deter existing and potential ridership. Potential transit improvements could include modifying existing transit routes or adding new routes to serve areas of the campus underserved by transit, adding service capacity (through increased headways and/or larger vehicles) to prevent chronic overcrowding, improving terminal facilities to accommodate additional passengers and transit vehicles, and improving coordination between transit providers. In the event that SLO Transit and/or RTA updates their respective SRTPs during implementation of the 2035 Master Plan, transit improvements shall result in service performance that meets the performance targets established in the latest SLO Transit and RTA SRTPs.

Transit facility and roadway improvements shall be designed and constructed in accordance with industry best practices and applicable standards. Improvements shall be implemented or constructed in a manner that would not

physically disrupt existing transit service or facilities (e.g., additional bus service that exceeds available bus stop or transit terminal capacity) or otherwise adversely affect transit operations.

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

Following adoption of the 2035 Master Plan and every two years thereafter during implementation of the 2035 Master Plan, Cal Poly shall record on-campus bicycle volumes and collisions involving bicyclists and establish a bicycle collision rate. The rate should be sensitive to context (e.g., Academic Core subarea versus new student housing along the edge of current campus development) and facility type (e.g., intersection versus segment). Cal Poly shall determine the on-campus bicycle collision rate as part of its biennial mitigation monitoring program. In instances where the rate increases from the prior observation period, Cal Poly shall develop and implement countermeasures designed to reduce the rate and primary collision factors. Cal Poly shall also identify and develop countermeasures for locations where the change in the mix of travel patterns and behavior is determined to be incompatible with the facility as designed. Potential countermeasures include the following:

- ▶ Construct physically separated facilities for each mode in shared operating environments (particularly high-versus low-speed travel modes).
- ▶ Restrict select modes in certain areas where one mode is prioritized over another to minimize collision potential.
- ▶ Increase the number of bicycle parking facilities and distribute them to minimize crowding on connecting bicycle facilities.
- ▶ Enforce 'rules of the road' per the California Vehicle Code and applicable University policies.
- ▶ Educate existing and prospective bicyclists to give people the skills and abilities to ride.
- ▶ Control class schedules and passing periods to minimize effects of peak bicycle traffic.
- ▶ Expand core area restrictions on service vehicles.

Anticipated increases in bicycle activity would be concentrated near focal points for students and staff activities, including new on-campus housing developments, existing and new academic and recreational facilities (e.g., classrooms, lecture halls, athletic fields) in the Academic Core subarea, and along bicycle facilities connecting activity generators. Bicycle facility and roadway improvements that intend to minimize conflicts between bicyclists and other travel modes shall be designed and constructed in accordance with applicable CSU and California standards. In addition, Cal Poly shall coordinate with the City regarding the connection points and sizing of on-campus facilities at their intersection points with City facilities to ensure the safe transition of bicyclists between City and campus facilities and vice versa.

As an optional mitigation action, Cal Poly could elect to prepare a Multimodal Transportation Management Plan that shall identify the expected locations and types of bicycle improvements that may be necessary to accommodate growth resulting from the 2035 Master Plan. Potential modifications to the existing transportation network for active transportation modes shall be based on, but not limited to, the following objectives:

- ▶ desired level of traffic stress or user experience, and
- ▶ the need for physical separation between the modes (to address either volume or speed differentials).

The plan shall include an implementation program that identifies the prioritization and sequencing of improvements as they relate to specific on-campus facilities (e.g., new student residences). The plan shall be flexible to respond to changing conditions during implementation of the 2035 Master Plan and shall contain optional strategies and improvements that can be applied to specific problems that arise as the 2035 Master Plan's implementation proceeds.

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

Following adoption of the 2035 Master Plan and every two years thereafter during implementation of the 2035 Master Plan, Cal Poly shall record on-campus pedestrian volumes and collisions involving pedestrians and establish a

pedestrian collision rate. The rate should be sensitive to context (e.g., Academic Core subarea versus new student housing along the edge of current campus development) and facility type (e.g., intersection versus segment). Cal Poly shall determine the on-campus pedestrian collision rate as part of its biennial mitigation monitoring program. In instances where the rate increases from the prior observation period, Cal Poly shall develop and implement countermeasures designed to reduce the rate and primary collision factors. Cal Poly shall also identify and develop countermeasures for locations where the change in the mix of travel patterns and behavior is determined to be incompatible with the facility as designed. Potential countermeasures include the following:

- ▶ Construct physically separated facilities for each mode in shared operating environments (particularly high-versus low-speed travel modes).
- ▶ Restrict select modes in certain areas where one mode is prioritized over another to minimize collision potential.
- ▶ Improve and/or expand existing pedestrian facilities.

Anticipated increases in pedestrian activity would be concentrated near focal points for students and staff activities, including new on-campus housing developments, existing and new academic and recreational facilities (e.g., classrooms, lecture halls, athletic fields) in the Academic Core subarea, and along pedestrian facilities connecting activity generators. Bicycle facility and roadway improvements that intend to minimize conflicts between pedestrians and other travel modes shall be designed and constructed in accordance with applicable CSU and California standards. In addition, Cal Poly shall coordinate with the City regarding the connection points and sizing of on-campus facilities at their intersection points with City facilities to ensure the safe transition of pedestrians between City and campus facilities and vice versa.

As an optional mitigation action, Cal Poly could elect to prepare a Multimodal Transportation Management Plan that shall identify the expected locations and types of pedestrian improvements that may be necessary to accommodate growth resulting from the 2035 Master Plan. Potential modifications to the existing transportation network for active transportation modes shall be based on, but not limited to, the following objectives:

- ▶ desired pedestrian level of service or user experience, and
- ▶ the need for physical separation between the modes (to address either volume or speed differentials).

The plan shall include an implementation program that identifies the prioritization and sequencing of improvements as they relate to specific on-campus facilities (e.g., new student residences). The plan shall be flexible to respond to changing conditions during implementation of the 2035 Master Plan and shall contain optional strategies and improvements that can be applied to specific problems that arise as Master Plan's implementation proceeds.

Finding

The CSU Board of Trustees finds that the above mitigation measures are feasible, will reduce the potential impacts of the project on transportation to less-than-significant levels, and are adopted by the CSU Board of Trustees. Accordingly, the CSU Board of Trustees finds that, pursuant to Public Resources Code section 21081(a)(1), and CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project which mitigate or avoid potentially significant effects on the environment identified in the Final EIR.

Rationale

The mitigation measures would reduce impacts related to VMT by decreasing the demand for vehicular travel, increasing transit use, incentivizing active transportation modes, and modifying commute patterns, such that the performance threshold of reducing VMT per service population by 15 percent would be achieved. Transportation modes would be actively managed for the life of the 2035 Master Plan through the preparation and implementation of a Transportation Demand Management (TDM) Plan, which will also include a parking management plan and biannual monitoring to ensure the performance threshold of 19.22 VMT per service population is achieved and maintained. In addition, for new campus population associated with the 2035 Master Plan, VMT would be reduced to 10.95 VMT per service population, a significant decrease from the county-wide VMT of 22.61. In addition, the mitigation measures discussed above would reduce impacts associated with transit service and facilities by ensuring

that Cal Poly works with SLO Transit and RTA to identify and support transit service and/or facility improvements to accommodate demand consistent with established SLO Transit and RTA service standards, and adjusting routes and engaging in coordination efforts to ensure adequate transit operations and use. The measures would also reduce impacts associated with bicycle and pedestrian facilities by supporting bicycling and walking on campus through new/expanded facilities, so as to minimize the potential for conflicts between bicycles, pedestrians, and other travel modes via adjusted volume, capacity, and design, and/or use of barriers and other separation devices (e.g., landscaping). Further, the measures referenced above are designed to be flexible and adaptable to changing travel modes, technologies and site conditions to ensure optimal performance.

UTILITIES AND SERVICE SYSTEMS

An evaluation of impacts to utilities and service systems is provided in Section 3.14, "Utilities and Service Systems," of the Final EIR. Development of the 2035 Master Plan would result in increased population levels and development of new buildings, which would increase water supply demand and wastewater flows. Cal Poly plans to construct an on-campus water reclamation facility (WRF) in two phases, each of which would have a treatment capacity of 190 acre-feet per year (afy) (169,621 gallons per day [gpd]), for a total capacity of 380 afy (339,242 gpd). Phases 1 and 2 are expected to be operational in 2022 and 2028, respectively. Several conservation actions would reduce wastewater generation, such as replacing toilets, urinals, faucets, and showerheads with low-flow alternatives. Campus water demand would be reduced through conservation measures, transfer of water supply service from Cal Poly to the City (for two Cal Poly properties located within the City), and development of the WRF. While general timing of WRF construction and operation are planned, specific timing and other details are as yet unknown. Under the 2035 Master Plan, adequate water supplies and wastewater treatment would not be available to meet future demands if the first phase of the WRF is operational in 2022 and the second phase is operational in 2028. Without the availability of reclaimed water from the WRF, there would not be adequate water supplies beginning in 2025. Furthermore, planned water conservation actions would not be sufficient in and of themselves to reduce wastewater generation such that capacity of the City's wastewater conveyance system could accommodate 2035 Master Plan development. Because the specific design, timing, and other details of the WRF are not yet established, it cannot be determined with certainty that adequate water supply and wastewater treatment capacity would be available to meet increased demand from implementation of the 2035 Master Plan (**Impacts 3.14-3 and 3.14-4**).

Mitigation measures to avoid or reduce the environmental effects of the project on utilities and service systems are included as part of the project.

Mitigation Measure 3.14-3: Initiate Operation of the WRF to Ensure That It Can Meet the Offset Demand Associated with Campus Growth

If the initial phase of the WRF is not operational by 2022 or if other near-term 2035 Master Plan projects are constructed before operation of the first phase of the WRF, Cal Poly shall not initiate operation of any new facilities or developments until such time as the WRF's treatment capacity and recycled water supplies are available for use, or unless Cal Poly can demonstrate that, notwithstanding delay in WRF operation, adequate water supplies are available to serve the new development. Alternatively, Cal Poly could arrange for the purchase of temporary non-potable water supplies from the City (within the limits of Cal Poly's existing agreement with the City related to treatment capacity) that could be used to offset the net increase in demand until such time as the first phase of the WRF is operational. If nonpotable water supplies are purchased, these supplies shall be dedicated to agricultural needs and potable water supplies currently used for agricultural purposes shall be diverted for treatment and delivery to the main campus to offset any increase in potable water demand.

Mitigation Measure 3.14-4a: Initiate Operation of the WRF to Ensure That It Can Meet the Offset Demand Associated with Campus Growth

Implement Mitigation Measure 3.14-3 described above. If the initial phase of the WRF is not operational by 2022 or if other near-term 2035 Master Plan projects are constructed before operation of the first phase of the WRF, Cal Poly shall not initiate operation of any new facilities or developments until such time as the WRF is available for use, or

unless Cal Poly can demonstrate that, notwithstanding delay in WRF operation, adequate wastewater capacity is available to serve the new development through contractual treatment rights at the City's Water Resource Recovery Facility (WRRF) and/or conservation or other flow reduction measures.

Mitigation Measure 3.14-4b: Implement Capital Improvement Projects to Reduce Wastewater Flows

Cal Poly, as part of its Utility Master Plan, shall include capital improvement projects that would reduce wastewater flows and implement such plans prior to the development of new facilities that have the potential to increase wastewater flows such that no net increase in wastewater flows above 2018/2019-academic-year levels will occur from Cal Poly to the city's infrastructure. Capital improvements shall include, but are not limited to, the following:

- ▶ implement inflow and infiltration (I/I) reduction projects, including the replacement of on campus wastewater transmission pipes and systems in order to reduce Peak Wet Weather Flow (PWWF) to 2018/2019 academic year levels or less. Note, the I/I projects, including wastewater transmission pipe replacement, are addressed as part of the overall 2035 Master Plan development program which includes up to 1 linear mile of annual pipeline infrastructure replacement.
- ▶ additional water conservation measures, such as additional water use restrictions and upgrades of existing fixtures for on-campus facilities.

Design and planning of improvements shall be completed in coordination with the City and in a compatible manner with the City's existing wastewater transmission and treatment network. Cal Poly shall not initiate operation of any new on-campus facilities that would increase wastewater flows as part of the 2035 Master Plan until Cal Poly completes upgrade projects to reduce PWWF and Cal Poly can demonstrate no increase in PWWF to the City compared to 2018/2019-academic-year levels or additional City wastewater transmission and treatment capacity becomes available for use by Cal Poly.

Finding

The CSU Board of Trustees finds that the above mitigation measures are feasible, will reduce the potential impacts of the project on utilities and service systems to less-than-significant levels, and are adopted by the CSU Board of Trustees. Accordingly, the CSU Board of Trustees finds that, pursuant to Public Resources Code section 21081(a)(1), and CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project which mitigate or avoid potentially significant effects on the environment identified in the Final EIR.

Rationale

The above mitigation measures would reduce impacts related to water supply to a less-than-significant level by establishing performance criteria that require adequate water supplies to be demonstrably available to support the campus through 2035, and prohibiting operation of new Master Plan projects without adequate water supplies. The primary means by which Cal Poly would achieve the additional water supplies would be through construction of the WRF which is projected to provide 380 afy by the year 2028 – enough to serve all new campus development under the 2035 Master Plan. In addition, or in the alternative, Cal Poly may secure additional non-potable water from the City as well as through implementation of aggressive water conservation measures. The above mitigation measures would also reduce impacts related to wastewater treatment capacity by requiring Cal Poly to demonstrate adequate wastewater capacity is available to serve all Master Plan projects before operation through construction of the WRF, treatment at the City's WRRF (pursuant to contract treatment rights) and/or through conservation or other reduction measures, and establishing a performance standard that would prohibit Cal Poly from operating new on campus facilities that would increase PWWF until the upgrade projects (particularly inflow and infiltration improvements) are complete and Cal Poly can demonstrate no increase in PWWF compared to 2018/2019 levels (or additional City WRRF capacity becomes available to Cal Poly).

1.2.4 Potentially Significant Impacts That Cannot Be Mitigated Below a Level of Significance

This section identifies the significant unavoidable impacts that require a statement of overriding considerations to be issued by the CSU Board of Trustees, pursuant to Section 15093 of the CEQA Guidelines, if the project is approved. Based on the analysis contained in the Final EIR, the following impacts have been determined to be significant and unavoidable:

AESTHETICS – IMPACTS TO SCENIC VISTAS AND EXISTING VISUAL CHARACTER

An evaluation of the project's impacts to aesthetics is found in Section 3.1, "Aesthetics," of the Final EIR. With respect to the impacts to scenic vistas and existing visual character, new construction and expansion within the Academic Core and North Campus subareas would be largely consistent with existing uses and would not be located in areas of high viewer sensitivity. As required by 2035 Master Plan Policies GP09 and S05, project design would preserve or enhance the existing visual character and quality of the site. The siting, scaling, and design of new development would help to maintain or preserve the existing visual quality and character. However, proposed new, permanent structures in the West Campus, specifically the Farm Shop and the University-Based Retirement Community, and in the East Campus, specifically the residential neighborhood proposed for the northeast corner of Slack Street and Grand Avenue, would be located in areas of high viewer sensitivity and could be incompatible with the existing visual character and quality of the sites. Project development in the West Campus would potentially result in adverse effects to scenic vistas, including views of the Morros, and development of the Slack and Grand project in the East Campus could result in substantial degradation of existing visual character (**Impact 3.1-1**). This impact is significant and unavoidable.

Mitigation Measures

Mitigation Measure 3.1-1: Prepare and Implement Landscaping Plans for Farm Shop, University-Based Retirement Community, and Slack and Grand Projects

Prior to implementation of the Farm Shop, University-Based Retirement Community Project, and Slack and Grand project, Cal Poly shall prepare site-specific landscaping plans for review and approval by the CSU. The plans shall be prepared by a licensed landscape architect and shall include specifications for plant and tree species, sizes, densities and planting locations that shall be implemented during construction of each project. The objective of the landscaping plans shall be to provide visual screening of the projects from sensitive viewing locations and to reduce the impression of visual mass and structure.

Finding

The CSU Board of Trustees finds that implementation of the identified mitigation measures will reduce impacts on scenic vistas and substantially lessen impacts on visual character and quality of the sites attributable to the proposed project. Pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project which will mitigate, in part, this significant aesthetic impact attributable to the project, as identified in the Final EIR. However, there are no feasible mitigation measures that will reduce the identified significant impact to a level below significant. Therefore, this impact would remain significant and unavoidable. However, pursuant to Public Resources Code Section 21081(b), see Statement of Overriding Considerations, for the specific overriding economic, legal, social, technological, and other benefits of the project that outweigh this significant and unavoidable impact.

Rationale

In accordance with Section 15370 of the State CEQA Guidelines, mitigation includes avoiding the impact altogether by not taking a certain action or parts of an action; minimizing impacts by limiting the degree or magnitude of the action and its implementation; rectifying the impact by repairing, rehabilitating, or restoring the impacted environment; reducing or eliminating the impact over time by preservation and maintenance operations during the

life of the action; compensating for the impact by replacing or providing substitute resources or environments, including through permanent protection of such resources in the form of conservation easements. In the context of the aesthetic impacts of the Farm Shop and the University-Based Retirement Community developments in the West Campus subarea, and of the Slack and Grand project in the East Campus subarea, mitigation could include reducing the height and scale of development or relocating the development to other less visually sensitive areas. Smaller scale development coupled with landscape screening, as described above in Mitigation Measure 3.1-1, could reduce the aesthetic impact of these developments.

However, any construction on the proposed University-Based Retirement Community site, west of State Route (SR) 1, would reduce views of the Morros from SR 1. Relocation of the University-Based Retirement Community would not be feasible because there is no other campus site large enough to accommodate the proposed housing while maintaining close proximity to important community services that are vital to serve the retirement community residents. Other potential residential sites would be intended to serve students and faculty/staff where proximity to the Academic Core subarea and other campus features is of paramount importance. In general, all lands east of SR 1 are reserved for academic and support functions. The Retirement Community would blend with the nearby neighborhood, would have access to the local community, and would be distinct from the undergraduate student housing in the North and East Campus subareas. Elimination of the University-Based Retirement Community would conflict with recommendations and campus policies to provide retirement housing and housing for faculty and alumni, and would not achieve several project objectives, including "Provide housing opportunities on campus primarily for University faculty and staff to promote recruitment and retention and enhance faculty and staff engagement with the campus. In addition, provide housing opportunities and complementary services that may be offered to nontraditional students such as graduate students, veterans, students with families; potentially alumni housing or a retirement community; and for members of the San Luis Obispo community."

Relocation of the Farm Shop would not be feasible because other sites on campus would not allow Cal Poly to realize necessary efficiencies in operations such as proximity to existing agricultural uses and access to off-campus locations, and elimination of the Farm Shop would substantially reduce the resources available to students regarding agricultural operations. Relocation of the Slack and Grand project would also be infeasible because there are no other campus sites large enough to accommodate the substantial workforce housing project, particularly in proximity to both the campus core and uses within the city such that objectives for alternative travel modes (e.g., walking, biking) can be achieved. Elimination of the Slack and Grand project would also not achieve important project objectives related to the provision of on campus housing opportunities for University faculty and staff; expanding campus programs, services and housing to support and enhance the diversity of students, faculty and staff; siting campus housing to strengthen the compact Academic Core and achieve synergies; provide and enhance campus facilities to create a more vibrant evening and weekend environment; and attain modal shifts to more pedestrian, bicycle and transit uses.

Because construction at any of the Farm Shop, University-Based Retirement Community, or Slack and Grand project sites would block scenic views and/or substantially degrade the visual character and quality of the sites, alternative sites are not available or feasible, elimination of these projects are inconsistent with project objectives and not feasible, and no other feasible mitigation is available to substantially lessen the aesthetic impact, this impact would remain significant and unavoidable.

Adherence to the 2035 Master Plan principles, and implementation of identified mitigation measures, would address impacts and minimize, where possible, impacts on scenic views. Reducing the scale of development would not reduce impacts to less-than-significant levels and the relocation or elimination of projects within the East and West Campus subareas would not be feasible. No other feasible mitigation is available to reduce the impact to less-than-significant levels. As a result, this impact would remain significant and unavoidable.

AESTHETICS – IMPACTS TO SCENIC RESOURCES WITHIN A STATE SCENIC HIGHWAY

An evaluation of the project's impacts to aesthetics is found in Section 3.1, "Aesthetics," of the Final EIR. Project development within the Academic Core, North Campus, and East Campus subareas would not occur along SR 1 and visibility of these features would be limited. Proposed development in these areas would be compatible and visually cohesive with existing development and would not damage scenic resources within a state scenic highway. Development in the West Campus subarea would be constructed along SR 1, would be prominently visible, and would reduce views of Bishop Peak and the surrounding landscape (**Impact 3.1-2**). Therefore, the project would damage scenic resources within a state scenic highway, and this impact would be significant.

Mitigation Measures

Mitigation related to the aesthetic impacts associated with development of the West Campus subarea, in accordance with Section 15370 of the CEQA Guidelines, could include reducing the scale of the development or relocating the development to other less visually sensitive areas. However, because any construction at the proposed sites would block scenic views of Bishop Peak from SR 1, a state scenic highway, and alternative sites are not available, these mitigation measures are not considered feasible.

Finding

The CSU Board of Trustees finds that there are no feasible mitigation measures that will reduce the identified significant impact to a level below significant. Therefore, this impact would remain significant and unavoidable. However, pursuant to Public Resources Code Section 21081(b), see Statement of Overriding Considerations, for the specific overriding economic, legal, social, technological, and other benefits of the project that outweigh this significant and unavoidable impact.

Rationale

As further detailed in the rationale for Impact 3.1-1, implementation of Master Plan principles would address impacts and minimize, where possible, impacts on scenic views through project design, siting, massing, lighting controls and landscaping. However, no feasible mitigation is available to reduce the aesthetic impact of development in the West Campus subarea to a less-than-significant level. A decrease in proposed development and/or greater setbacks could reduce the potential disruption to existing scenic views, however, any development on the vacant parcel west of SR 1 would reduce scenic views of the Morros, damaging scenic resources within a state scenic highway. As a result, this impact would remain significant and unavoidable.

AESTHETICS – CUMULATIVE IMPACTS TO SCENIC VISTAS, EXISTING VISUAL CHARACTER, AND SCENIC RESOURCES WITHIN STATE SCENIC HIGHWAY

An evaluation of the potential cumulative impacts of the 2035 Master Plan to aesthetics is found in Chapter 4, "Cumulative Impacts," of the Final EIR. Collectively, past, present, and probable future projects result in a cumulatively significant impact on aesthetics and scenic resources. Implementation of the 2035 Master Plan would result in the alteration of views within the local viewshed. The impacts of further development near SR 1 within the West Campus subarea (e.g., the Farm Shop and University-Based Retirement Community), and development of the Slack and Grand project in the East Campus subarea, combined with potential development in the surrounding unincorporated County, could intensify the urban character of the region, reduce agricultural land and open space, further detract from long-distance views of the Morros from locations within the City, and damage scenic resources within a state scenic highway (University-Based Retirement Community). While development would be designed to be compatible with the surrounding visual environment, it would further limit long-distance views in the area and would reduce the visual quality of the area. The 2035 Master Plan would therefore result in a cumulatively considerable contribution to cumulatively significant impacts on views of the West Campus subarea and the surrounding portion of unincorporated San Luis Obispo County.

Mitigation Measures

The implementation of design review standards, as well as implementation of Mitigation Measure 3.1-1 through 3.1-3, would address impacts and minimize, where possible, impacts on scenic views. However, no additional feasible mitigation is available to reduce this impact to less than significant.

Finding

The CSU Board of Trustees finds that implementation of the identified mitigation measures will reduce the contribution of the 2035 Master Plan to cumulative impacts on scenic vistas and substantially lessen impacts on visual character. Pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project which will mitigate, in part, this cumulatively significant aesthetic impact attributable to the project, as identified in the Final EIR. However, there are no feasible mitigation measures that will reduce the identified contribution of the 2035 Master Plan to a less-than-considerable level. Therefore, this cumulative impact would remain significant and unavoidable. However, pursuant to Public Resources Code Section 21081(b), see Statement of Overriding Considerations, for the specific overriding economic, legal, social, technological, and other benefits of the project that outweigh this significant and unavoidable impact.

Rationale

Development under the 2035 Master Plan would be subject to the Cal Poly design review process to ensure that it would be visually compatible with surrounding development. In addition, landscaping would be provided where appropriate and in accordance with Mitigation Measure 3.1-1 to screen new development from nearby receptors and publicly accessible viewpoints. Development would also be required to comply with Mitigation Measures 3.1-3a-d to address glare, lighting and vegetation barriers. Nonetheless, the 2035 Master Plan would result in a cumulatively considerable contribution to cumulatively significant impacts on views of the West Campus subarea and the surrounding portion of unincorporated San Luis Obispo County.

AGRICULTURAL RESOURCES - IMPACTS TO IMPORTANT FARMLAND

An evaluation of the project's impacts to agricultural resources is found in Section 3.2, "Agricultural Resources," of the Final EIR. The 2035 Master Plan includes several policies related to the preservation and enhancement of the presence of agriculture on campus. While implementation of the 2035 Master Plan predominately avoids designated Important Farmland, the proposed Facilities Operations Complex (which includes the interim replacement surface parking lot that is proposed as the first phase of development of the site), would be located on land designated as Prime Farmland. Based on data obtained through GIS analysis, this would result in the conversion of up to 10 acres of Important Farmland to nonagricultural use. While the soil underlying this site has been designated as Prime Farmland, the site is currently occupied by fallow fields and wind breaks. The College of Agriculture has ceased to use these 10 acres for agricultural purposes due to its size, condition, and configuration which renders this site difficult to manage and of limited value to Cal Poly for agricultural purposes. Nonetheless, because it is currently designated Prime Farmland, its loss would be a significant and unavoidable (**Impact 3.2-1**).

Mitigation Measures

Mitigation Measure 3.2-1: Preserve Other Campus Agricultural Land

Before conversion of Prime Farmland to nonagricultural uses to accommodate development of the Facilities Operations Complex (including the first phase interim replacement surface parking), Cal Poly shall preserve through a conservation easement or similar legal mechanism an equivalent acreage (up to 10 total acres for the entire 2035 Master Plan Area) of Prime Farmland within its existing land holdings for agricultural purposes (including agricultural teaching and research). If no suitable property exists within the campus, Cal Poly shall identify and purchase or place a conservation easement on a parcel containing equivalent acreage of Prime Farmland.

Finding

The CSU Board of Trustees finds that implementation of the identified mitigation measures will reduce impacts on agricultural resources attributable to the proposed project. Pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project which will mitigate, in part, this significant agricultural resources impact attributable to the project, as identified in the Final EIR. However, there are no feasible mitigation measures that will reduce the identified significant impact to a level below significant. Therefore, this impact would remain significant and unavoidable. However, pursuant to Public Resources Code Section 21081(b), see Statement of Overriding Considerations, for the specific overriding economic, legal, social, technological, and other benefits of the project that outweigh this significant and unavoidable impact.

Rationale

Although up to 10 acres of Important Farmland would be conserved through implementation of Mitigation Measure 3.2-1, it would only prevent future loss of an equivalent acreage of Important Farmland and would not replace Important Farmlands converted to development under the 2035 Master Plan, leaving an incremental decrease of prime soils in the County and State. Once development or modifications occur on Important Farmland, the underlying soils are no longer available for agricultural activities. It is infeasible for the campus to replace farmland that has already been developed with other uses. Replacement of lost agricultural land on campus would require removal of existing on-campus facilities that are otherwise needed for Cal Poly's academic purposes. Furthermore, while the 2035 Master Plan encourages the protection and preservation of agricultural land, all campus lands and facilities are governed by Cal Poly's overarching and broader academic mission and educational obligations and goals. Thus, removing existing campus facilities to mitigate this impact would be inconsistent with that academic mission and is not considered feasible. It is also not feasible at this time to acquire off-campus developed land with underlying Prime Farmland soils to replace the 10 acres that would be lost under the 2035 Master Plan. It is unknown if suitable land (with underlying soils that meet the criteria of Important Farmland) located off-campus could be acquired by Cal Poly and converted back to agricultural uses, the cost of such land and conversion costs could be prohibitive,¹ and such an action could require approvals from local agencies (such as the City or County of San Luis Obispo). Thus, as with on-campus farmland replacement, off-campus farmland replacement is not a feasible form of mitigation owing to the highly speculative nature of any such land transaction because it would require the acquisition and removal of existing development elsewhere. Therefore, while a vast majority of the proposed development under the 2035 Master Plan avoids Important Farmland, development of the Facilities Operations Complex (and interim replacement surface parking) would occur on Important (Prime) Farmland that cannot be replaced on campus or elsewhere. Therefore, this impact would remain significant and unavoidable.

AGRICULTURAL RESOURCES - CUMULATIVE IMPACTS TO IMPORTANT FARMLAND

An evaluation of the potential cumulative impacts of the 2035 Master Plan on agricultural resources is found in Chapter 5, "Cumulative Impacts," of the Final EIR. The preservation of designated farmland outside of campus is the responsibility of the public agency in which the land is located. General Plans of the City and County of San Luis Obispo contain policies that encourage preservation of lands designated for agricultural uses and those that may be listed as important farmland under the Farmland Mapping and Monitoring Program. While the purpose of implementing Mitigation Measure 3.2-1 is to reduce impacts of urban development on designated agricultural lands, it does not fully mitigate the permanent conversion of Important Farmlands which would occur with the development of the Facilities and Operations Complex/interim surface parking lot. The 2035 Master Plan would limit further conversion of Important Farmland within Cal Poly's jurisdiction to no more than 10 acres by focusing the majority of development within the main campus, particularly the Academic Core and immediately surrounding areas, which do not contain Important Farmland, and otherwise supports the ongoing preservation of Important Farmland. The only exception to this is the Facilities Operations Complex/interim surface parking lot site which is relatively isolated from other campus agricultural facilities and has limited agricultural production and teaching potential. Nonetheless,

¹ Based on a median home price in San Luis Obispo County of \$640,000 in 2019 (<https://www.sanluisobispo.com/news/local/article231664713.html>) and assuming an average lot size of 0.25 acres.

conversion of this site to non-agricultural uses would further reduce total acreage of Important Farmland in the region and impacts would be cumulatively considerable. Due to the historic decline in available farmland in the region and the projected conversion of up to 10 acres of Important Farmland as a result of the 2035 Master Plan, cumulative impacts on agricultural resources would be considered cumulatively significant and unavoidable.

Mitigation Measures

The implementation of Mitigation Measure 3.2-1 (above), would address impacts and minimize, where possible, impacts to Important Farmland. However, no additional feasible mitigation is available to reduce the project's contribution to less than considerable.

Finding

The CSU Board of Trustees finds that implementation of the identified mitigation measures will reduce impacts on agricultural resources attributable to the proposed project. Pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project which will mitigate, in part, this significant agricultural resources impact attributable to the project, as identified in the Final EIR. However, there are no feasible mitigation measures that will reduce the contribution of the 2035 Master Plan to a less-than-considerable level. Therefore, this impact would remain significant and unavoidable. However, pursuant to Public Resources Code Section 21081(b), see Statement of Overriding Considerations, for the specific overriding economic, legal, social, technological, and other benefits of the project that outweigh this significant and unavoidable impact.

Rationale

Although up to 10 acres of Important Farmland would be conserved through implementation of Mitigation Measure 3.2-1, it would only prevent future loss of an equivalent acreage of Important Farmland and would not replace Important Farmlands converted to development under the 2035 Master Plan, leaving incrementally less area of prime soils in the County and State, the impact of which would be cumulatively considerable. While much of the proposed development under the 2035 Master Plan avoids Important Farmland, limited on-campus development would occur on Important Farmland. As noted above, in order to ensure no net loss, an equivalent acreage of currently developed land (either on or off campus) would need to be acquired and converted from its current condition to undeveloped/agricultural land. Such conversion is not feasible on campus as it could be economically prohibitive and would conflict with Cal Poly's overall academic mission. With respect to off-campus mitigation, Cal Poly cannot affect or influence the policies and actions of the City and County with respect to agricultural resources, and the acquisition/conversion of additional, developed property would be economically infeasible. This impact would remain significant and unavoidable.

AIR QUALITY - CONSTRUCTION EMISSIONS

An evaluation of the project's impacts to air quality is found in Section 3.3, "Air Quality," of the Final EIR. The project would be consistent with the 2001 *Clean Air Plan's* goals and objectives which, as directed by the San Luis Obispo Air Pollution Control District (APCD), is the primary measure of whether the 2035 Master Plan would have a significant adverse air quality impact. However, a quantitative analysis that amortized potential construction activities associated with near-term and long-term projects under the 2035 Master Plan was also performed that identifies construction-related emissions of ROG, NO_x, PM₁₀, and PM_{2.5} if multiple Master Plan projects were to be under construction at the same time. Emissions were assumed to result from demolition, site preparation (e.g., excavation, clearing), off-road equipment, material and equipment delivery trips, worker commute trips, and other construction activities (e.g., building, asphalt paving, application of architectural coatings). Based on the assumed construction schedule set forth in the Final EIR, construction activities would result in daily and quarterly emissions of ROG and NO_x that could exceed the APCD's individual project thresholds of 137 pounds (lb)/day and 2.5 tons/quarter, as well as quarterly emissions of diesel PM₁₀ that could exceed the APCD's individual project threshold of 0.13 tons/quarter. Therefore, construction-generated emissions of ROG, NO_x, and diesel PM₁₀ from multiple, simultaneous projects could contribute to the existing nonattainment status of San Luis Obispo County for ozone and PM. While the 2035 Master

Plan would not conflict with the 2001 Clean Air Plan, it is possible that multiple projects developed at the same time under the 2035 Master Plan could exceed APCD project-level thresholds (**Impact 3.3-2**). This impact would be significant and unavoidable.

Mitigation Measures

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

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

Standard Construction Emission Reduction Measures for All Projects

- ▶ Staging and queuing areas or diesel idling associated with equipment used during construction of new/renovated buildings on campus shall not be located within 1,000 feet of sensitive receptors. This distance can be adjusted if it can be demonstrated to Cal Poly by the construction contractor, with substantial evidence, that risk levels at nearby receptors would not exceed an estimated risk of 10 chances in a million.
- ▶ Off-road diesel equipment shall comply with the 5-minute idling restriction identified in Section 2449(d)(3) of CARB's In-Use Off-Road Diesel regulation.
- ▶ Signs shall be posted in the designated queuing areas and job sites to remind off-road equipment operators of the 5-minute idling limit.
- ▶ Reduce the amount of the disturbed area where possible.
- ▶ Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the APCD's limit of 20 percent opacity for greater than 3 minutes in any 60-minute period. Increasing watering frequency would be required whenever wind speeds exceed 15 miles per hour. Reclaimed (non-potable) water should be used whenever possible. Please note that during drought conditions, water use may be a concern and the contractor or building shall consider the use of an APCD-approved dust suppressant where feasible to reduce the amount of water used for dust control.
- ▶ All dirt stockpile areas shall be sprayed daily as needed.
- ▶ Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible following the completion of any soil disturbing activities.
- ▶ Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading will be sown with fast germinating, non-invasive grass seed and watered until vegetation is established.
- ▶ All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by APCD.
- ▶ All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible. In addition, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- ▶ Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
- ▶ All trucks hauling dirt, sand, soil, or other loose materials shall be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114.
- ▶ Install wheel washers where vehicles enter and exit unpaved roads onto streets or wash off trucks and equipment leaving the site. "Track-Out" is defined as sand or soil that adheres to and/or agglomerates on the exterior surfaces of motor vehicles and/or equipment (including tires) that may then fall onto any highway or street as described in California Vehicle Code Section 23113 and California Water Code 13304. To prevent Track Out, designate access points and require all employees, subcontractors, and others to use them. Install and operate a "track-out prevention device" where vehicles enter and exit unpaved roads onto paved streets. The track-out

prevention device can be any device or combination of devices that are effective at preventing track out, located at the point of intersection of an unpaved area and a paved road. Rumble strips or steel plate devices require periodic cleaning to be effective. If paved roadways accumulate tracked out soils, the track-out prevention device may need to be modified.

- ▶ Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.
- ▶ All of these fugitive dust mitigation measures shall be included on grading and building plans.
- ▶ Maintain all construction equipment in proper tune according to manufacturer's specifications.
- ▶ Fuel all off-road and portable diesel-powered equipment with CARB-certified motor vehicle diesel fuel (non-taxed version suitable for use off-road).
- ▶ Electrify equipment when feasible.
- ▶ Substitute gasoline-powered in place of diesel-powered equipment, where feasible.
- ▶ All architectural coatings (e.g., paint) used in project buildings and parking areas will not exceed a volatile organic compound content of 50 grams per liter.
- ▶ Use diesel construction equipment meeting CARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines and comply with the State Off-Road Regulation.
- ▶ Use on-road heavy-duty trucks that meet the CARB's 2007 or cleaner certification standard for on-road heavy-duty diesel engines and comply with the State On-Road Regulation.
- ▶ Construction or trucking companies with fleets that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g. captive or NOx exempt area fleets) may be eligible by proving alternative compliance.
- ▶ Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.

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

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

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

Finding

The CSU Board of Trustees finds that implementation of the identified mitigation measures will reduce construction-generated criteria air pollutant and precursor emissions impacts attributable to the proposed project. Pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project which will mitigate, in part, this significant air quality impact attributable to the project, as identified in the Final EIR. However, there are no feasible mitigation measures that will reduce the identified significant impact to a level below significant. Therefore, this impact would remain significant and unavoidable. However, pursuant to Public Resources Code Section 21081(b), see Statement of Overriding Considerations, for the specific overriding economic, legal, social, technological, and other benefits of the project that outweigh this significant and unavoidable impact.

Rationale

Implementation of Mitigation Measure 3.3-2 would reduce ozone precursors, fugitive dust, and diesel PM emissions through a variety of requirements and emission reduction practices, including by requiring distance and idling time limitations, requiring dust suppression activities, and employing exhaust emissions controls. Although implementation of this measure would reduce ozone precursor and diesel PM emissions, the exact reduction cannot be quantified at this time and would depend on site-specific conditions, and construction schedules, for each project under the 2035 Master Plan. Mitigation Measure 3.3-2 outlines a process for future Master Plan projects that requires the application of APCD screening criteria and, as appropriate, emissions modelling and incorporation of APCD directed emission control measures depending on the level of emissions relative to adopted numeric project-level thresholds. The implementation of these measures would likely reduce most individual Master Plan projects to a less than significant level and reduce exposure of sensitive receptors to ozone precursor emissions and would reduce health risk. Further, the years in which construction emissions from the project would exceed APCD thresholds is limited to the three of the 15 years of construction. The limited exposure associated with the construction period would also decrease the potential health risk to receptors. Regardless, because the future construction schedule, project design, and other features are currently unknown, it is possible that health complications associated with ozone and PM₁₀ exposure could be exacerbated by construction-generated emissions if a single large Master Plan project were to exceed emission thresholds and/or if multiple Master Plan projects were to exceed emission thresholds and occur simultaneously in close proximity to the same sensitive receptors. While the 2035 Master Plan would not conflict with the applicable plans and policies related to reducing air emissions, it is possible that individual projects developed under the 2035 Master Plan could exceed APCD project-level thresholds. Should this occur, and despite the implementation of project-specific emission reduction measures outlined in the Final EIR and recommended by the APCD, this impact would remain significant and unavoidable.

AIR QUALITY – CUMULATIVE IMPACT RELATED TO CONSTRUCTION EMISSIONS

An evaluation of the potential cumulative impacts of the 2035 Master Plan related to air quality is found in Chapter 4, “Cumulative Impacts,” of the Final EIR. While the 2035 Master Plan would not conflict with the 2001 Clean Air Plan, it is possible that multiple projects developed at the same time under the 2035 Master Plan could exceed APCD project-level thresholds, which would be considered cumulatively considerable. APCD-adopted thresholds apply at the project level and are cumulative in nature; that is, they identify the level of project-generated emissions above which impacts would be cumulatively considerable. Thus, they represent the level at which emissions of a given project would impede the air basin from achieving ambient air quality standards, considering anticipated growth and associated emissions in that region. APCD has not established plan-level numeric thresholds. Nonetheless, for the reasons detailed in Section 3.3, a quantitative emission analysis was conducted to disclose short-term construction and long-term operational emissions associated with projects developed in accordance with the 2035 Master Plan. Construction activities would result in daily and quarterly emissions of ROG and NO_x that could exceed the APCD’s individual project thresholds of 137 lb/day and 2.5 tons/quarter, as well as quarterly emissions of diesel PM₁₀ that could exceed the APCD’s individual project threshold of 0.13 tons/quarter. This impact would be significant and unavoidable.

Mitigation Measures

The implementation of Mitigation Measure 3.3-2 (above), would address construction emission impacts and minimize, where feasible, impacts related to criteria pollutant emissions during construction (if such an exceedance were to occur). However, no additional feasible mitigation is available to reduce the project's contribution to less than considerable.

Finding

The CSU Board of Trustees finds that implementation of the identified mitigation measures will reduce construction-generated criteria air pollutant and precursor emissions impacts attributable to the proposed project. Pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project which will mitigate, in part, this significant air quality impact attributable to the project, as identified in the Final EIR. However, there are no feasible mitigation measures that will reduce the contribution of the 2035 Master Plan to a less-than-considerable level. Therefore, this impact would remain significant and unavoidable. However, pursuant to Public Resources Code Section 21081(b), see Statement of Overriding Considerations, for the specific overriding economic, legal, social, technological, and other benefits of the project that outweigh this significant and unavoidable impact.

Rationale

Implementation of Mitigation Measure 3.3-2 would reduce ozone precursors, fugitive dust, and diesel PM emissions through a variety of requirements including by requiring distance and idling time limitations, requiring dust suppression activities, and employing exhaust emissions controls. However, the extent to which individual 2035 Master Plan projects may exceed construction emission thresholds is unknown at this time, as is the ability to reduce these emissions to below threshold levels through implementation of the APCD-recommended measures reflected in Mitigation Measure 3.3-2. As such, it is possible that individual 2035 Master Plan projects may exceed construction emission thresholds and conflict with attainment efforts in the county despite incorporation of available emission control measures. See also the rationale stated above, which is hereby incorporated by reference. Therefore, implementation of the 2035 Master Plan may result in a considerable contribution to cumulative construction emissions in the region, and impacts would be significant and unavoidable.

AIR QUALITY – OPERATIONAL EMISSIONS

An evaluation of the project's impacts to air quality is found in Section 3.3, "Air Quality," of the Final EIR. Implementation of some of the larger projects under the 2035 Master Plan could result in long-term operational emissions that would exceed the APCD's thresholds of significance (25 lb/day and 25 tons/year for ROG and NO_x combined, 550 lb/day for CO, 25 lb/day and 25 tons/year for PM₁₀, and 1.25 tons/year for diesel PM₁₀). Therefore, operation-generated emissions could conflict with the air quality planning efforts and contribute substantially to the nonattainment status of San Luis Obispo County with respect to ozone and PM₁₀ (**Impact 3.3-3**). This impact would be significant and unavoidable.

Mitigation Measures

For individual projects proposed under the 2035 Master Plan, APCD screening criteria (rather than emissions modeling) shall be applied to determine if emissions from the project would be below the adopted numeric thresholds. If an individual project would exceed the screening criteria, project-specific emissions modeling shall be conducted to determine if APCD's adopted numeric project-level thresholds would be exceeded. If emissions modeling demonstrates that the individual project's operational emissions would exceed the APCD thresholds, the following mitigation measures would apply. Note that measures recommended below are based on current (i.e., 2012 and updated in 2017) APCD guidance and other applicable measures may become available overtime that may be applied as APCD guidance is updated, emissions trends change, or as applicable to the specific individual development.

Mitigation Measure 3.3-3a: Implement Mitigation Measure 3.8-1

Cal Poly will incorporate the mitigation listed under Mitigation Measure 3.8-1 of Section 3.8, "Greenhouse Gas Emissions," to reduce operational emissions of criteria air pollutants and ozone precursors to the extent feasible.

Mitigation Measure 3.3-3b: Reduce Operational Emissions

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

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

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

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

Finding

The CSU Board of Trustees finds that implementation of the identified mitigation measures will reduce long-term criteria air pollutant and precursor emissions impacts attributable to the proposed project. Pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project which will mitigate, in part, this significant air quality impact attributable to the project, as identified in the Final EIR. However, there are no feasible mitigation measures that will reduce the identified significant impact to a level below significant. Therefore, this impact would remain significant and unavoidable. However, pursuant to Public Resources Code Section 21081(b), see Statement of Overriding Considerations, for the specific overriding economic, legal, social, technological, and other benefits of the project that outweighs this significant and unavoidable impact.

Rationale

Implementation of Mitigation Measures 3.3-3a and 3.3-3b would result in reductions in air pollutant emissions and would reduce ROG and NOX emissions to the extent feasible. Although implementation of these measures would reduce ROG and NOX emissions, the exact reduction cannot be quantified at this time and would depend on site-specific conditions and operational needs for each individual project under the 2035 Master Plan. Mitigation Measures 3.3-3a and 3.3-3b outline a process for future Master Plan projects that requires the application of APCD screening criteria and, as appropriate, emissions modeling and incorporation of APCD directed emission control measures depending on the level of emissions relative to adopted numeric project-level thresholds. The implementation of these measures would likely reduce most individual Master Plan project operational emissions to a less-than-significant level. Moreover, Mitigation Measure 3.13-1, detailed in Section 3.13, "Transportation," includes

preparation and implementation of a Traffic Demand Management Plan that would provide substantial reductions in VMT and vehicle trips, resulting in further reductions in mobile-source exhaust emissions of criteria air pollutants and ozone precursors. With implementation of Mitigation Measure 3.13-1 in Section 3.13, "Transportation," an anticipated VMT reduction of approximately 20 percent would occur. This would result in associated emission reductions of approximately 20 percent. Even with implementation of all feasible mitigation, an individual 2035 Master Plan project's operational emissions could still exceed APCD thresholds. While the 2035 Master Plan does not conflict with applicable plans and policies, including the 2001 Clean Air Plan, it is possible an individual 2035 Master Plan project could exceed APCD project-level thresholds and should this occur the impact would be significant and unavoidable.

AIR QUALITY – CUMULATIVE IMPACT RELATED TO OPERATIONAL EMISSIONS

An evaluation of the potential cumulative impacts of the 2035 Master Plan related to air quality is found in Chapter 4, "Cumulative Impacts," of the Final EIR. While the 2035 Master Plan would not conflict with the 2001 Clean Air Plan, it is possible that multiple projects developed at the same time under the 2035 Master Plan could exceed APCD project-level thresholds, which would be cumulatively considerable. APCD-adopted thresholds apply at the project level and are cumulative in nature; that is, they identify the level of project-generated emissions above which impacts would be cumulatively considerable. Thus, they represent the level at which emissions of a given project would impede the air basin from achieving ambient air quality standards, considering anticipated growth and associated emissions in that region. APCD has not established plan-level numeric thresholds. Nonetheless, for the reasons detailed in Section 3.3, a quantitative emission analysis was conducted to disclose short-term construction and long-term operational emissions associated with projects developed in accordance with the 2035 Master Plan. Campus operational activities may result in long-term operational emissions that would exceed APCD thresholds of significance (25 lb/day and 25 tons/year for ROG and NO_x combined, 550 lb/day for CO, 25 lb/day and 25 tons/year for PM₁₀, and 1.25 tons/year for diesel PM₁₀). Therefore, operation-generated emissions associated with the 2035 Master Plan and other development in the region could impair the ability for San Luis Obispo County to achieve attainment status with respect to ozone and PM₁₀. Therefore, the project would be cumulatively considerable, and this impact would be significant and unavoidable.

Mitigation Measures

The implementation of Mitigation Measures 3.3-3a and 3.3-3b (above), would address operational emission impacts and minimize, where feasible, operational impacts related to criteria pollutant emissions. However, no additional feasible mitigation is available to reduce the project's contribution to less than considerable.

Finding

The CSU Board of Trustees finds that implementation of the identified mitigation measures will reduce operational criteria air pollutant and precursor emissions impacts attributable to the proposed project. Pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project which will mitigate, in part, this significant air quality impact attributable to the project, as identified in the Final EIR. However, there are no feasible mitigation measures that will reduce the contribution of the 2035 Master Plan to a less-than-considerable level. Therefore, this impact would remain significant and unavoidable. However, pursuant to Public Resources Code Section 21081(b), see Statement of Overriding Considerations, for the specific overriding economic, legal, social, technological, and other benefits of the project that outweighs this significant and unavoidable impact.

Rationale

Implementation of Mitigation Measures 3.3-3a and 3.3-3b would reduce ozone precursors and fugitive dust through a variety of requirements including conversion of landscaping equipment, volatile-organic-compound-content-limits on paint, and idling time limitations. However, the extent to which individual 2035 Master Plan projects may exceed operational emission thresholds is unknown at this time, as is the ability to reduce these emissions to below threshold levels through implementation of the APCD-recommended measures reflected in Mitigation Measures 3.3-3a and 3.3-3b. As such, it is possible that individual 2035 Master Plan projects may exceed operational emission thresholds

despite incorporation of available measures to reduce emissions associated with campus operations. See also the rationale stated above for project specific operational emissions, which is hereby incorporated by reference. Therefore, implementation of the 2035 Master Plan may result in a considerable contribution to cumulative operational emissions in the region, and impacts would be significant and unavoidable.

AIR QUALITY – OTHER EMISSIONS, SUCH AS ODORS

An evaluation of the project's impacts to air quality is found in Section 3.3, "Air Quality," of the Final EIR. The project would introduce both short-term construction and long-term operational odors. Short-term construction odor sources, such as temporary diesel exhaust emissions during construction would be temporary, intermittent, and dissipate rapidly from the source, and have been determined to be less than significant. With respect to long-term operational odors, the project would also construct and operate a WRF to treat wastewater on-site that would be located within 1 mile of sensitive receptors. As a result, potential exposure of sensitive receptors to objectionable odors would be significant and unavoidable (**Impact 3.3-6**).

Mitigation Measures

Mitigation Measure 3.3-6: Prepare an Odor Control Plan

The following odor management conditions will be implemented by Cal Poly with respect to the WRF prior to its operation and would be consistent with the conditions of the site's Authority to Control or Permit to Operate issued by APCD:

- ▶ Cal Poly will prepare an Odor Control Plan (OCP), which will include known feasible measures to minimize the potential for a substantial odor increase at receptors within 1 mile of the WRF and will identify the facility's odor abatement system equipment, the system performance monitoring protocols, and the procedures for investigating and correcting public complaints. The APCD will ensure the OCP is consistent and not in conflict with the APCD requirements. All complaints received by facility management will be investigated and documented, and if verified, appropriate response action will be taken. The facility will provide a 24-hour hotline for public complaints, and the number will be posted at the facility entrance.

Finding

The CSU Board of Trustees finds that implementation of the identified mitigation measures will reduce odor impacts attributable to the proposed project. Pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project which will mitigate, in part, this significant air quality impact attributable to the project, as identified in the Final EIR. However, there are no feasible mitigation measures that will reduce the identified significant impact to a level below significant. Therefore, this impact would remain significant and unavoidable. However, pursuant to Public Resources Code Section 21081(b), see Statement of Overriding Considerations, for the specific overriding economic, legal, social, technological, and other benefits of the project that outweighs this significant and unavoidable impact.

Rationale

New development that has the potential to release odors would be subject to APCD Rule 402 (Nuisance) regarding the control of nuisances, including odors. One of the major infrastructure components of the 2035 Master Plan includes the construction and operation of the WRF to treat wastewater generated on campus. The site would be approximately 0.75 miles from the nearest sensitive receptors (i.e., Poly Canyon Village). The APCD recommends a screening distance of 1 mile for wastewater treatment facilities. Because the WRF is a use typically associated with objectionable odors and because it would be located less than one mile from existing and future receptors, it could result in emissions of new odors on campus that could affect a substantial number of people. Implementation of Mitigation Measure 3.3-6 would reduce odor-related impacts of the project on sensitive receptors within 1 mile of the WRF; however, it cannot be guaranteed that odor-related impacts would be abated entirely. As the WRF is a key infrastructure component of the Master Plan, particularly as it relates to water and wastewater needs, it is not feasible to eliminate this facility. Further, the proposed location of the WRF is anticipated to be critical to its operation, both in

terms of proximity to potential storage facilities and the need for relatively level terrain within the Master Plan Area. Thus, this impact would be significant and unavoidable.

AIR QUALITY – CUMULATIVE IMPACT RELATED TO OTHER EMISSIONS, SUCH AS ODORS

An evaluation of the potential cumulative odor impacts of the 2035 Master Plan is found in Chapter 4, “Cumulative Impacts,” of the Final EIR. Construction of 2035 Master Plan projects and cumulative development would result in short-term increases in odorous emissions (i.e., vehicle exhaust) but these odors would be temporary and cease once construction of specific projects is complete, which would not be considered cumulative considerable. However, the 2035 Master Plan proposes construction of a water reclamation facility (WRF) on campus which could result in process emissions that generate odors. Given the distance between the proposed WRF and other development in the area, as well as the local nature of odor impacts, odors generated from the WRF would not combine with other offsite odors from other cumulative development to create a cumulative impact. However, the WRF would be located near existing on-campus agricultural uses (e.g., onsite composting and cattle operations) which also are odor-generating land uses that could potentially combine with odors from the WRF. Due to the potential for odors from the WRF to substantially contribute to cumulative (existing) odor impacts in the area (primarily agricultural), this impact would be considered cumulatively significant and unavoidable.

Mitigation Measures

The implementation of Mitigation Measure 3.3-6 (above), would address impacts and minimize, where possible, impacts related to odors resulting from implementation of the 2035 Master Plan. However, no additional feasible mitigation is available to reduce the project’s odor contribution to less than considerable.

Finding

The CSU Board of Trustees finds that implementation of the identified mitigation measures will reduce the contribution of the 2035 Master Plan to cumulative odor impacts. Pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project which will mitigate, in part, this significant air quality impact attributable to the project, as identified in the Final EIR. However, there are no feasible mitigation measures that will reduce the contribution of the project to less than considerable. Therefore, this impact would remain significant and unavoidable. However, pursuant to Public Resources Code Section 21081(b), see Statement of Overriding Considerations, for the specific overriding economic, legal, social, technological, and other benefits of the project that outweighs this significant and unavoidable impact.

Rationale

Because the WRF would be a major new facility that could expose people to offensive odors, the potential combination of WRF-related odors with existing odor sources could result in increases of odor-related complaints in the area which would be a significant cumulative impact. As noted in Impact 3.3-6, implementation of an odor control plan at the WRF (Mitigation Measure 3.3-6) would reduce the potential for odors emanating from the WRF to the extent feasible, but the potential for odors from the WRF, in combination with other campus uses are known to generate odors, to be perceived by on-campus residents and within certain areas of the City would remain. Therefore, implementation of the 2035 Master Plan may result in a considerable contribution to cumulative odor emissions in the region, and impacts would be significant and unavoidable.

ARCHAEOLOGICAL, HISTORICAL, AND TRIBAL CULTURAL RESOURCES – HISTORICAL RESOURCES IMPACTS

An evaluation of the project’s impacts on archaeological, historical, and tribal cultural resources is found in Section 3.4, “Archaeological, Historical, and Tribal Cultural Resources,” of the Final EIR. The 2035 Master Plan proposes new campus development and redevelopment to enable expanded and new program initiatives, including the renovation of some existing buildings, including potentially historically significant buildings. Some historically significant

structures/buildings identified for renovation may need of substantial investment and, while not anticipated at this time, could be replaced if renovation proves infeasible. This could result in damage to or destruction of historic buildings and structures, thereby resulting in a substantial adverse change in the significance of a historical resource as defined in California Code of Regulations Section 15064.5 (**Impact 3.4-1**). This impact would be potentially significant and unavoidable.

Mitigation Measures

Mitigation Measure 3.4-1: Conduct Project-Specific Surveys and Identify and Implement Measures to Protect Identified Historic Resources

Before altering or otherwise affecting a building or structure that is 50 years old or older, Cal Poly shall retain a qualified architectural historian to record the building or structure on a California Department of Parks and Recreation DPR 523 form or equivalent documentation, if the building has not previously been evaluated. Its significance shall be assessed and documented by a qualified architectural historian in accordance with the significance criteria set forth for historic resources under CEQA Guidelines Section 15064.5. The evaluation process shall include the development of appropriate historical background research as context for the assessment of the significance of the structure in the history of the CSU system, Cal Poly, and the region. For buildings, structures, and other resources determined through this evaluation process not to meet the CEQA historical resource criteria, no further mitigation is required.

For any building, structure, and or other resource that qualifies as a historic resource, the architectural historian and Cal Poly shall consult to consider measures that would enable the Master Plan project to avoid direct or indirect impacts to the historic building or structure. These could include preserving the building on site, using it "as is," or other measures that would not materially alter the historically significant components of the building or structure. If the project cannot feasibly avoid modifications to the historically significant features of the historic building or structure, the following measures shall be undertaken as appropriate:

- 1) If the building or structure can be preserved on-site, but remodeling, renovation or other alterations are required, this work shall be conducted in compliance with the "Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings" (NPS 1983).
- 2) If a significant historic building or structure is proposed for major alteration or renovation, or to be moved and/or demolished, Cal Poly shall ensure that a qualified architectural historian thoroughly documents the building and associated landscaping and setting. Documentation shall include still and video photography and a written documentary record of the building to the standards of the Historic American Building Survey or Historic American Engineering Record, including accurate scaled mapping, architectural descriptions, and scaled architectural plans, if available. A copy of the record shall be deposited with the University archives, Shields Library Special Collections. The record shall be accompanied by a report containing site-specific history and appropriate contextual information. This information shall be gathered through site specific and comparative archival research, and oral history collection as appropriate.
- 3) If preservation and reuse at the site are not feasible, the historical building shall be documented as described in item (2) and, when physically and financially feasible, be moved and preserved or reused.

Finding

The CSU Board of Trustees finds that implementation of the identified mitigation measures will reduce impacts on historical resources attributable to the proposed project. Pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project which will mitigate, in part, this significant historical resources impact attributable to the project, as identified in the Final EIR. However, there are no feasible mitigation measures that will reduce the identified significant impact to a level below significant. Therefore, this impact would remain significant and unavoidable. However, pursuant to Public

Resources Code Section 21081(b), see Statement of Overriding Considerations, for the specific overriding economic, legal, social, technological, and other benefits of the project that outweighs this significant and unavoidable impact.

Rationale

Implementation of Mitigation Measure 3.4-1 would reduce potentially significant impacts on historic resources because actions would be taken to record, evaluate, avoid (including through preservation that retains the historically significant component(s)), or otherwise treat the resource appropriately, in accordance with pertinent laws and regulations, including the Secretary of Interior's Standards for the Treatment of Historic Properties. If a significant historic building or structure is proposed for a major alteration, renovation, or to be moved and/or demolished, the mitigation measure requires proper documentation to the standards of the Historic American Building Survey or Historic American Engineering record. However, CEQA Guidelines Section 15126.4(b)(2) notes that in some circumstances, documentation of a historical resource shall not mitigate the effects of demolition of that resource to a less-than-significant level because the historic resources would no longer exist. Therefore, although no known historic resources are proposed for demolition or modification under the 2035 Master Plan, because the potential for permanent loss of a currently unknown historic resource (or its integrity) cannot be precluded, the project's impact on historic resources is concluded to be significant and unavoidable.

ARCHAEOLOGICAL, HISTORICAL, AND TRIBAL CULTURAL RESOURCES - CUMULATIVE IMPACT TO HISTORIC RESOURCES

An evaluation of the potential cumulative impacts of the 2035 Master Plan on archaeological, historical, and tribal cultural resources is found in Chapter 4, "Cumulative Impacts," of the Final EIR. Many of the buildings constructed during the early days of development of both the campus and within local communities are no longer present, or have been substantially altered for conversion to other uses. Therefore, the cumulative loss of historic resources at Cal Poly and in the region is considered significant. The 2035 Master Plan does not presently propose to demolish or remove any existing known historic buildings or other resources, and to the extent any known historic buildings are remodeled, this would be done in compliance with the Secretary of the Interior Guidelines for the Rehabilitation, Reuse and Restoration of Historic Buildings. However, it is possible that a historic building, feature, object, or structure, including those that have not yet been identified as historically significant and those that will become historically significant over the life of the Master Plan, would need to be demolished or altered in such a way that it would no longer convey its historic significance. This would be considered a cumulatively considerable contribution to a significant cumulative impact.

Mitigation Measures

The implementation of Mitigation Measure 3.4-1 (above), would address impacts and minimize, where possible, impacts to historic resources resulting from implementation of the 2035 Master Plan. However, no additional feasible mitigation is available to reduce the project's contribution to less than considerable.

Finding

The CSU Board of Trustees finds that implementation of the identified mitigation measures will reduce impacts on historical resources attributable to the proposed project. Pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project which will mitigate, in part, this significant historical resources impact attributable to the project, as identified in the Final EIR. However, there are no feasible mitigation measures that will reduce the contribution of the project to less than considerable. Therefore, this impact would remain significant and unavoidable. However, pursuant to Public Resources Code Section 21081(b), see Statement of Overriding Considerations, for the specific overriding economic, legal, social, technological, and other benefits of the project that outweighs this significant and unavoidable impact.

Rationale

Implementation of Mitigation Measure 3.4-1 would reduce potentially significant impacts on historic resources because actions would be taken to record, evaluate, avoid, or otherwise treat the resource appropriately, in

accordance with pertinent laws and regulations. However, State CEQA Guidelines Section 15126.4(b)(2) notes that in some circumstances, documentation of a historical resource shall not mitigate the effects of demolition of that resource to a less-than-significant level because the historic resources would no longer exist. Therefore, because the potential for permanent loss of a historic resource or its integrity cannot be precluded, the project's contribution to cumulative impacts to historic resources in the region would remain cumulatively considerable and the impact would be significant and unavoidable.

NOISE – TEMPORARY (CONSTRUCTION) NOISE

An evaluation of the project's noise impacts is found in Section 3.10, "Noise," of the Final EIR. Implementation of the 2035 Master Plan would result in construction activities associated with the development of facilities to accommodate projected student enrollment and furtherance of the University's academic mission. Although construction activities would be intermittent and temporary, construction noise could reach high levels at nearby noise-sensitive land uses and could result in human disturbance (**Impact 3.10-1**). As a result, this impact is significant and unavoidable.

Mitigation Measures

Mitigation Measure 3.10-1: Implement Construction-Noise Reduction Measures

For all construction activities related to new/renovated structures, Cal Poly shall implement or incorporate the following noise reduction measures into construction specifications for contractor(s) implementation during project construction:

- ▶ All construction equipment shall be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturer recommendations. Equipment engine shrouds shall be closed during equipment operation.
- ▶ All construction equipment and equipment staging areas shall be located as far as possible from nearby noise-sensitive land uses, and/or located to the extent feasible such that existing or constructed noise attenuating features (e.g., temporary noise wall or blankets) block line-of-site between affected noise-sensitive land uses and construction staging areas.
- ▶ Individual operations and techniques shall be replaced with quieter procedures (e.g., using welding instead of riveting, mixing concrete off-site instead of on-site, using electric powered equipment instead of pneumatic or internal combustion powered equipment) where feasible and consistent with building codes and other applicable laws and regulations.
- ▶ Stationary noise sources such as generators or pumps shall be located as far away from noise-sensitive uses as feasible.
- ▶ No less than 1 week prior to the start of construction activities at a particular location, notification shall be provided to nearby off-campus, noise-sensitive land uses (e.g., residential uses) that are located within 350 feet of the construction site (i.e., based on the construction noise modeling, distance at which noise-sensitive receptors would experience noise levels exceeding acceptable daytime construction-noise levels).
- ▶ When construction would occur within 350 feet of on-campus housing or other on-campus or off-campus noise-sensitive uses and may result in temporary noise levels in excess of 75 L_{max} at the exterior of the adjacent noise-sensitive structure, temporary noise barriers (e.g., noise-insulating blankets or temporary plywood structures) shall be erected, if deemed to be feasible and effective, between the noise source and sensitive receptor such that construction-related noise levels are reduced to 75 L_{max} or less at the receptor.]
- ▶ Loud construction activity (e.g., jackhammering, concrete sawing, asphalt removal, and large-scale grading operations) within 350 feet of adjacent primary school facilities, shall not occur during state standardized testing time periods for the surrounding school districts.

- ▶ When construction requires material hauling, a haul route plan shall be prepared for construction of each facility and/or improvement for review and approval by the Cal Poly that designates haul routes as far as feasible from sensitive receptors.
- ▶ The contractor shall designate a disturbance coordinator and post that person's telephone number conspicuously around the construction site and provide to nearby residences. The disturbance coordinator shall receive all public complaints and be responsible for determining the cause of the complaint and implementing any feasible measures to alleviate the problem.
- ▶ Construction activities (excluding activities that would result in a safety concern to the public or construction workers) shall be limited to between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday, where feasible. For any construction activity that must extend beyond the daytime hours of 7:00 a.m. and 7:00 p.m. Monday through Saturday, occur on Sunday, or legal holidays and occurs within 2,000 feet of a residential building, Cal Poly shall ensure that the City of San Luis Obispo exterior noise level standard of 60 dBA L_{max} for temporary construction noise is not exceeded at any residence. Typical residential structures with windows closed achieve a 25-30 dBA exterior-to-interior noise reduction (Caltrans 2002). Thus, using the lower end of this range, an exterior noise level of 60 dBA L_{max} would result in interior noise levels of about 35 dBA L_{max} , which would not result in a substantially increased risk for sleep disturbance. If exterior noise levels of 60 dBA L_{max} are infeasible due to type of construction activity and proximity to residential structure, ensuring interior noise levels do not exceed 45 dBA L_{eq} , consistent with City standards, would ensure residents are not disturbed. To achieve this performance standard, one or more of the following or equivalent measures shall be considered and implemented where appropriate:
 - Use of noise-reducing enclosures and techniques around stationary noise-generating equipment (e.g., concrete mixers, generators, compressors).
 - Installation of temporary noise curtains installed as close as possible to the boundary of the construction site within the direct line of sight path of the nearby sensitive receptor(s) and consist of durable, flexible composite material featuring a noise barrier layer bounded to sound-absorptive material on one side.
 - Retain a qualified noise specialist to develop a noise monitoring plan and conduct noise monitoring to ensure that noise reduction measures are achieved the necessary reductions such that levels at the receiving land uses do not exceed exterior noise levels of 60 dBA L_{max} for construction activity occurring during these noise-sensitive hours.

Finding

The CSU Board of Trustees finds that implementation of the identified mitigation measures will reduce impacts from temporary (construction) noise attributable to the proposed project. Pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project which will mitigate, in part, this significant noise impact attributable to the project, as identified in the Final EIR. However, there are no feasible mitigation measures that will reduce the identified significant impact to a level below significant. Therefore, this impact would remain significant and unavoidable. However, pursuant to Public Resources Code Section 21081(b), see Statement of Overriding Considerations, for the specific overriding economic, legal, social, technological, and other benefits of the project that outweighs this significant and unavoidable impact.

Rationale

Implementation of Mitigation Measure 3.10-1 would limit the periods during which construction activities would occur in the vicinity of nearby noise-sensitive land uses. Additional measures would be implemented to further reduce the potential for noise exposure, including use of alternatively powered equipment, exhaust mufflers, engine shrouds, equipment enclosures, and barriers for activities in the vicinity of noise-sensitive uses. Implementation of these noise-reduction features can feasibly reduce construction noise levels by approximately 10 dBA or more. With mitigation, construction-generated noise levels would be substantially reduced. However, construction noise levels at some nearby land uses would need to be reduced by up to 17 dBA during daytime hours to achieve applicable noise standards. Such attenuation would require measures that would be cost-prohibitive, extreme, and of uncertain

effectiveness (e.g., temporary 25-foot-tall noise attenuating walls between noise-generating sources and nearby receptors). Certain types of noise-generating equipment and construction methods will be needed for project implementation, and all feasible noise-attenuating measures will be implemented to substantially reduce noise levels; additional mitigation is not feasible. Even with implementation of all feasible mitigation, construction noise could still exceed applicable noise standards. Therefore, this impact would be significant and unavoidable.

NOISE – STATIONARY SOURCE NOISE

The new buildings and facilities constructed as part of the 2035 Master Plan may include new stationary noise sources and equipment (e.g., mechanical equipment), and increased noise levels associated with athletic and special events. Depending on location and design, equipment location, intervening shielding, and noise-reduction features incorporated, noise levels associated with new stationary noise sources (Spanos Stadium, parking facilities, HVAC systems) could result in exceedances of exterior noise limits at existing sensitive land uses (**Impact 3.10-3**). This impact is significant and unavoidable.

Mitigation Measures

Mitigation Measure 3.10-3a: Implement Noise Reduction Measures to Reduce Long-Term Noise Impacts of Spanos Stadium

To minimize noise levels generated by the Spanos Stadium expansion, the following measures shall be implemented:

- ▶ Prior to final design, a noise assessment shall be conducted by a qualified acoustical engineer or noise specialist to evaluate potential increases in noise levels associated with the proposed expansion of Spanos Stadium. Noise-reduction measures shall be incorporated to reduce significant increases in existing operational noise levels (i.e., 3 dBA, or greater) at nearby noise-sensitive land uses, including Mustang Village Apartments, to the extent feasible. Such measures may include, but are not limited to, the incorporation of structural shielding, enclosed bleachers, and revised placement for amplified sound system speakers.

Mitigation Measure 3.10-3b: Implement Noise Reduction Measures to Reduce Long-Term Noise Impacts of the Proposed Parking Structures

To minimize noise levels generated by the proposed parking structures, the following measures shall be implemented:

- ▶ Prior to final design, a noise assessment shall be conducted by a qualified acoustical engineer or noise specialist to evaluate potential increases in noise levels associated with the proposed expansion of any proposed parking structure. Noise-reduction measures shall be incorporated to reduce to the extent feasible significant increases in existing operational noise levels (i.e., 3 dBA, or greater) at nearby noise-sensitive land uses, including campus student housing. Such measures may include, but are not limited to, locating parking structures as far away as possible from noise-sensitive land uses, constructing noise barriers between parking structures and noise-sensitive land uses, or using buildings and topographic features to provide acoustic shielding for noise-sensitive land uses.

Mitigation Measure 3.10-3c: Implement Noise Reduction Measures to Reduce Long-Term Noise Impacts of Building Mechanical Equipment

To minimize noise levels generated by building mechanical equipment, the following measures shall be implemented:

- ▶ Building air conditioning units for proposed structures shall be located on building rooftops or shielded from direct line-of-sight of adjacent noise-sensitive land uses. Building parapets shall be constructed, when necessary, to shield nearby land uses from direct line-of-site of air conditioning units.
- ▶ During project design of individual projects proposed as part of the 2035 Master Plan, Cal Poly shall review and ensure that external building mechanical equipment (e.g., HVAC systems) incorporate noise-reduction features sufficient to reduce average-hourly exterior operational noise levels at nearby noise-sensitive land uses to 50 L_{eq}

and 70 dBA L_{max} , or less during the daytime (i.e., 7:00 a.m. to 10:00 p.m.) and 45 L_{eq} and 60 dBA L_{max} , or less during the nighttime (i.e., 10:00 p.m. to 7:00 a.m.), within outdoor activity areas. Noise-reduction measures to be incorporated may include, but are not limited to, the selection of alternative or lower noise-generating equipment, relocation of equipment, and use of equipment enclosures.

Finding

The CSU Board of Trustees finds that implementation of the identified mitigation measures will reduce impacts from stationary noise attributable to the proposed project. Pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project which will mitigate, in part, this significant noise impact attributable to the project, as identified in the Final EIR. However, there are no feasible mitigation measures that will reduce the identified significant impact to a level below significant. Therefore, this impact would remain significant and unavoidable. However, pursuant to Public Resources Code Section 21081(b), see Statement of Overriding Considerations, for the specific overriding economic, legal, social, technological, and other benefits of the project that outweighs this significant and unavoidable impact.

Rationale

Implementation of Mitigation Measure 3.10-3a would require the preparation of an acoustical analysis for the planned expansion of Spanos Stadium, prior to final site design. The acoustical analysis would be required to evaluate changes in operational noise levels associated with the proposed stadium expansion and, where practical, incorporate noise reduction measures (e.g., structural shielding, enclosed bleachers, and changes in speaker placement for amplified sound systems) to reduce noise exceedances to the extent feasible.

Implementation of Mitigation Measure 3.10-3b would require the preparation of an acoustical analysis for the planned parking structures prior to final site design. The acoustical analysis would be required to evaluate changes in operational noise levels associated with the proposed parking structures and, where practical, incorporate noise reduction measures (e.g., building location and design, construction of noise barriers) to reduce noise exceedances to the extent feasible.

Similarly, implementation of Mitigation Measure 3.10-3c would require that all external building mechanical equipment noise sources be oriented, located, and designed in such a way that reduces noise exposure and would ensure that exterior and interior noise levels at nearby noise-sensitive land uses would not exceed the exterior noise standards for stationary sources. Thus, incorporated mitigation would ensure that stationary equipment do not exceed applicable standards and this impact would be reduced to less than significant.

However, depending on the final site design for the proposed parking structures, proposed housing facilities, and the Spanos Stadium expansion, the implementation of mitigation measures, which requires site- and design-specific acoustical analysis (as well as the incorporation of feasible noise reduction measures), may not be sufficient to reduce noise levels to at or below the identified noise standard. Therefore, to the extent that may occur, this impact would be significant and unavoidable.

1.3 FINDINGS REGARDING ALTERNATIVES

Section 15126.6(a) of the CEQA Guidelines requires the discussion of “a reasonable range of alternatives to a project, or the location of a project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives.” The Final EIR identified and considered the following reasonable range of feasible alternatives to the proposed project which would be capable, to varying degrees, of reducing identified impacts:

- ▶ Alternative 1: No Project–No Development Alternative
- ▶ Alternative 2: Reduced Administrative/Academic Development Program Alternative
- ▶ Alternative 3: Net Student Growth Only Alternative

► Alternative 4: No Development along City Interface Alternative

These alternatives are evaluated for their ability to avoid or substantially lessen the impacts of the proposed project identified in the Final EIR, as well as consideration of their ability to meet the basic objectives of the proposed project as described in the Final EIR.

1.3.1 No Project-No Development Alternative

DESCRIPTION

CEQA Guidelines Section 15126.6(e)(1) requires that the “no project” alternative be described and analyzed “to allow decision makers to compare the impacts of approving the project with the impacts of not approving the project.” The no project analysis is required to discuss “the existing conditions at the time the notice of preparation is published...as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services” (Section 15126.6[e][2]). “If the project is...a development project on identifiable property, the no project alternative is the circumstance under which the project does not proceed. Here the discussion would compare the environmental effects of the property remaining in its existing state against environmental effects which would occur if the project is approved. If disapproval of the project under consideration would result in predictable actions by others, such as the proposal of some other project, this ‘no project’ consequence should be discussed. In certain instances, the no project alternative means ‘no build’ wherein the existing environmental setting is maintained. However, where failure to proceed with the project will not result in preservation of existing environmental conditions, the analysis should identify the practical result of the project’s non-approval and not create and analyze a set of artificial assumptions that would be required to preserve the existing physical environment” (Section 15126[e][3][B]).

The 2001 Master Plan is the existing long-range plan for the campus. For this reason, continued implementation of the current plan would continue if Cal Poly does not adopt and begin implementation of the 2035 Master Plan or other long-term plan for campus. Based on current historical trends, annual student enrollment has steadily increased; thus, this alternative assumes that same trend over time, resulting in gradual student population growth. Under the 2001 Master Plan, additional campus growth would be primarily associated with increases in academic and administrative space, likely limited to just the Academic Core subarea and would likely not exceed an additional 500,000 gsf of academic/administrative space. Under this alternative, Cal Poly would provide additional needed academic and administrative space to meet the needs of the current student population, which exceeds the 2001 Master Plan projections.

Implementation of this alternative would reduce all identified significant impacts of the 2035 Master Plan except operational air quality and greenhouse gas impacts, which would increase because more students would live off-campus, compared to the 2035 Master Plan. However, due to the overall lesser level of development under this alternative, all other impacts associated with the expansion of university-related facilities within the Master Plan Area would be less than the 2035 Master Plan.

FINDING

The CSU Board of Trustees rejects the No Project-No Development Alternative as undesirable as it fails the project’s underlying purpose and does not meet most project objectives, and because specific economic, legal, social, technological or other considerations make the alternative infeasible.

RATIONALE

The No Project-No Development Alternative would not provide the guidance for the physical development of the campus and its facilities to accommodate gradual student enrollment growth while preserving and enhancing the

quality of campus life, which is the primary objective of the Cal Poly 2035 Master Plan. Further, new student housing would not be provided on campus, which would not achieve several of the objectives, including housing all first- and second-year students plus 30 percent of upper division students in residential communities on campus; providing housing opportunities on campus for University faculty and staff and non-traditional students; or providing and enhancing campus facilities to create a more vibrant evening and weekend environment. Lastly, because this alternative would provide less academic/administrative space compared to the Cal Poly 2035 Master Plan, it would limit the ability for Cal Poly to enhance academic quality and student success through Cal Poly's "Learn by Doing" teaching methodology, or strengthen the campus's compact, cross-disciplinary Academic Core subarea.

1.3.2 Reduced Administrative/Academic Development Program Alternative

DESCRIPTION

Under this alternative, Cal Poly would implement a master plan with approximately 500,000 sf of new administrative and academic space, as compared to approximately 1,290,000 gsf under the 2035 Master Plan. This reduced level of development would result in less ground disturbance and other development-related impacts. Further, approximately 455,000 gsf of renovations would occur within existing structures under this alternative, for a total development/renovation potential of 955,000 gsf. Growth in on-campus student housing (approximately 7,200 student beds) and growth in enrollment would be the same as under the 2035 Master Plan.

Reduced development of administrative/academic space under this alternative would reduce impacts in the areas of biological resources, energy, geology and soils, greenhouse gas emissions, noise, and utilities as compared to the 2035 Master Plan because less land would be converted for university-related facilities. However, growth in on-campus student housing would be similar to the 2035 Master Plan, so similar air quality and greenhouse gas benefits would be realized, associated with the proximity of student housing to classrooms and on-campus support facilities.

FINDING

The CSU Board of Trustees rejects the Reduced Administrative/Academic Development Program Alternative as undesirable as it fails the project's underlying purpose (i.e., to support and enhance the University's educational mission by guiding the physical development of the campus to accommodate student enrollment growth while preserving and enhancing the quality of campus life). Further, while it would achieve most project objectives, it would not achieve them to the extent of the 2035 Master Plan. For the reasons set forth below and more fully described in Final EIR and in the record of proceeding, the Trustees find that Alternative 2 is infeasible, fails to meet most of the basic project objectives or meets the basic objectives to a lesser extent than the 2035 Master Plan, and would not substantially lessen the environmental impacts of the 2035 Master Plan such that significant impacts would not occur. Therefore, the Trustees declines to adopt this alternative pursuant to the standards in CEQA and the CEQA Guidelines.

RATIONALE

Under the Reduced Administrative/Academic Development Program Alternative, new student housing would be provided on-campus to accommodate the same level of student growth, accomplishing the objectives related to housing all first- and second-year students plus 30 percent of upper division students in residential communities on campus, and providing on-campus housing opportunities for University faculty and staff and non-traditional students. By providing less academic/administrative space, the Reduced Administrative/Academic Development Program Alternative would fail to meet the primary purpose to support and enhance the University's educational mission by guiding the physical development of the campus to accommodate student enrollment growth while preserving and enhancing the quality of campus life. The alternative would create imbalance by accommodating growth in student

population while not keeping pace with needs for academic space, thereby increasing intensity of use of existing facilities. In addition, this alternative would significantly limit the expansion of campus programs, services, and facilities thereby limiting the ability for Cal Poly to enhance academic quality and student success through Cal Poly's "Learn by Doing" teaching methodology. The Reduced Administrative/Academic Development Program Alternative would not strengthen the campus's compact, cross-disciplinary Academic Core, and will not be able to support and enhance the diversity of students, faculty, and staff to the degree achieved by the Cal Poly 2035 Master Plan. While this alternative would meet the on-campus housing objectives of the 2035 Master Plan, it would fail to further implement Cal Poly's educational mission and its objectives related to the expansion of educational and administrative programs to continue to advance Cal Poly as an institution of higher education.

1.3.3 Net Student Growth Only Alternative

DESCRIPTION

Under Alternative 3, Cal Poly would implement a long-range campus plan that reduces the level of student housing development relative to the proposed increase of approximately 7,200 student beds. This alternative would provide up to 3,188 student beds, which would correspond to the projected increase in student new enrollment at Cal Poly. The 1,750,000 gsf of new academic/administrative space proposed under the 2035 Master Plan would remain the same under this alternative. Under this alternative, the faculty/staff and workforce housing project located at Slack Street and Grand Avenue and the University-Based Retirement Community would not be constructed.

Under this alternative, less student housing would be constructed, which would reduce the overall level of development along the edges of the existing campus (both adjacent to the City and along the northern and eastern edge of existing campus development). As a result, potential impacts related to aesthetics, biological resources, geology and soils, and utilities would be reduced. However, similar to the No Project alternative, more students in off-campus housing (compared to the 2035 Master Plan) would result in additional air quality, GHG, and transportation impacts, as well as greater impact on local housing availability, than the 2035 Master Plan due to the need for daily commute trips to and from Cal Poly.

FINDING

The CSU Board of Trustees rejects the Net Student Growth Only Alternative as undesirable as it fails several project objectives, including those related to the provision of substantial additional housing on-campus and sustainability. For the reasons set forth below and more fully described in Final EIR and in the record of proceeding, the Trustees find that Alternative 3 is infeasible, fails to meet most of the basic project objectives or meets the basic objectives to a lesser extent than the 2035 Master Plan, and would not substantially lessen the environmental impacts of the 2035 Master Plan such that significant impacts would not occur. Therefore, the Trustees declines to adopt this alternative pursuant to the standards in CEQA and the CEQA Guidelines.

RATIONALE

Under the Net Study Growth Only Alternative, new student housing would be provided on-campus, but would only satisfy the projected increase in student enrollment; it would not make any progress toward the goal of housing more Cal Poly students on campus and making off-campus housing stock available to permanent residents. As a lesser development alternative, the Net Study Growth Only Alternative could still enhance academic quality and student success through Cal Poly's "Learn by Doing" teaching methodology; and strengthen the campus's compact, cross-disciplinary academic curriculum. However, because less student housing would be provided, this alternative may not achieve the objectives of housing all first- and second-year students plus 30 percent of upper division students in residential communities on campus, increasing the diversity of students, faculty and staff through the expansion of campus housing, providing housing opportunities on campus primarily for University faculty and staff to promote faculty and staff recruitment and retention, providing housing opportunities and complimentary services to

nontraditional students or potential alumni housing, or enhancing campus facilities to create a more vibrant evening and weekend environment. By not providing housing for more of the projected student population, this alternative could result in students residing farther from campus, increasing vehicle commute trips. Thus, this alternative may not achieve the objectives of advancing campus-side environmental sustainability and make progress toward goals of carbon neutrality and climate resilience or attaining a modal shift from vehicles to more pedestrian, bicycle, and transit use.

1.3.4 No Development along City Interface Alternative

DESCRIPTION

This alternative would include development of the campus similar to the 2035 Master Plan, however no new development would be proposed along (i.e., within 500 feet/0.1 mile) the campus's boundary with the city of San Luis Obispo. For example, expansion of Spanos Stadium would occur under this alternative as it is an existing facility that cannot be relocated to the interior of campus, but the development of the Farm Shop, the University-Based Retirement Community, Facilities Operations Complex (and interim parking lot) within the West Campus, and the faculty, staff and workforce housing site at Slack Street and Grand Avenue in the East Campus would not occur. Spanos Stadium expansion and the expansion of the Orfaea Family and ASI Children's Center would still occur under this alternative, as they both would involve an expansion of an existing facility that could not be relocated to an alternative site within the interior campus. Those projects associated with the 2035 Master Plan that would be located within the City interface areas (listed above) would be relocated to other areas within campus, most likely within the North and West Campus subareas which have the most open space and available land.

The 2035 Master Plan would result in greater impacts on residents within the City of San Luis Obispo in certain issue areas (e.g., construction noise and visual impacts) as a result of the proximity of proposed development to city limits and SR 1, while Alternative 4 could result in greater impacts to on-campus receptors (e.g., student living on campus). Further development of currently undeveloped/agricultural areas of the campus under Alternative 4 would also result in greater impacts to hydrological and biological resources. While this alternative would avoid conversion of Important Farmland at the Facilities Operations Complex site, it would likely result in a similar or greater impact to Important Farmland due to the additional conversion of other undeveloped/agricultural land within the campus. Impacts related to air quality; archaeological, historical, and tribal cultural resources; energy; geology and soils; greenhouse gas emissions; noise; population and housing; public services and recreation; transportation; and utilities under this alternative would generally be similar to those of the 2035 Master Plan.

FINDING

With respect to the environmentally superior alternative and as described in the Final EIR, the environmentally superior alternative would be either the 2035 Master Plan or this Alternative 4, depending on decisions weighing types of environmental benefits and adverse effects by Cal Poly. In weighing the consideration of the environmentally-superior alternative, decision-makers must weigh the relative importance of greater construction-related impacts associated with the project, compared to the greater operational impacts associated with Alternative 4. Nonetheless, each of the alternatives considered would result in long-term, significant and unavoidable environmental impacts. Therefore, the environmental impact differences between these two alternatives are not substantial enough that one is clearly superior to the other.

The CSU Board of Trustees rejects the No Development Along City Interface Alternative as undesirable as it would not achieve several objectives to the extent of the 2035 Master Plan. For the reasons set forth below and more fully described in Final EIR and in the record of proceeding, the Trustees find that Alternative 4 is infeasible, fails to meet most of the basic project objectives or meets the basic objectives to a lesser extent than the 2035 Master Plan, and would not substantially lessen the environmental impacts of the 2035 Master Plan. Therefore, the Trustees declines to adopt this alternative pursuant to the standards in CEQA and the CEQA Guidelines.

RATIONALE

The No Development Along City Interface Alternative would result in the same amount of development as the Cal Poly 2035 Master Plan but several key Master Plan projects would be relocated to avoid the city boundary. For this reason, the No Development Along City Interface Alternative would achieve most of the project objectives. For instance, Alternative 4 would still be able to enhance academic quality and student success through Cal Poly's "Learn by Doing" teaching methodology; expand campus programs to support and enhance the diversity of students, faculty, and staff; strengthen the campus's compact, cross-disciplinary Academic Core and promote cross-disciplinary synergies.

This alternative would also provide the same amount of housing as the Cal Poly 2035 Master Plan. Thus, this alternative would be able to house all first- and second-year students plus 30 percent of upper division students in residential communities on campus; provide housing opportunities on campus primarily for University faculty and staff to promote faculty and staff recruitment and retention, and to enhance faculty and staff connectivity with the campus; and provide housing opportunities that may be offered to non-traditional students, similar to the Cal Poly 2035 Master Plan. Lastly, by providing the same level of development, the No Development Along City Interface Alternative would be able to advance campus-side environmental sustainability and make progress toward goals of carbon neutrality and climate resilience.

However, relocating the Retirement-Based Community Development and the faculty, staff and workforce housing site at Slack Street and Grand Avenue to alternative sites within the Master Plan Area would be challenging from a land use planning perspective as all community amenities important to these types of residential developments (e.g., banks, grocery stores, medical facilities) are located in the city, not on campus. Further, housing a retirement community among university-aged students would not be preferable for the residents of the new community. The proposed Facilities Operations Complex site was also selected for its central location within the Master Plan Area due in part to its intended function as an essential campus service. In addition, siting new development along the hillsides may result in permanent loss of more sensitive agricultural and biological resources, as well as potential conflicts with future plans to develop trails and recreational facilities in these areas. Nonetheless, the No Development Along City Interface Alternative would achieve most of the project objectives.

1.4 GENERAL CEQA FINDINGS

1.4.1 Mitigation Monitoring and Reporting Program

Based on the entire record before the CSU Board of Trustees and having considered the unavoidable significant impacts of the project, the CSU Board of Trustees hereby determines that all feasible mitigation within the responsibility and jurisdiction of Cal Poly has been adopted to reduce or avoid the potentially significant impacts identified in the Final EIR, and that no additional feasible mitigation is available to further reduce significant impacts. The feasible mitigation measures are discussed in Sections 2.3 and 2.4, above, and are set forth in the MMRP.

Section 21081.6 of the Public Resources Code requires the CSU Board of Trustees to adopt a monitoring or compliance program regarding the changes in the project and mitigation measures imposed to lessen or avoid significant effects on the environment. The MMRP for the Cal Poly 2035 Master Plan project is hereby adopted by the CSU Board of Trustees because it fulfills the CEQA mitigation monitoring requirements:

- ▶ The MMRP is designed to ensure compliance with the changes in the project and mitigation measures imposed on the project during project implementation; and
- ▶ Measures to mitigate or avoid significant effects on the environment are fully enforceable through conditions of approval, permit conditions, agreements or other measures.

1.4.2 CEQA Guidelines Section 15091 and 15092 Findings

Based on the foregoing findings and the information contained in the administrative record, the CSU Board of Trustees has made one or more of the following findings with respect to each of the significant effects of the project:

1. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.
2. Those changes or alterations are within the responsibility and jurisdiction of another public agency and such changes have been adopted by such other agency, or can and should be adopted by such other agency.
3. Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly-trained workers, make infeasible the mitigation measures or alternatives identified in the Final EIR.

Based on the foregoing findings and the information contained in the administrative record, and as conditioned by the foregoing:

1. All significant effects on the environment due to the project have been eliminated or substantially lessened where feasible.
2. Any remaining significant effects that have been found to be unavoidable are acceptable due to the overriding considerations set forth herein.

1.4.3 CSU Board of Trustees Independent Judgment

The Final EIR for the Cal Poly 2035 Master Plan reflects the CSU Board of Trustees' independent judgment. The CSU Board of Trustees has exercised independent judgment in accordance with Public Resources Code 21082.1(c)(3) in retaining its own environmental consultant in the preparation of the EIR, as well as reviewing, analyzing and revising material prepared by the consultant.

Having received, reviewed, and considered the information in the Final EIR, as well as any and all other information in the record, the CSU Board of Trustees hereby makes findings pursuant to and in accordance with Sections 21081, 21081.5, and 21081.6 of the Public Resources Code.

1.4.4 Nature of Findings

Any findings made by the CSU Board of Trustees shall be deemed made, regardless of where it appears in this document. All of the language included in this document constitutes findings by the CSU Board of Trustees, whether or not any particular sentence or clause includes a statement to that effect. The CSU Board of Trustees intends that these findings be considered as an integrated whole and, whether or not any part of these findings fail to cross-reference or incorporate by reference any other part of these findings, that any finding required or committed to be made by the CSU Board of Trustees with respect to any particular subject matter of the Final EIR, shall be deemed to be made if it appears in any portion of these findings.

1.4.5 Reliance on Record

Each and all of the findings and determinations contained herein are based on substantial evidence, both oral and written, contained in the administrative record relating to the project.

RECORD OF PROCEEDINGS

In accordance with PRC Section 21167.6(e), the record of proceedings for the CSU Board of Trustees' decision on the project includes the following documents:

- ▶ The NOP for the project and all other public notices issued in conjunction with the project;
- ▶ All comments submitted by agencies or members of the public during the comment period on the NOP;
- ▶ The Draft EIR for the project and all appendices;
- ▶ All comments submitted by agencies or members of the public during the comment period on the Draft EIR;
- ▶ The Final EIR for the project, including comments received on the Draft EIR, responses to those comments, and appendices;
- ▶ Documents cited or referenced in the Draft EIR and Final EIR;
- ▶ The MMRP for the project;
- ▶ All findings and resolutions adopted by the Trustees in connection with the project and all documents cited or referred to therein;
- ▶ All reports, studies, memoranda, maps, staff reports, or other planning documents relating to the project prepared in compliance with the requirements of CEQA and with respect to the Trustees' action on the project;
- ▶ All documents submitted by other public agencies or members of the public in connection with the project, up through the close of the final public hearing;
- ▶ Any minutes and/or verbatim transcripts of all information sessions, public meetings, and public hearings held in connection with the project;
- ▶ Any documentary or other evidence submitted at such information sessions, public meetings, and public hearings;
- ▶ Any and all resolutions adopted by the CSU regarding the project, and all staff reports, analyses, and summaries related to the adoption of those resolutions;
- ▶ Matters of common knowledge, including, but not limited to federal, state, and local laws and regulations;
- ▶ Any documents expressly cited in these findings and any documents incorporated by reference, in addition to those cited above;
- ▶ Any other written materials relevant to the CSU Board of Trustees' compliance with CEQA or its decision on the merits of the project, including any documents or portions thereof, that were released for public review, relied upon in the environmental documents prepared for the project, or included in the CSU Board of Trustees non-privileged retained files for the EIR or project;
- ▶ Any other materials required for the record of proceedings by PRC Section 21167.6(e); and
- ▶ The Notice of Determination.

The CSU Board of Trustees intends that only those documents relating to the project and its compliance with CEQA and prepared, owned, used, or retained by the CSU Board of Trustees and listed above shall comprise the administrative record for the project. Only that evidence was presented to, considered by, and ultimately before the CSU Board of Trustees prior to reviewing and reaching its decision on the EIR and project.

CUSTODIAN OF RECORDS

The custodian of the documents or other material that constitute the record of proceedings upon which the CSU Board of Trustees' decision is based is identified as follows:

California Polytechnic State University, San Luis Obispo
Facilities Management and Development Department
1 Grand Avenue
San Luis Obispo, CA 93407

RECIRCULATION NOT REQUIRED

CEQA Guidelines Section 15088.5 provides the criteria that a lead agency is to consider when deciding whether it is required to recirculate an EIR. Recirculation is required when “significant new information” is added to the EIR after public notice of the availability of the Draft EIR is given, but before certification. (CEQA Guidelines, §15088.5(a).) “Significant new information,” as defined in CEQA Guidelines Section 15088.5(a), means information added to an EIR that changes the EIR so as to deprive the public of a meaningful opportunity to comment on a “substantial adverse environmental effect” or a “feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement.”

An example of significant new information provided by the CEQA Guidelines is a disclosure showing that a “new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented;” that a “substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted to reduce the impact to a level of insignificance;” or that a “feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project’s proponents decline to adopt it.” (CEQA Guidelines, §15088.5(a)(1)–(3).)

Recirculation is not required where “the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.” (CEQA Guidelines, §15088.5(b).) Recirculation also is not required simply because new information is added to the EIR — indeed, new information is oftentimes added given CEQA’s public/agency comment and response process and CEQA’s post-Draft EIR circulation requirement of proposed responses to comments submitted by public agencies. In short, recirculation is “intended to be an exception rather than the general rule.” (Laurel Heights Improvement Assn. v. Regents of University of California (1993) 6 Cal.4th 1112, 1132.)

In this legal context, the CSU Board of Trustees finds that recirculation of the Draft EIR prior to certification is not required. In addition to providing responses to comments, the Final EIR includes revisions to expand upon information presented in the Draft EIR; explain or enhance the evidentiary basis for the Draft EIR’s findings; update information; and to make clarifications, amplifications, updates, or helpful revisions to the Draft EIR. The Final EIR’s revisions, clarifications and/or updates do not result in any new significant impacts or increase the severity of a previously identified significant impact.

In sum, the Final EIR demonstrates that the project will not result in any new significant impacts or increase the severity of a significant impact, as compared to the analysis presented in the Draft EIR. The changes reflected in the Final EIR also do not indicate that meaningful public review of the Draft EIR was precluded in the first instance. Accordingly, recirculation of the EIR is not required as revisions to the EIR are not significant as defined in Section 15088.5 of the State CEQA Guidelines.

1.5 CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT

The CSU Board of Trustees certifies that the Final EIR, dated May 2020, has been completed in compliance with CEQA and the CEQA Guidelines, that the EIR was presented to the CSU Board of Trustees, and that the Board reviewed and considered the information contained therein before approving the proposed Cal Poly 2035 Master Plan as the project, and that the EIR reflects the independent judgment and analysis of the Board. (CEQA Guidelines § 15090.)

2 STATEMENT OF OVERRIDING CONSIDERATIONS

Pursuant to Public Resources Code Section 21081(b) and CEQA Guidelines section 15093(a) and (b), the CSU Board of Trustees is required to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological or other benefits of the project, including region-wide or statewide environmental benefits, outweigh the unavoidable adverse environmental effects, those effects may be considered "acceptable" (CEQA Guidelines, §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 Final EIR or elsewhere in the administrative record (CEQA Guidelines, §15093(b)).

Courts have upheld overriding considerations that were based on a variety of policy considerations including, but not limited to, new jobs, stronger tax base, and implementation of an agency's economic development goals, growth management policies, redevelopment plans, the need for housing and employment, conformity to community plan, and provision of construction jobs. See *Towards Responsibility in Planning v. City Council* (1988) 200 Cal App. 3d 671; *Dusek v. Redevelopment Agency* (1985) 173 Cal App. 3d 1029; *City of Poway v City of San Diego* (1984) 155 Cal App. 3d 1037; *Markley v. City Council* (1982) 131 Cal App.3d 656. In accordance with the requirements of CEQA and the CEQA Guidelines, the CSU Board of Trustees finds that the mitigation measures identified in the Final EIR and the MMRP, when implemented, will avoid or substantially lessen many of the significant effects identified in the Final EIR for the proposed Cal Poly 2035 Master Plan Project (hereinafter, Cal Poly 2035 Master Plan or Project). However, certain significant impacts of the Cal Poly 2035 Master Plan are unavoidable even after incorporation of all feasible mitigation measures. These significant unavoidable impacts are to aesthetics, agricultural resources, air quality, historical resources, and noise. The Final EIR provides detailed information regarding these impacts (see Section 2.4 Potentially Significant Impacts that Cannot Be Mitigated Below A Level of Significance).

The CSU Board of Trustees finds that all feasible mitigation measures identified in the Final EIR within the purview of Cal Poly will be implemented with implementation of the Cal Poly 2035 Master Plan, and that the remaining significant unavoidable effects are outweighed and are found to be acceptable due to the following specific overriding economic, legal, social, technological, or other benefits based upon the facts set forth above, the Final EIR, and the record, as follows:

1. CSU has identified the need to serve the higher education needs of the historically underrepresented populations and cultures of the State of California, and, the Campus Master Plan will enable Cal Poly to continue to meet projected increases in student demand for higher education. The 2035 Master Plan, by providing housing for up to 7,200 additional students and residential units for 380 faculty/ staff, developing a 200-unit University-Based Retirement Community, and designating land for approximately 1.29 million net new gross square feet (gsf) of academic, administrative, and support space in addition to renovation of existing facilities would enable the campus to sustain and expand its residential character, enhance existing connections with the City and County of San Luis Obispo, and provide opportunities for members of the campus community to live locally and participate fully in the life of the campus.
2. The 2035 Master Plan promotes the academic mission of Cal Poly by planning for greater academic and research facilities to accommodate new or expanded initiatives and programs.
3. The 2035 Master Plan makes efficient use of developable campus land and preserves a balance between developed areas and open space.
4. The 2035 Master Plan provides appropriate facilities for student interaction, student learning, passive recreation, and informal and organized recreation.
5. The 2035 Master Plan supports the Cal Poly campus in its objective of creating a physical framework to support the teaching, research, and public service mission of the campus, creating a dynamic learning and discovery

environment, within a compact and connected academic core, that would enrich community life and create sustainable future.

6. The 2035 Master Plan will allow for the development of approximately 1.29 million additional gross square feet of academic, administrative, and support space, and replacement of 455,000 gsf of existing aging or obsolete academic, administrative, and support space to correct deficiencies and technological obsolescence in existing facilities, accommodate planned program direction in instruction, research and public service functions, and provide capacity for future program requirements.
7. The 2035 Master Plan provides a comprehensive approach to sustainability and maintains CSU's stewardship of campus landscape and natural resources.
8. The 2035 Master Plan will enhance the aesthetics and visual character of the campus.
9. The 2035 Master Plan will improve campus pedestrian and bicycle connections and circulation.
10. The 2035 Master Plan will advance California's economic, social, and cultural development, which depends upon broad access to an educational system that prepares the state's inhabitants for responsible citizenship and meaningful careers. Locally, Cal Poly provides many indirect community contributions in the form of education, recreation, and artistic and cultural enrichment to residents of the San Luis Obispo area through such functions as extension courses, performing arts events, art exhibits, sporting events, conferences and workshops. As the 2035 Master Plan is implemented, the level of these services will grow.

Considering all the factors, the CSU 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. Therefore, the CSU Board of Trustees hereby adopts this Statement of Overriding Considerations.