Findings of Fact
and
Statement of Overriding Considerations

Pursuant to Sections 21081, 21081.5, and 21081.6 of the Public Resources Code
and Sections 15091 and 15093 of the CEQA Guidelines

Campus Master Plan
September 2019

California State University, Dominguez Hills

Final Environmental Impact Report
State Clearinghouse Number 2017081035

Findings of Fact

1.0 Introduction

1.1 Purpose

This statement of Findings of Fact (Findings) addresses the environmental effects associated with the California State University, Dominguez Hills (CSUDH or University) Campus Master Plan project located on the CSUDH campus in the City of Carson, California. 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. 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 (SOC), 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 Board of Trustees adopts these findings as part of its certification of the Final EIR for the project. Pursuant to Section 21082.1(c)(3) of the Public Resources Code, the 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 Board of Trustees, in adopting these findings, also adopts a Mitigation Monitoring and Reporting Program for the project. The Board of Trustees finds that the Mitigation Monitoring and Reporting Program, 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.

1.2 Organization and Format of Findings

Section 1.0, Introduction, contains a summary description of the 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.

1.3 Summary of Project Description

The project is the adoption and implementation of the Campus Master Plan for CSUDH. The Campus Master Plan will guide the future physical development of the University's campus through the year 2035 planning horizon. The University conducted, a wide-ranging planning process to develop the Campus Master Plan. The aim of that process was to develop a comprehensive plan for campus development that will maintain and enrich the campus as an attractive, accessible, safe and functional environment for culture, learning, living and recreating for the University's faculty, staff, students and visitors, and for the surrounding communities. To do so, the Campus Master Plan would rely upon implementation of Design Guidelines, Landscape Guidelines, Sustainability Guidelines, and Implementation Guidelines. The Campus Master Plan accommodates campus growth from the current 11,000 full-time equivalent student (FTES) enrollment level to the 20,000 FTES anticipated by 2035.

The Campus Master Plan provides for development of new and expanded facilities in three areas of the 344-acre campus: (1) the Core Campus; (2) the University Village; and (3) the StubHub Center. The future development within the areas is planned to effectively concentrate the use of land within each area and provide space for a broad range of programs. Within these areas, the Campus Master Plan focuses on the facilities needed by the University's academic programs and campus life programs, including housing, recreation, facilities maintenance; and campus infrastructure, including roadways, parking, and utilities. Many of the existing academic buildings, student housing, and other facilities have reached the end of their functional life and need renewal or replacement. Therefore, the replacement and provision of remodeled

facilities are large components of the Campus Master Plan.

The Core Campus project component occupies 179.5 acres and includes:

- Twelve new academic and administrative facilities, including: classrooms, laboratories, faculty and administrative offices, new performing arts facilities, a new incubator/research facility, and facilities for accommodating CSUDH's new mobile Fabrication Lab vehicles;
- Student support facilities, including: an expansion of the Loker Student Union, new student apartment housing, and a new student recreation center;
- Athletic facilities, including: a remodeled gymnasium and existing playfields, and new playfields;
- Campus support facilities, including: a new, expanded Child Care Center, new Facilities Services offices and yards, expansion of the existing Central Plant, a satellite central plant, and a new electric substation;
- Parking facilities to accommodate 20,000 FTES, including reconfigured surface lots and new parking structures;
- Reconfigured campus entries at both north and south, including new campus visitor services, and reconfigured vehicle access to parking facilities;
- Open space areas for campus activities, programmed and informal gathering and recreation; and
- Existing natural reserve areas and a new area for an urban farm project.

The University Village project component occupies 76.5 acres and is a new planned campus development that includes:

- New retail uses to support both the Core Campus and the University Village, including on-street parking and parking in structures;
- New housing, including campus apartment housing, which will provide housing for faculty and staff, students and the general public;
- Campus Business park, which will provide important educational benefits in the form of on-campus learning, research, and internship opportunities for students, faculty, and staff through on-campus public-private partnerships, which will further the University's educational mission, and provide job opportunities for students;
- Open space areas for informal activities, leisure, gathering and recreation including a new one-acre park;
- Preservation of an existing natural reserve area; and
- Reconfigured vehicle circulation including an extension of Birchknoll Drive and reconfigured vehicle access from Central Avenue.

The StubHub Center, occupying the western-most 88 acres of the campus, currently includes an existing stadium, and will include additional facilities previously approved as part of the 2010 Campus Master Plan.

The proposed project includes the following with respect to the StubHub Center:

- Stadium capacity will be increased by 3,000 seats. Currently, the stadium has seating for 27,000 spectators when configured for the Los Angeles Galaxy Major League Soccer (MLS) games, and will have seating for 30,000 spectators when configured for Los Angeles Chargers National Football League (NFL) games to be held on Sundays through 2020, and for other events; and
- Reorientation of previously approved facilities within the StubHub Center, which were approved as part of the 2010 Campus Master Plan. Specifically, the proposed project includes reorientation of Building 122 - Office Complex and Field House/Training Facility; Building 123 – Dormitories; and Building 124 - Conference Center/Hotel. These proposed facilities were originally aligned in a parallel manner on a site between Victoria Avenue and the soccer stadium. Reorientation of these buildings consists of aligning them perpendicular to Victoria Street, with no change in size, square footage, floor area, height, or overall capacity. Further, these facilities will be located in the same area of the StubHub Center consistent with the 2010 Campus Master Plan.

1.4 Project Objectives

CEQA states that the statement of project objectives should be clearly written and define the underlying purpose of the project, in order to permit the development of a reasonable range of alternatives and aid the Lead Agency in making findings.

The objectives of the proposed project are rooted in the overall educational mission of the University. The project's main objective is to provide for the long-term development of the campus up to the 2035 planning horizon in a manner that supports the academic, research, and service needs of the University's students, faculty, and staff; maintains and enhances the University's capacity as a regional center for intellectual development and cultural activity for students, faculty, and staff; and enhances the student experience and attracts and retains high quality faculty and staff. Thus, overall, the project purpose/vision is to become a vital physical campus that supports all activities needed for a top-performing Model Urban University accommodating 20,000 FTES in a manner cohesive with the surrounding community and environment.

To achieve the main objective of the proposed project, the following more specific goals and objectives have been considered in developing the proposed project, which will accommodate the projected increase in student enrollment and enable the University to continue to fulfill its educational mission. These specific objectives were identified throughout a comprehensive process guided by the 2018 Master Plan Steering Committee, which was comprised of faculty, administration, students, and staff, with input from the community and stakeholders throughout a comprehensive public outreach process. The specific objectives of the proposed project are as follows:

- Reinforce the University's focus on teaching and learning by providing the appropriate instructional, research, and administrative facilities that support the depth of knowledge the University seeks to instill;
- Serve as a regional center and asset for intellectual development, cultural activity, and life-long learning for CSUDH and the surrounding community;
- Serve as an accessible, safe, and attractive campus for students, staff, faculty, and the community;
- Support opportunities for interaction and collaboration among students, faculty, staff, community members, and campus visitors;
- Increase on-campus housing for students, faculty, and staff — including development of campus apartment housing to serve both University and non-University occupants within the proposed University Village project component, and make such housing options available on a priority basis to students, faculty, and staff.
- Provide on-campus housing opportunities for faculty and staff to promote faculty and staff recruitment, and retain and enhance faculty and staff connectivity with the campus; and provide housing opportunities to graduate students and those in the greater community interested in campus life connectivity;
- Attract international students to CSUDH;
- Provide services and facilities for students, faculty, and staff to support the University's vision of a vibrant 24/7 campus;
- Provide additional on-campus learning, research, and internship opportunities for students, faculty, and staff through on-campus public-private partnerships;
- Make efficient use of developable land and create the appropriate balance between built areas and open space;
- Continue to provide suitable facilities for informal and organized recreation and intercollegiate athletics;
- Maintain and enhance the physical appearance of the campus;
- Maintain stewardship of campus landscape and natural resources and reinforce the University's sustainability goals;
- Incorporate new technologies and welcoming, socially responsible physical environments;
- Maintain and manage all campus facilities, systems, and infrastructure; and
- Generate revenue from public and private sources to realize the project's objectives, and further support and benefit the University's educational mission.

The above project objectives were considered in developing the proposed project, which will accommodate the projected increase in student enrollment and enable the University to continue to fulfill its educational mission.

1.5 Environmental Review Process

Initial Study and Notice of Preparation

In accordance with the requirements of CEQA and the CEQA Guidelines, to determine the number, scope and extent of environmental issues, the NOP of the Draft EIR was circulated for public review for a period of 30 days, beginning on August 17, 2017 and ending on September 15, 2017. The University also held a public information meeting on September 6, 2017, to obtain public input on the Initial Study. Interested parties attended the public information meeting and provided input.

Draft EIR

In accordance with the requirements of CEQA and the CEQA Guidelines, a Draft EIR was prepared to address the potential significant environmental effects associated with the Campus Master Plan project identified during the NOP process. Based on the NOP and Initial Study scoping process, the EIR addressed the following potentially significant environmental issues:

- Aesthetics
- Air Quality and Greenhouse Gases (GHG)
- Biological Resources
- Cultural and Tribal Resources
- Noise
- Population and Housing
- Public Services and Recreation
- Traffic and Circulation
- Utilities and Service Systems

The Draft EIR was made available to the public for review and comment for a 47-day period. The review and comment period began on February 11, 2019 and was scheduled to conclude on March 29, 2019. The public review period was extended to April 15, 2019, for an additional 18-days. The University also held a public information meeting on March 7, 2019, to obtain public input on both the project and the scope and content of the EIR. Interested parties attended the public information meeting and provided input.

The Draft EIR was accessible online using the CSUDH website at https://www.csudh.edu/fpcm/campus-master-plan-update/. Copies of the Draft EIR were available for public review at the following locations:

- CSUDH (1000 E. Victoria Street, Carson, CA 90747) in the Leo F. Cain Library and the Facilities Planning, Design and Construction Office,

- Carson Public Library (151 E Carson St, Carson, CA 90745), and
- Dr. Martin Luther King, Jr. Public Library (17906 S Avalon Blvd, Carson, CA 90746).

During the Draft EIR public review period, the University received 5 comment letters. All comment letters received in response to the Draft EIR were reviewed and are included in the Final EIR, along with written responses to each of the comments. In addition, one late comment letter was received after the public review and comment period concluded; although CEQA and the CEQA Guidelines do not require a response to late comment letters, a response to the late comment letter was prepared and is included in the Final EIR.

Final EIR

Section 15088 of the CEQA Guidelines requires that the Lead Agency responsible for the preparation of an EIR evaluate comments on environmental issues and prepare a 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 minor revisions to the Draft EIR as needed.

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 University 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.

2.0 CEQA Findings of Independent Judgment

2.1 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):

Aesthetics

Less than Significant Impacts

An evaluation of the project's aesthetics impacts is found in Section 3.1 Aesthetics, of the Final EIR. Implementation of the Campus Master Plan is not projected to result in any significant impacts on scenic resources or scenic vistas on campus or its vicinity.

Findings

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

Population and Housing

Less than Significant Impacts

An evaluation of the project's population and housing impacts is found in Section 3.7 Population and Housing, of the Final EIR. Implementation of the Campus Master Plan would result in beneficial impacts relative to the region's housing availability and affordability, as a result the proposed project is not projected to result in significant cumulative impacts to population and housing.

Findings

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

Public Services and Recreation

Less than Significant Impacts

An evaluation of the project's public services and recreation impacts is found in Section 3.8 Public Services and Recreation, of the Final EIR. Implementation of the Campus Master Plan is not projected to result in any significant impacts to fire protection and emergency medical services, police protection, schools, library facilities, and parks and recreation facilities.

Findings

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

Utilities and Service Systems

Less than Significant Impacts

An evaluation of the project's impacts to Utilities and Service Systems is found in Section 3.10 Utilities and Service Systems, of the Final EIR. The evaluation analyzed potential impacts on utilities, including infrastructure, wastewater infrastructure, storm water infrastructure, solid waste disposal, and energy resources due to consumption (see Utilities (Water Supply) for discussions regarding impacts to water supply and related infrastructure). Implementation of the Campus Master Plan is not projected to result in a wasteful, inefficient, or unnecessary consumption of utilities or transportation related fuel.

Findings

The Board of Trustees finds that, based upon substantial evidence in the record, the project's potential impact on utilities and service systems is less than significant, and no mitigation measures are required.

Utilities (Water Supply) - Operational Effects

Less than Significant Impacts

An evaluation of the project's impacts to Utilities and Service Systems is found in Section 3.10 Utilities and Service Systems, of the Final EIR. Through an evaluation of the Dominguez District's historic use and

future supplies in the Water Supply Assessment (2019) found in Appendix G of the EIR, the proposed project was determined to increase the campus' water demand under a worst-case scenario buildout in 2035 by 1.0% of the total Dominguez District's demand. This analysis concludes that the proposed project, which has less buildout than the worst-case scenario, and thus demand, would have a less than significant impact on water supplies.

Findings

The Board of Trustees finds that, based upon substantial evidence in the record, the project's potential impact on water supplies is less than significant, and no mitigation measures are required.

2.2 Environmental Effects Determined Not to Be Significant in the NOP Scoping Process and Not Discussed in the EIR

Section 15128 of the 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. The Executive Summary and Appendix A of the Final EIR addresses the potential environmental effects that have been found not to be significant as a result of the Initial Study analysis completed as part of the NOP process, the NOP public review process, and the responses to the NOP. Based on the NOP process, implementation of the Campus Master Plan was determined to result in either no impact, or a less than significant impact without the implementation of mitigation measures on the following resources, and were therefore, not discussed in detail in the EIR:

- Agricultural and forest resources
- Geology and soils
- Hazards and hazardous materials
- Land use and planning
- Mineral resources

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 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.

Jurisdictional Drainages, Wetlands and Biological Resources

Potential Significant Impacts

An evaluation of the project's impacts to Biological Resources is found in Section 3.3 Biological Resources, of the Final EIR. Proposed development areas contain drainages that have been delineated as jurisdictional

waters. These waters could be temporarily and/or permanently affected by construction of new facilities and improvements, resulting in significant impacts. A new facility is planned in an area containing a small seasonal wetland, that while not determined to be jurisdictional, it does provide habitat for non-sensitive versatile fairy shrimp, though no listed fairy shrimp species were detected during surveys. Development of facilities and improvements in the project's southern site could affect potential burrowing owl habitat. In addition, construction of facilities and improvements may result in mature tree removal that provide potentially suitable nesting habitat for raptors and migratory birds.

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, compensatory mitigation, protocol surveys and regulatory permits. The mitigation measures are identified below.

BIO-1: The footprints of new facilities and improvements in areas containing the ephemeral Drainages 1, 2, 3, and 4 shall be designed to avoid any direct impacts. This includes avoidance of grading activities, construction, and/or material laydown. If avoidance is infeasible, mitigation measure BIO-2 will be implemented.

BIO-2: The University shall obtain all necessary permits required by the regulatory agencies, including the Corps, CDFW, and RWQCB. The permits may include a nationwide permit under Section 404 of the Clean Water Act, a Streambed Alteration Agreement under Sections 1600–1602 of the Fish and Game Code, and the RWQCB Section 401 Water Quality Certification/Waste Discharge permits.

BIO-3: Impacts associated with permanently disturbed areas within regulated waters will be mitigated in-kind at a minimum ratio of 1:1. The regulatory agencies (e.g., the Corps, RWQCB) may require final mitigation ratios greater or less than 1:1. The CSUDH, however, will cause implementation of in-kind mitigation at a 1:1 ratio, or the ratio required by the regulatory agencies, whichever is greater. Specific compensatory mitigation determined by each regulatory agency also may include providing adequate funding to a third-party organization, conservation bank, or in-lieu fee program for the in-kind creation or restoration. If mitigation is implemented offsite, mitigation lands shall be located within the Los Angeles River Watershed or vicinity.

BIO-4A: If the Corps determines that the northern site is jurisdictional under Section 404 of the Clean Water Act, the Corps will initiate a ESA Section 7 consultation process with the USFWS for potential impacts to federally-listed vernal pool fairy shrimp species. The USFWS may require additional protocol-level vernal pool branchiopod surveys to confirm absence of federally-listed branchiopod species. CSUDH shall cause such surveys to be prepared as part of the project's subsequent Clean Water Act Section 404 permit application process with the Corps. As part of this consultation effort, CSUDH may cause the project's facilities and improvements to avoid impacts to the project's vernal pool complex habitat area, along with a buffer zone. If avoidance is infeasible, CSUDH will cause further consultation to occur with the Corps and USFWS as part of the project's Clean Water Act Section 404 permit application process. As part of that consultation, CSUDH will cause to be implemented any feasible vernal pool mitigation required as part of that regulatory process, including off-setting impacts to the vernal pool complex habitat through mitigation banks, in-lieu fee sites, or permittee-responsible mitigation.

BIO-4B: If the Corps does not take jurisdiction over the northern site, CSUDH will consult with the USFWS through the ESA Section 10 process to determine the potential for impacts to federally-listed vernal pool fairy shrimp species. The USFWS may require additional protocol-level vernal pool branchiopod surveys to confirm absence of federally-listed branchiopod species. CSUDH shall cause such surveys to be prepared as part of the project's Section 10 consultation process. If federally-listed vernal pool fairy shrimp species are identified during protocol surveys, as part of this consultation effort, CSUDH may cause the project's facilities and improvements to avoid impacts to the project's vernal pool complex habitat area, along with a buffer zone. If avoidance is infeasible, CSUDH will obtain the necessary incidental take permit for impacts to the species/vernal pool complex. Mitigation will be identified in consultation with the USFWS and may include off-setting impacts to the vernal pool complex habitat through mitigation banks, in-lieu fee sites, or permittee-responsible mitigation.

BIO-5: Thirty days prior to the commencement of construction, a preconstruction burrowing owl survey shall be performed by walking through the identified suitable habitat and areas within 500 feet of the new facility or improvement impact zone. This shall consist of a single survey with the focused intent of determining whether burrowing owls are still absent from the study area. If no burrowing owls are observed/detected, additional mitigation is not required. If burrowing owls are observed, mitigation measure BIO-6 shall be implemented.

BIO-6: If the species is present outside the breeding season (September 1 through February 28), passive relocation shall be performed by a qualified biologist. No permits are necessary for this work. Prior to passive relocation of the birds from occupied burrows, potentially suitable burrows within the study area shall be collapsed so that the birds being passively relocated do not occupy a nearby burrow. At least 48 hours shall pass between the start of passive relocation and the collapse of the occupied burrows. This methodology shall ensure that the birds are not present. If the species is found to be present and it is within the breeding season (March 1 through August 31), construction will not occur within 300 feet of the active burrows until it has been confirmed by a qualified biologist that the nesting effort has been completed. At that time, passive relocation can be employed as described above.

BIO-7: In the event that construction of new facilities and improvements involves removal of vegetation occurring between February 1 and September 1, CSUDH shall cause to be retained a qualified biologist to conduct a nesting bird/raptor survey of the project impact area prior to the initiation of construction. The survey shall be conducted no more than three days prior to the initiation of construction to minimize the potential for nesting following the survey and prior to construction. If the biologist detects any active nests within or adjacent to the project impact area (within 150 feet for nesting birds, within 500 feet for raptors), the area(s) supporting bird nests shall be flagged for protection with a buffer determined at the biologist's discretion based on the sensitivity of the species (minimum buffer of 500 feet for raptors). No activities shall occur within the buffer zone until the nests are no longer occupied as determined by the biologist.

Findings

The 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

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 pre-construction surveys to determine if protective buffers are necessary to be implemented to minimize impacts to any species that may be present in the area. In the event that impacts to resources are unavoidable, consultation with agencies with jurisdiction will assist in off-setting impacts through mitigation banks, in-lieu fee sites, or permittee-responsible mitigation Should resources be identified, avoidance through site design is recommended. The footprints of new facilities and improvements would be designed as to avoid or minimize grading, construction, and/or material laydown in areas containing the ephemeral drainages. If this avoidance cannot be implemented through design, the necessary permits from regulatory agencies will assist the project in mitigating for the impacted resources through compensatory mitigation, contributions to mitigation banks, in-lieu fee sites, or permittee-responsible mitigation.

Cultural, Paleontological and Tribal Resources

Potential Significant Impacts

An evaluation of the project's impacts to Cultural, Paleontological, and Tribal Resources is found in Section 3.4 Cultural Resources, of the Final EIR. Although there are no known archaeological resources present within the project site, the proposed project has the potential to impact previously unrecorded resources encountered during ground disturbing activities. Likewise, there are also no known tribal resources within the project area; however, consultation with two local tribal representatives indicated that the area is highly sensitive for cultural resources and proximity of known mapped locations of settlements in the area indicated a moderate sensitivity for encountering tribal resources. Similarly, a records search has identified a paleontological vertebrate fossil locality that may lie within the proposed project boundaries, which could be encountered during ground disturbance.

Mitigation measures to avoid or reduce the environmental effects of the project on cultural resources are included as part of the project. These measures include, but are not limited to, retention of a qualified archaeologist and principal paleontologist, avoidance through project design, Phase II and III investigations, construction monitoring and development of a PMP. The mitigation measures are identified below.

CUL-1: Retain a Qualified Archaeologist. The project shall retain a qualified archaeologist, defined as an archaeologist who meets the Secretary of the Interior's Standards for professional archaeology, to carry out all mitigation measures related to cultural resources.

CUL-2: Survey of Undeveloped Areas Prior to Development. Prior to development or construction of new facilities in portions of the campus which have not previously been developed (particularly the eastern portions of campus which have not been surveyed previously and where the majority of the planned development is located), an archaeological pedestrian survey shall be conducted to identify potentially

significant archaeological resources. Resources found to be not significant shall not require mitigation.

If a potentially significant site would be impacted by ground-disturbing activities, either the site should be avoided, or a Phase II investigation would be required to evaluate the site for eligibility for listing in the CRHR. After testing, it may be determined that data recovery will be needed.

CUL-3: Avoidance of Potentially Eligible Archaeological Sites through Project Design. The preferred mitigation is avoidance of any potentially eligible site through project design. If direct impact to a previously unknown archaeological site, by earth-moving activities cannot be avoided, a Phase II investigation would be necessary to determine significance in accordance with the following measure.

CUL-4: Phase II (Evaluation) and Phase III (Data Recovery) Cultural Resources Investigations. Ground-disturbing impacts to any potentially eligible archaeological site shall be avoided to the extent feasible. If avoidance is not feasible, CSUDH shall ensure that the potentially impacted archaeological site is assessed for significance, as defined by Public Resources Code Section 21083.2 or CEQA Guidelines Section 15064.5(a), through implementation of Phase II investigations. If Phase II testing of any previously unknown archaeological site exhausts the data potential of the site or determines that the site is not significant, data recovery shall not be required.

Impacts to a site found to be significant under CRHR Criterion 4 shall be mitigated through a Phase III data recovery program. For such a site, prior to any ground-disturbing activities, a detailed archaeological treatment plan shall be prepared and implemented by a qualified archaeologist. Data recovery investigations will be conducted in accordance with the archaeological treatment plan to ensure collection of sufficient information to address archaeological and historical research questions, and results will be presented in a technical report (or reports) describing field methods, materials collected, and conclusions. Additional testing and/or data recovery phases may involve additional excavation and/or more detailed recordation of resources or more comprehensive archival research. Any cultural material collected as part of an assessment or data recovery effort should be curated at a qualified facility. Field notes and other pertinent materials should be curated along with the archaeological collection. If a resource is found to be significant under CRHR Criterion 1, 2, or 3, alternative mitigation measures may be necessary to reduce the level of impact to less than significant. These measures shall be developed by the qualified archaeologist, in consultation with CSUDH and other stakeholders, as appropriate.

CUL-5: Construction Monitoring for Archaeological Resources. Prior to construction, a qualified archaeological monitor shall be retained to monitor ground-disturbing activities within portions of the campus that do not currently contain structures. These include areas that are currently paved, landscaped, or undeveloped. The duration and timing of the monitoring shall be determined by the qualified archaeologist in consultation with CSUDH. The archaeological monitor will work under the supervision of the qualified archaeologist. Archaeological monitors will hold at least a Bachelor's degree in Anthropology, Archaeology, History or related field and at least 1-year of construction monitoring experience. The qualified archaeologist will prepare an Archaeological Monitoring Plan for each project undertaken under the Master Plan, which will specify the appropriate frequency and procedure for reporting archaeological monitoring activities, including submittal of a final report to the CSUDH planning office.

CUL-6: Inadvertent Discoveries. If previously unknown buried cultural deposits are encountered during any phase of project construction, all construction work within 20 m (60 feet) of the deposit shall cease and the qualified archaeologist shall be consulted to assess the find. If the resources are determined to be Native American in origin, the project archaeologist will consult with CSUDH to continue Native American consultation procedures. As part of this process, it may be determined that a qualified Native American monitor will be required. If the discovery is determined to be not significant, work will be permitted to continue in the area. If a discovery is determined to be significant, a mitigation plan shall be prepared and carried out in accordance with state guidelines. If the resource cannot be avoided, a data recovery plan should be developed to ensure collection of sufficient information to address archaeological and historical research questions, with results presented in a technical report describing field methods, materials collected, and conclusions. Any cultural material collected as part of an assessment or data recovery effort should be curated at a qualified facility. Field notes and other pertinent materials should be curated along with the archaeological collection.

CUL-7: A qualified project Principal Paleontologist meeting the Society of Vertebrate Paleontology (SVP) standards shall be identified prior to the commencement of all projects. The Principal Paleontologist shall be tasked with the production of the Paleontological Monitoring Plan, identifying and supervising qualified project paleontological monitors, and overseeing the salvage, identification and curation of paleontological resources.

CUL-8: The project Principal Paleontologist, as required by CUL-7 shall prepare a Paleontological Monitoring Plan (PMP) for each project initiated under the Master Plan. The PMP shall specify the appropriate frequency for paleontological monitoring and protocols for reporting monitoring activities, including submittal of a final report to the CSUDH planning office. The PMP shall also specify the appropriate buffer to implement in case of paleontological discovery, evaluation and salvage. Finally, the PMP shall provide guidance on the appropriate methods for evaluation and salvage, as well as guidance for resource identification, preparation and curation, including identifying a curatorial repository.

CUL-9: The qualified project Principal Paleontologist shall identify and supervise a qualified paleontological monitor to implement monitoring as prescribed by the PMP. All areas designated as sensitive per the PMP shall be monitored under the direction of the Principal Paleontologist. The monitor shall be equipped to salvage fossils and samples of sediments as they are unearthed to avoid construction delays and shall be empowered to temporarily halt or divert equipment to allow for removal of abundant or large specimens. The monitor shall also retain the option to reduce monitoring if, in his or her professional opinion, sediments being monitored have previously been disturbed or if the potentially fossiliferous units are not found to be present, or if present, are determined to be have a low potential to contain fossil resources.

CUL-10: Recovered paleontological specimens shall be prepared to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates and curated into a professional, accredited museum repository with permanent retrievable storage. Curation of

recovered paleontological specimens shall be overseen by a Principal Paleontologist.

CUL-11: A report of findings, with an appended itemized inventory of paleontological specimens, shall be prepared. The report and inventory will signify completion of the program to mitigate impacts on the paleontological resources and be submitted with curated specimens as specified by the Paleontological Monitoring Plan required by CUL-8. Preparation of the inventory shall be overseen by a Principal Paleontologist.

CUL-12: Discovery of Human Remains. If human remains are discovered, State of California Health & Safety Code Section 7050.5 stipulates that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The Los Angeles County Coroner must be notified of the find immediately. If the human remains are determined to be Native American, the Coroner will notify the Native American Heritage Commission, which will determine and notify a Most Likely Descendent (MLD). All treatment and disposition of Native American remains shall be compliant with Public Resources Code 5097.98, including completion of inspection by a MLD. The MLD will complete the inspection of the site within 48 hours of being granted access to the site and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

CUL-13: Retain Qualified Native American Monitor. The project Applicant shall be required to obtain the services of a single qualified Native American Monitor or two qualified Native American Monitors who would alternate in the provision the necessary monitoring. Under either approach, the Native American Monitor(s) shall be approved by the Tribal Representatives from the Gabrieleno Band of Mission Indians and Gabrieleno Tongva Indians of California. The Monitor must be present during all construction-related ground disturbance activities. Ground disturbance is defined as activities that include, but are not limited to, pavement removal, pot-holing or auguring, grubbing, weed abatement, boring, grading, excavation, and trenching, within the project area. The Native American Monitor(s) will complete monitoring logs daily. The logs will provide descriptions of the daily activities, including construction activities, locations, soil, and any cultural materials identified. The on-site monitoring shall end when the project site grading and excavation activities are completed, or when the Tribal Representatives and monitor have indicated that the site has a low potential for archeological resources.

Findings

The Board of Trustees finds that the above mitigation measures are feasible, will reduce the potential impacts of the project on cultural, paleontological, and tribal resources to less-than-significant levels, and are adopted by the 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

The above mitigation measures would reduce impacts to cultural resources through the identification of unknown resources; avoidance through design in the case resources are identified; monitoring of construction activities and the appropriate treatment if significant resources are identified during construction. Pre-construction surveys are required for development within any previously undisturbed areas of campus. 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. Furthermore, monitoring for unknown subsurface resources would be required, and the measures provide for treatment of any inadvertent discoveries.

Traffic and Circulation - Operational Effects – Sunday Events 2035

Potential Significant Impacts

As analyzed in Section 3.9, Traffic and Circulation, of this EIR and Appendix F.1: Transportation Impact Study, February 2019, the proposed project would in the pre-game and post-game peak hours, have impacts at four intersections in 2035.

Mitigation measures to avoid or reduce the environmental effects of the project on these four intersections are included as part of the project. These measures include measures to be added to the pre-game and post-game traffic management plan for Sunday events in 2035. The mitigation measures below are identified in the MMRP and in Appendix F.1: Transportation Impact Study, February 2019.

TRA-2B: Intersection #3, Victoria St./Birchknoll Dr.

The traffic management plan for the game will include the following mitigation measure:

- temporarily cone an additional east bound through lane

With this measure, operations of the intersection will improve to LOS D for the pre-game peak hour and the impact will be reduced to a less than significant level. This addition is feasible due to the 30 plus feet of right of way for the eastbound lanes on Victoria Street. The left-most lane can then be coned to become the left turn lane at Intersection #16.

TRA-9B: Intersection #9, University Dr./Toro Center Dr.
The traffic management plan for the game will include the following mitigation measures:

- Officer Control
- Temporarily convert one of the two eastbound through lanes into to a second eastbound left-turn lane

With these measures, operations of the intersection will improve to LOS A for the pre-game peak hour and the impact will be reduced to a less than significant level.

TRA-12: Intersection #25, Avalon Blvd./University Dr.

The traffic management plan (TMP) for the game will include the following mitigation measures:

- Officer Control
- Temporarily provide overlap phasing for the northbound right-turn movement

With these measures, operations of the intersection will improve to LOS D for the pre-game peak hour and the impact will be reduced to a less than significant level.

TRA-13: Intersection #41, Victoria St./ Rainsbury Ave.

The traffic management plan for the game will include following mitigation measure:

- Temporarily extend with cones eastbound right-turn lane for Intersection #1, Victoria St./Gate D, back to before Intersection #41 providing three eastbound through lanes at Intersection #41.

With this measure, operations of the intersection will improve to LOS C for the pre-game peak hour and the impact will be reduced to a less than significant level.

Findings

The Board of Trustees finds that the above mitigation measures are feasible, will reduce the potential impacts of the project on the four identified intersections during Sunday pre-game and post-game peak hours to less-than-significant levels, and are adopted by the 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

The above mitigation measures would be incorporated into the traffic management plan for Sunday pre-game and post-game peak hours in 2035, and will reduce impacts at the four identified intersections to a less than significant level.

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 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:

Air Quality - Short-term Construction Effects

Impacts

An evaluation of the project's impacts to Air Quality is found in Section 3.2 Air Quality, of the Final EIR. The proposed project's peak daily construction emissions (VOCs) are estimated to exceed the max daily thresholds published by the South Coast Air Quality Management District (SCAQMD) and would result in a potential conflict with SCAQMD's Air Quality Management Plan (AQMP). These impacts are significant

and unavoidable.

Mitigation Measures

AQ-1: During the project's grading phase, 2010 or newer diesel haul trucks shall be used to transport on-site soil, to the extent available.

AQ-2: All off-road, diesel-powered construction equipment greater than 50 horsepower shall meet Tier 4 emission standards, where available. At a minimum, all off-road, diesel-powered construction equipment greater than 50 horsepower shall meet the Tier 3 emission standards for non-road diesel engines promulgated by the USEPA. In addition, all off-road, diesel-powered construction equipment that is not Tier 4 shall be outfitted with Best Available Control Technology (BACT) devices certified by CARB, provided those devices are commercially available and: (1) achieve the standards of Cal/OSHA; (2) are consistent with the construction equipment warranty requirements; (3) are compatible with equipment specifications of the construction equipment manufacturer; and (4) do not otherwise interfere with the proper functioning of the construction equipment. Any BACT devices used shall achieve emissions reductions that are equal to or greater than a Level 3 diesel emissions control strategy for a similarly-sized engine, as defined by CARB regulations, provided that the devices are commercially available and satisfy the four requirements enumerated above.

Findings

The Board of Trustees finds that implementation of the identified mitigation measures will reduce air pollutant emissions and substantially lessen air quality 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 the significant and unavoidable impacts.

Rationale

Construction emissions were calculated using the highest number of equipment pieces on any given day with all equipment pieces assumed to operate for a full eight-hour day to account for 'worst-case' peak day construction emissions even though, in practice, not all equipment will be in use simultaneously for eight hours during any single construction day. Peak day construction emissions would be below the SCAQMD thresholds for all criteria pollutants, with the exception of VOC emissions in years 2024, 2027 and 2034. The highest emissions of VOC correspond with construction phases related to the application of architectural coatings, with additional contributions from the operation of other construction equipment. As a matter of regulatory compliance, the proposed project shall adhere to SCAQMD Rule 113, which establishes a comprehensive regulatory program for architectural coatings. The project shall comply with the version of Rule 1113 in effect at the time of the activity is subject to rule application. Mitigation

measures would assist in reducing short term emissions during the construction phase.

Air Quality - Operational Emissions

Impacts

An evaluation of the project's impacts to Air Quality is found in Section 3.2 Air Quality, of the Final EIR. The proposed project's peak daily operational pollutant emissions would exceed the SCAQMD daily threshold amounts for all six criteria pollutants, with vehicular traffic being the main emissions contributor for all criteria pollutants, followed by area emissions for VOCs and CO. Emissions of these criteria pollutants from operation of the project would result in a significant long-term air quality impact. These impacts are significant and unavoidable.

Mitigation Measures

AQ-3: Upon approval of the 2018 Campus Master Plan, CSUDH shall send a letter to SCAQMD and SCAG notifying the agencies of the approved campus development (with information about approved land uses, etc.), and such letter shall specifically request that the agencies include the approved campus development in all future regional growth forecasts. This letter commitment will ensure that campus growth-related emissions are accounted for in future regional emissions inventories.

AQ-4: CSUDH shall develop Green Product educational materials that shall be made available to all campus faculty, staff and students via the campus website, student handbook and orientation materials, and employee handbook and orientation materials. The Green Product educational materials also shall be made available to all campus apartment housing and campus business park tenants within the University Village portion of the campus. The educational materials shall be tailored to consumers, and include information regarding: (1) the environmental benefits of low VOC/ROG consumer products; (2) the use of cleaning compounds, polishes and floor finishes, cosmetics and personal care products, home, lawn and garden products, and paints and architectural coatings; and, (3) the importance of recycling and purchasing recycled materials.

AQ-5: When residential appliances are offered by homebuilders in the University Village portion of the CSUDH campus, the project shall install Energy Star appliances (specifically, clothes washers, clothes dryers, dish washers, fans and refrigerators).

Findings

The Board of Trustees finds that implementation of the identified mitigation measures will reduce operational emissions; however, even with the implementation of these identified feasible mitigation measures, the proposed project's operational emissions (VOC, NOX, CO, PM10 and PM2.5) are estimated to exceed SCAQMD's mass daily thresholds and potentially conflict with SCAQMD's AQMP. These impacts are considered significant and unavoidable. The Transportation Demand Management (TDM) Plan set forth in Section 3.9, Traffic and Circulation, of the EIR would assist in reducing the proposed project's operational-related emissions. Because project-related mobile sources are the primary contributor of operational emissions, implementation of the TDM Plan will serve to achieve emission reductions. 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 proposed project that outweigh the significant and unavoidable impacts.

Rationale

Sources of operational emissions are energy demands (natural gas consumption), area sources (landscaping equipment and architectural coatings) and vehicle trips. The project provides for housing in proximity to the campus, which would be available to faculty, staff and students; however, there is no formal policy or program to require students, faculty or staff to live in the campus apartment housing. Therefore, the analysis of air quality impacts considered a worst-case scenario in which all project-related vehicles trips were evaluated as new, additional trips to the region. The Transportation Demand Management (TDM) Plan set forth in Section 3.9, Traffic and Circulation, of the EIR would assist in reducing the proposed project's operational-related mobile emissions through reducing project-related vehicle trip generation.

Air Quality - Cumulative Effects

Impacts

An evaluation of the project's impacts to Air Quality is found in Section 3.2 Air Quality, of the Final EIR. As stated, under both short-term construction and long-term operational conditions, the proposed project would exceed thresholds for specific criteria pollutants. During short-term construction periods, VOC emissions would result in significant impacts. Under long-term operational conditions, the project emissions for VOCs, NOx, CO, PM10 and PM2.5 would result in significant impacts. Combined with foreseeable and unforeseeable future developments in the region, the proposed project would contribute to impacts on air quality, and therefore, the cumulative impact would be considered significant and unavoidable.

Findings

The Board of Trustees finds that implementation of the mitigation measures AQ-1 – AQ-5 will reduce construction and operational emissions; however, even with the implementation of these identified feasible measures, the proposed project, combined with foreseeable and unforeseeable future developments in the region, would contribute to air quality impacts. These cumulative impacts are considered 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 proposed project that outweigh the significant and unavoidable impacts.

Rationale

The proposed project includes various design attributes that would serve to reduce operational emissions, including increased on-campus student housing, the TDM plan campus apartment housing with complementary retail uses and a comprehensive sustainability program to address energy efficiency (Sustainability Guidelines, of the Guidelines for the Campus Master Plan), reduction of vehicle trips and waste management.

Greenhouse Gas (GHG)

Impacts

An evaluation of the project's impacts to Greenhouse Gas is found in Section 3.5 Greenhouse Gas, of the Final EIR. The proposed project's one-time construction and annual operational GHG emissions may result in a significant and unavoidable impact to global climate change because of the project's incremental, numerically positive contribution to the cumulative condition. While the EIR concludes that such impacts would be unavoidably significant, it is noted that – as in the case of air quality – the proposed project includes various design attributes that would serve to reduce operational GHG emissions.

Mitigation Measures

GHG-1: All project-related development shall comply with applicable standards set forth in Chapter 6, Sustainability Guidelines, of the Guidelines for the 2018 Campus Master Plan. The CSUDH Department of Facilities Services, Office of Sustainability, shall be responsible for reviewing and confirming that all building plans, infrastructure, improvements, and other facets of the project's campus-related development are: (i) consistent with the Guidelines (either by implementing the applicable standards in the Guidelines "as is," or by implementing other strategies that are of equivalent or greater effectiveness, based on the Office of Sustainability's review of technical evidence prepared by a qualified sustainability/GHG emissions consultant), and (ii) do not impair the campus' ability to achieve the goals and objectives of CSU's 2014 Sustainability Policy. The Office of Sustainability shall complete its review of project-related development activities and approval shall be granted by the campus' Deputy Building Official prior to commencement of any project-related ground disturbance activities.

Findings

The Board of Trustees finds that the EIR conservatively concludes that the proposed project's GHG emissions would significantly impact the environment, even with implementation of identified mitigation measures. As such, the project's GHG emissions would result in a significant and unavoidable impact. 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 proposed project that outweigh the significant and unavoidable impacts.

Rationale

The emissions inventory data presented for the proposed project serves to over-estimate GHG emissions because it does not quantitatively account for: (1) existing CSU and CSUDH campus sustainability initiatives that would reduce the emissions associated with project-related development; (2) efficiency enhancements to the campus that will reduce the project's GHG emissions profile as a result of the demolition and replacement of existing, aging buildings with buildings benefiting from new technologies; (3) reductions in vehicle miles travelled and corresponding mobile source emissions attributable to the TDM Plan; and, (4) reasonably foreseeable technological advancements and regulatory standards, such as the 2019 Title 24 standards for residential and non-residential development and the increasing use of zero emission vehicles.

The proposed project's emissions profile is based on a worst-case condition whereby all campus-related trips assigned to the project's land uses are assumed to be new vehicle trips for the region, even though the project likely would serve to reduce the number of existing trips and trip lengths. Further, the project's proposal to accommodate projected growth for residential, educational and employment opportunities within an infill setting in the City of Carson is consistent with state and regional policy direction on the role of land use with respect to achievement of GHG reduction goals. Each of these factors evidence that the approach taken, and conclusion reached rely on conservative principles.

The identified mitigation measure would aid the campus in upholding the Sustainability Guidelines, of the Campus Master Plan. It also is noted that the proposed project's construction-related GHG emissions would be reduced through implementation of the mitigation strategies recommended in **Section 3.2**, Air Quality, of the EIR.

Similarly, the Transportation Demand Management (TDM) Plan set forth in **Section 3.9**, Traffic and Circulation, of the EIR would reduce the proposed project's operational-related GHG emissions. Because project-related mobile sources are the primary contributor of operational emissions, implementation of the TDM Plan would serve to achieve GHG emission reductions The proposed project would reduce to a lesser degree the emissions from residential appliances through installation of Energy Star appliances, and through educating the campus on Green Products to best reduce pollutants that stem from the use of such products in campus operations.

Noise - Short-term Construction Effects

Impacts

An evaluation of the project's impacts to Noise is found in Section 3.6 Noise, of the Final EIR. Because the precise timing, nature and intensity of construction is unknown, construction noise associated with buildout of future on-campus facilities could result in noise levels that exceed applicable noise standards. Therefore, construction related noise has the potential to result in significant impacts to nearby sensitive receptors even with implementation of the recommended mitigation measure.

Mitigation Measures

NOI-1: Prior to initiation of campus construction, CSUDH shall approve a construction noise mitigation plan that shall be implemented for construction activities, and which will include an appropriate combination of the following:

- Temporary acoustic barriers to be installed around stationary construction noise sources within proximity of the residential homes north of Victoria Street and south of University Drive;
- Temporary acoustic barriers to be installed around stationary construction noise sources within proximity of the sensitive receptors within the campus;
- Construction equipment will be equipped with all feasible noise-reduction devices, and all construction equipment shall be maintained in accordance with manufacturer's specifications to assure that no noise results from improperly maintained equipment;

- Timing of construction activities will be coordinated to the extent feasible to minimize the extent of noisier construction activities, such as demolition, during time periods of more intensive academic instruction; and
- All construction projects pursuant to the proposed project shall be required to implement the above measures for control of construction noise.

Findings

The Board of Trustees finds that implementation of the identified mitigation measure, including installation of acoustic barriers, use of noise reducing equipment features, and scheduling construction activities to avoid disturbances to instruction would reduce noise impacts related to construction activities; however, construction related noise could still be potentially significant despite the identified mitigation measures. Therefore, short-term construction noise impacts are considered 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 proposed project that outweigh the significant and unavoidable impacts.

Rationale

In addition to the use of best practices for reducing construction noise, the identified mitigation measure would reduce the potential for noise impacts by ensuring construction is carried out in a manner that minimizes noise to the extent practicable and in compliance with applicable noise standards.

Noise - Operational Effects

Impacts

An evaluation of the project's impacts to Noise is found in Section 3.6 Noise, of the Final EIR. Project buildout would result in increased traffic on roadways surrounding the campus. Project-generated traffic would result in operational noise levels exceeding acceptable standards at several off-site receptor locations. Under the Buildout Year 2035 with project conditions, eight receptor sites were projected to experience noise levels above 65 dBA. Analysis shows that two of the eight receptor sites, receptor site 14 and 23, would exceed the significance threshold, resulting in significant project-related noise impacts. The remaining six of the eight receptor sites (sites 5, 6, 7, 8, 11 and 19) with projected noise levels of above 65 dBA would not be considered to have a significant project-related impact.

Mitigation Measures

At receptor site 14, there is no feasible mitigation measure at this location because a sound wall/noise barrier would block the necessary access to properties for both vehicles and pedestrians. As such, implementation of the necessary improvements is infeasible, and the impacts would be significant and unavoidable.

At receptor site 23, the improvement necessary to mitigate the identified impact would be to increase the height of the existing wall to serve as noise barrier along eastbound University Drive between the Caney Avenue and Central Avenue. However, the property on which the sound wall would be built is under the jurisdiction of the City of Carson, and the City does not have a funding plan or program in place to

implement the improvement. As such, implementation of the necessary improvements is infeasible, and the associated impacts would be significant and unavoidable.

Findings

The Board of Trustees finds that traffic-related noise at two locations (receptor site 14 on westbound Victoria Street, from Entrance D to Rainsbury Avenue, and receptor site 23 on westbound University Drive, from Avalon Boulevard to Entrance I) would exceed the significance threshold. The recommended mitigation measure at site 14 would block necessary access and therefore, is not feasible. The recommended mitigation measure at site 23 is within the jurisdiction of another agency and that agency does not have a funding plan or program in place to implement the improvement. Therefore, operational noise impacts at these two locations would be 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 proposed project that outweigh the significant and unavoidable impacts.

Rationale

Based on the impact analysis, the project would not result in significant noise impacts arising from the operation of the project, except for traffic-related noise at two locations, receptor site 14 on westbound Victoria Street, from Entrance D to Rainsbury Avenue, and receptor site 23 on westbound University Drive, from Avalon Boulevard to Entrance I. Mitigation for the two affected sites is not feasible.

Noise – Cumulative Effects

Impacts

An evaluation of the project's impacts to Noise is found in Section 3.6 Noise, of the Final EIR. Cumulative noise impacts could potentially occur if the proposed project is located within close proximity to other developments. However, the proposed project is located within an urban area that is completely built-out. Based on City of Carson's Development Status Report, which shows all the projects that are either under construction, approved or under review by the City, all but one would be completed before the beginning of construction of the proposed project. The related project which would potentially overlap with the construction of the proposed project has a planned completion date in spring 2020. Because this residential development is located more than two miles away from the proposed project, despite the potential overlap in construction, this would not be in close enough proximity to have the potential to create a cumulative construction noise impact. Overall, based on the analysis of foreseeable development activities, cumulative noise impacts related to construction activities would be less than significant. As shown in Table 3.6-7 of Section 3.6 Noise of the Final EIR, the proposed project, together with overall growth of the area, would contribute to the increase in noise levels at eight of the receptor sites that were projected to have noise levels beyond the 65 dBA threshold for residential homes. Analysis shows that eight receptor sites would exceed the significance threshold, resulting in significant cumulative noise impacts.

Mitigation Measures

At site 5, the improvement necessary to mitigate the identified impact would be the installation of a permanent sound wall to serve as a noise barrier along southbound Avalon Boulevard at the back of the current sidewalk. However, the property on which the sound wall would be built is under the jurisdiction of the City of Carson and the City does not have a funding plan or program in place to implement the improvement. As such, implementation of the necessary improvements is infeasible and the associated impacts are considered significant and unavoidable.

At site 6, the improvement necessary to mitigate the identified impact would be the installation of a permanent sound wall to serve as a noise barrier along southbound Avalon Boulevard between the frontage road and the main road. However, the property on which the sound wall would be built is under the jurisdiction of the City of Carson and the City does not have a funding plan or program in place to implement the improvement. As such, implementation of the necessary improvements is infeasible and the associated impacts are considered significant and unavoidable.

At site 7, the improvement necessary to mitigate the identified impact would be the installation of a permanent sound wall to serve as a noise barrier along southbound Avalon Boulevard between the frontage road and the main road. However, the property on which the sound wall would be built is under the jurisdiction of the City of Carson and the City does not have a funding plan or program in place to implement the improvement. As such, implementation of the necessary improvements is infeasible and the associated impacts are considered significant and unavoidable.

At site 8, there is no feasible mitigation measure at this location because a sound wall/noise barrier would block the necessary access to properties for both vehicles and pedestrians. As such, implementation of the necessary improvements is infeasible and the impacts are considered significant and unavoidable.

At site 11, the improvement necessary to mitigate the identified impact would be the installation of a permanent sound wall to serve as a noise barrier along eastbound Victoria Street between the frontage road and the main road. However, the property on which the sound wall would be built is under the jurisdiction of the City of Carson and the City does not have a funding plan or program in place to implement the improvement. As such, implementation of the necessary improvements is infeasible and the associated impacts are considered significant and unavoidable.

At site 14, there is no feasible mitigation measure at this location because a sound wall/noise barrier would block the necessary access to properties for both vehicles and pedestrians. As such, implementation of the necessary improvements is infeasible and the impacts are considered significant and unavoidable.

At site 19, the improvement necessary to mitigate the identified impact would be to increase the height of the existing wall to serve as a noise barrier along southbound Central Avenue between the properties and the sidewalk or main road. However, the property on which the sound wall would be built is under the jurisdiction of the City of Carson and the City does not have a funding plan or program in place to

implement the improvement. As such, implementation of the necessary improvements is infeasible and the associated impacts are considered significant and unavoidable.

At site 23, the improvement necessary to mitigate the identified impact would be to increase the height of the existing wall to serve as a noise barrier along eastbound University Drive between Caney Avenue and Central Avenue. However, the property on which the sound wall would be built is under the jurisdiction of the City of Carson and the City does not have a funding plan or program in place to implement the improvement. As such, implementation of the necessary improvements is infeasible and the associated impacts are considered significant and unavoidable.

Findings

The Board of Trustees finds that implementation of sound walls at receptor sites 5, 6, 7, 8, 11, and 14, and increasing the height of the existing walls at receptor sites 19 and 23, would reduce the cumulative impact at these receptor sites to less than significant. However, because these mitigation measures are infeasible, the noise- related impacts at these locations are considered 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 proposed project that outweigh the significant and unavoidable impacts.

Rationale

Based on the analysis of cumulative impacts, the proposed project, together with overall growth, would result in significant cumulative long-term operational noise impacts because of off-site roadway noise at eight locations.

Implementation of sound walls at receptor sites 5, 6, 7, 8, 11, and 14, and increasing the height of the existing walls at receptor sites 19 and 23, would reduce the cumulative impact at these receptor sites to less than significant.

At sites 5, 6, 7, 19, and 23 the improvement necessary to mitigate the identified impact is under the jurisdiction of the City of Carson and the City does not have a funding plan or program in place to implement the improvement.

At sites 8, 11, and 14, there is no feasible mitigation measure because a sound wall/noise barrier would block the necessary access to properties for both vehicles and pedestrians.

Traffic and Circulation - Operational Effects

Impacts

As analyzed in Section 3.9, Traffic and Circulation, of this EIR and Appendix F.1: Transportation Impact Study, February 2019, the proposed project would degrade the Level of Service (LOS) at numerous intersections within and around the campus, as well as on freeway mainline segments and ramps that serve as access points to the campus.

Mitigation Measures

With the exception of the four intersections identified in Section 2.3 above, the mitigation measures related to intersections under the jurisdiction or control of the City of Carson have been deemed infeasible as provided in Section 3.9, Traffic and Circulation, of this EIR and Appendix F.1: Transportation Impact Study, February 2019. As provided in Appendix F.1: Transportation Impact Study, February 2019, mitigation measures at certain intersections under the jurisdiction and control of the City of Carson have been deemed infeasible due to physical right-of-way constraints. As further provided in Appendix F.1: Transportation Impact Study, February 2019, the identified mitigation measures for the intersections where mitigation is physically feasible have been deemed infeasible because the intersections are under the jurisdiction or control of the City of Carson and, as such, the University cannot guarantee implementation of the improvements. Moreover, these mitigation measures are deemed infeasible because the City does not currently have an adopted fee program in place to provide the non-CSU portion of the cost of improvements. However, for mitigation measures relating to City of Carson facilities, which are physically feasible, in the event that, prior to the trigger event identified in Table MMRP-1, the City of Carson adopts a transportation impact fee program, supported by all appropriate technical studies, that would provide for the funding and construction of the following improvements at the subject intersection, CSU shall pay its fair share. Further, mitigation measures relating to the facilities under the control and jurisdiction of Caltrans have been deemed infeasible as provided in Section 3.9, Traffic and Circulation, of this EIR and Appendix F.1: Transportation Impact Study, February 2019.

The following mitigation measure identified in the MMRP has been deemed feasible:

TRA-14: Following Board of Trustees' approval of the 2018 Campus Master Plan, CSUDH shall take the following actions to implement, or continue to implement as applicable, the following Transportation Demand Management strategies to reduce the number of vehicle trips generated by students, faculty, and staff:

1. **TDM Coordinator.** CSUDH shall identify an employment position with primary responsibility for overseeing implementation of all TDM strategies listed herein, and task such position with conducting all associated TDM implementation, outreach, marketing, and monitoring activities.

2. **Employee Rideshare Opportunities.** The TDM coordinator shall be responsible for maintaining, overseeing, and increasing CSUDH employee ridesharing opportunities, including the following:

    a. Maintain and/or provide faculty/staff carpool permit application policies and procedures for reserved carpool parking in carpool zones, from Monday through Friday, 7:00 a.m. – 6:00 p.m.

    b. Maintain and/or provide faculty/staff Zero Emissions Vehicle (ZEV) and/or Plug-in Hybrid Electric Vehicle (PHEV) permit application policies and procedures for

reserved ZEV/PHEV parking in permitted zones, from Monday through Friday, 7:00 a.m. – 6:00 p.m.

c. Maintain and/or provide CSUDH faculty/staff with an online ride-matching service to assist with finding carpool partners within the student community.

d. As part of the ride-matching/rideshare program, maintain and/or provide CSUDH faculty/staff with a guaranteed ride home program (assuring reliable transportation home in the event of an emergency).

e. Maintain and/or provide CSUDH faculty/staff with preferential carpool parking spaces per campus policies and procedures.

f. Maintain and/or provide a "one-stop shop" center for faculty/staff information on alternative transportation in and around CSUDH, including parking, parking permits, designated carpool zones throughout the campus, commute planning by public transportation, finding rideshare partners, locating park-n-ride lots, using real-time Metro bus scheduling, identifying bike routes to and from campus, providing daily traffic and weather reports, and providing driving directions, from Monday through Friday, 7:00 a.m. – 6:00 p.m.

3. **Student Rideshare Opportunities.** The TDM coordinator shall be responsible for maintaining, overseeing, and increasing CSUDH student ridesharing opportunities, including the following:

a. Maintain and/or provide CSUDH undergraduate and graduate students with a reduced-cost monthly bus pass program.

b. Maintain and/or provide CSUDH undergraduate and graduate students with an exclusive online ride-matching service to assist with finding carpool partners within the student community.

c. As part of the ride-matching/rideshare program, maintain and/or provide CSUDH undergraduate and graduate students with a guaranteed ride home program (assuring reliable transportation home in the event of an emergency).

d. Maintain and/or provide CSUDH undergraduate and graduate students with preferential carpool parking spaces per campus policies and procedures.

e. Maintain and/or provide a "one-stop shop" center for student information on alternative transportation in and around CSUDH, including parking, parking permits, designated carpool zones throughout the campus, commute planning by public transportation, finding rideshare partners, locating park-n-ride lots, using real-time Metro bus scheduling, identifying bike routes to and from campus, providing daily traffic and weather reports, and providing driving directions, from Monday through Friday, 7:00 a.m. – 6:00 p.m.

4. **Other Ridesharing Opportunities.** The TDM coordinator shall be responsible for maintaining, overseeing, and increasing CSUDH employee and student ridesharing opportunities, including the following:

    a. Maintain and/or provide policies and procedures for facilitating Zipcar or equivalent self-service on-demand car sharing on campus (by the Fall 2018 semester). (TDM coordinator to consider expanding Zipcar program to the proposed University Village housing project component, if demand warrants — concurrent with University Village development.)

    b. Designate on-campus locations for ride-hailing services, including and not limited to, Uber and Lyft.

    c. Promote all employee, student, and other ridesharing opportunities by all appropriate means, including, and not limited to, providing informational packets and/or online links to all new employees and students during employee/student orientation.

5. **Other Transportation Options.** The TDM coordinator shall be responsible for maintaining, overseeing, and increasing other CSUDH employee and/or student transportation options, including the following:

    a. Maintain and/or provide policies and procedures for a campus walking program to encourage employees and/or students who live within walking distance of campus to walk to and from campus at least 3 days per week. Participants also are to be eligible for the CSUDH guaranteed ride home program (for emergencies) and have access to campus locker and shower facilities.

    b. Maintain and/or provide policies and procedures for a campus biking program to encourage employees and/or students who live within biking distance of campus to bike to and from campus at least 3 days per week. Participants also are to be eligible for the CSUDH guaranteed ride home program (for emergencies) and have access to campus locker and shower facilities.

    c. Maintain and/or provide policies and procedures for a campus bus and light-rail program to encourage employees and/or students to use transit to and from campus. The Carson Circuit, Torrance Transit Buses, Long Beach Transit (via Metro Blueline), and Metro and light-rail provide direct service to most parts of the CSUDH campus. Eligible full-time CSUDH students will save 25% on Metrolink tickets; and eligible employees will receive up to 40% reimbursement of the cost of their Metrolink monthly pass.

Findings

The Board of Trustees finds that the proposed project would result in significant operational impacts at 11 intersections under the Interim 2025 conditions and 14 intersections under the Buildout 2035 conditions, as well as at state highway facilities (i.e. freeway ramps and mainline segments) as identified in Appendix F.1:

Transportation Impact Study, February 2019. Due to the infeasibility of the identified mitigation measures as addressed above, these impacts are considered 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 proposed project that outweigh the significant and unavoidable impacts. Implementation of measure TRA-14 (TDM Plan identified in the MMRP) would also reduce vehicle trip generation in a manner not accounted for as part of the impacts analysis.

Rationale

The mitigation measures identified in Appendix F.1: Transportation Impact Study, February 2019, relating to intersections under the jurisdiction and control of the City of Carson, would reduce significant impacts at intersections located in the City of Carson to a less than significant level. Such measures include installing or funding the installation of traffic signals and the addition and conversion of turn lanes and general-purpose lanes at the identified locations. Due to such limitations as roadway intersections and freeway segments being under the jurisdiction and control of the City of Carson mitigation and improvement recommendations by the University are rendered infeasible. Mitigation also is infeasible because of the lack of plans or programs in place to fund and construct the recommended improvements, as well as physical constraints that preclude implementation of the necessary roadway and intersection improvements at certain intersections. The significance determinations are based on a conservative worst-case scenario whereby it is assumed that mitigation for all significant impacts outside the control of CSUDH are infeasible and therefore, the impacts are significant and unavoidable. To the extent the City of Carson authorizes CSUDH to implement the necessary improvements for direct impacts to facilities within its jurisdiction or control, mitigation identified here as infeasible may be feasible and the corresponding impacts reduced to less than significant. Further, in the event that, prior to the trigger event identified for measures identified in Table MMRP-1, the City of Carson adopts a transportation impact fee program, supported by all appropriate technical studies, that would provide for the funding and construction of the following improvements at the subject intersection, CSU shall pay its fair share. For mitigation measures ultimately deemed feasible, CSUDH would implement the measure (i.e. pay fair-share for the subject improvement, as applicable) prior to the onset of the corresponding significant impact in accordance with the trigger event identified for measures identified in Table MMRP-1.

The mitigation measures identified in Appendix F.1: Transportation Impact Study, February 2019, relating to facilities under the jurisdiction and control of Caltrans, would reduce significant impacts at those facilities to a less than significant level. Because such state highway facilities are under the jurisdiction and control of Caltrans, the identified mitigation measures are deemed infeasible, and the associated impacts are considered significant and unavoidable.

The EIR includes Mitigation Measure TRA-55, identified at Mitigation Measure TRA-14 in the MMRP, which calls for the preparation and implementation of a TDM Plan which was identified as feasible in Section 3.9 of the EIR. This measure would reduce vehicle trip generation in a manner not accounted for as part of the EIR's impacts analysis. Additionally, all campus-related vehicle trips included within the analysis were assumed to be new, additional trips to the region, which is a conservative assumption. Thus,

the impacts identified in Section 3.9 are overstated.

Finally, the proposed project is consistent with the Southern California Association of Governments' (SCAG) Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS) and, as such, will assist in achieving region-wide goals of reducing vehicle trips and associated emissions. More specifically, the project is consistent with RTP/SCS strategies that recognize the benefits of locating housing close to employment and activity centers; encouraging infill development and compact, mixed-use projects; forming urban villages that provide housing and encourage walking, bicycling and the use of public transit systems; developing commute trip reduction plans that encourage employees who commute alone to consider alternative transportation modes; developing shuttle systems to reduce congestion and create shorter commutes; and creating ridesharing programs.

3.0 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" – Campus development would occur in conformance with the adopted 2009 Campus Master Plan
- Alternative 2: Reduced Project Alternative
- Alternative 3: Increased Student Housing Alternative
- Alternative 4: Increased Student Housing with Campus Apartment Housing Relocation 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.

3.1 No Project Alternative

Description

Consistent with CEQA Guidelines Section 15126.6(e)(3)(A), the No Project Alternative represents the continued implementation of the adopted Campus Master Plan (2009 Master Plan). Development of the campus would proceed in accordance with the 2009 Master Plan. Campus improvements pursuant to the 2009 Master Plan would still occur within campus boundaries. These include both the near-term and long-term projects. The long-term projects identified in the 2009 Master Plan are those defined conceptually to accommodate student growth, with enrollment level up to 20,000 FTES. These long-term projects include academic/administration facilities; campus life and student facilities; access, circulation, and parking projects; campus infrastructure; and athletic fields. As compared to the proposed project, the No Project

Alternative would have 388 fewer student beds (for a total of 600 student beds) and 350 dwelling units would be built for faculty housing.

Findings

The Board of Trustees rejects the No Project (No Build) Alternative, as undesirable as it fails to satisfy the project's underlying purpose and to meet most project objectives, and because specific economic, legal, social, technological or other considerations make the alternative infeasible.

Rationale

While the No Project Alternative would provide a development framework for the campus for up to 20,000 FTES, it would have an overall lower intensity of development and therefore, would not achieve the major objectives of the proposed project. More specifically, the No Project Alternative would not provide the appropriate facilities to support learning at the campus and opportunities for on-campus housing would be significantly decreased as compared to the proposed project. The continuation of the 2009 Master Plan would not provide the opportunity to realize the proposed Campus Master Plan objectives for on-campus learning, research, and internship opportunities. The No Project Alternative would also not help the campus meet its objectives in making efficient use of developable land, creating an appropriate balance between built areas and open space, and further supporting and benefitting the CSU educational mission, due to its less intense development plan.

3.2 Reduced Project Alternative

Description

The Reduced Project Alternative would reduce the intensity of the student housing, campus apartment housing, retail, and campus business park components by 25 percent, when compared to buildout parameters of the proposed project. Total enrollment for the campus would remain at 20,000 FTES for the horizon year, as that enrollment cap was pre-established for the campus and is not a component of the proposed project. Development of all other facilities found in the proposed project would remain the same under this alternative

Findings

The Board of Trustees rejects the Reduced Project Alternative, as undesirable as it fails to satisfy the Project's underlying purpose and to meet most project objectives, and because specific economic, legal, social, technological or other considerations make the alternative infeasible.

Rationale

The environmental impacts under the Reduced Project Alternative and the reduction of student housing, campus apartment housing, retail, and campus business park development by 25 percent would not aid the campus in providing the appropriate facilities for improving the CSUDH community. The reduction in facility sizes and the amount of on-campus student housing and other campus housing opportunities would be inadequate in providing resources to support the University's objectives of increasing on-campus housing for students, faculty, and staff — including development of campus apartment housing to serve

both University and non-University occupants within the proposed University Village project component, and making such housing options open to students, faculty, and staff. The reduction in student housing and campus apartment housing would also adversely impact the University's goal of providing adequate on-campus housing opportunities for faculty and staff to promote faculty and staff recruitment; and retain and enhance faculty and staff connectivity with the campus; and providing housing opportunities to graduate students and those in the greater community interested in campus life connectivity. Further, the reduction in the University Village would adversely impact the objectives relating to on-campus learning, research, and internship opportunities for students, faculty, and staff. Finally, the reduced development would adversely impact the University's objective of making efficient use of developable land and creating the appropriate balance between built areas and open space.

3.3 Increased Student Housing Alternative

Description

The development parameters of the proposed project and Increased Student Housing Alternative are identical, except for the latter's increase in student housing by 1,040 beds and its 180-unit reduction of campus apartment housing. Under this alternative, the location of the buildings, building size, and building footprint would remain identical with the campus apartment housing proposed under the project. Similarly, the proposed construction schedule for the student housing would remain the same with what was proposed under the project, with a buildout year of 2035.

Findings

The Board of Trustees selects the Increased Student Housing Alternative as the Environmentally Superior Alternative as it satisfies the project's underlying purpose and objectives while reducing most of the proposed project's significant impacts as compared to the other alternatives.

Rationale

In accordance with the CEQA Guidelines requirement to identify an Environmentally Superior Alternative other than the No Project Alternative, a comparative evaluation of the remaining alternatives indicates that the Increased Student Housing Alternative would be the Environmentally Superior Alternative. As discussed above, this alternative would reduce most of the proposed project's significant impacts compared to the other remaining alternatives. However, the Increased Student Housing Alternative would not completely avoid any of the proposed project's significant impacts; it would reduce the impacts to a magnitude less than that of the proposed project.

Specifically, significant and unavoidable impacts with respect to air quality, GHG emissions, noise, traffic and circulation, ~~and utilities (water supply)~~ would still occur under this alternative. While significant impacts would still result from the alternative, the following impacts would decrease in magnitude for each resource as compared to the proposed project.

Air quality impacts would be reduced through the buildout year of 2035, with emissions of criteria pollutants decreasing anywhere between one to 148 percent, and GHG emissions decreasing by approximately four percent relative to the proposed project.

Noise impacts would decrease to a less than significant level for the alternative at two intersections (Sites 14 and 23) previously identified to result in significant impacts throughout the buildout year under the proposed project.

Significant traffic impacts at intersections would decrease under this alternative for the AM peak hour for the year 2025 by at least one intersection (Figueroa St/190th St/Victoria St) compared to the proposed project. For the PM peak hour for the year 2025, the number of significant impacts would increase by one intersection (Avalon Blvd/Del Amo Blvd) under this alternative. For the northbound/eastbound freeway segments, the alternative would reduce impacts by at least one segment (Cherry Ave to Orange Ave) for the 2035 AM peak hours, by at least three segments (Alameda St /Santa Fe Ave to Long Beach Blvd, Long Beach Blvd to Jct Rte 710, Carson St to Avalon Blvd) during the 2025 PM Peak hours, and by at least 2 segments (Clark Ave to Bellflower Blvd and Florence Ave to Gage Ave) during the 2035 PM peak hour as compared to the proposed project. Four segments (Avalon Blvd to Central Ave, Redondo Beach Blvd to Rosecrans Ave, Slauson Ave to 51st St, Western Ave to Crenshaw Blvd) would not experience significant impacts on the southbound/westbound freeway for the AM peak hour for the year 2025 as compared to the proposed project. For the southbound/westbound freeway segments for the 2035 PM peak hour, there would be a reduction of significant impacts at one freeway segment (Manchester Ave to Florence Ave).

Although the alternative would still result in significant and unavoidable impacts, all mitigation measures identified in the EIR as feasible in relation to the project would be implemented for this alternative, to reduce these impacts to the extent practicable.

As indicated above, this Increased Student Housing Alternative would meet all the objectives established for the project, as described within the Project Description. The Increased Student Housing Alternative would aid the campus in meeting its goals for the Campus Master Plan, and – other than the No Project Alternative – would result in the fewest environmental impacts of all the alternatives.

3.4 Increased Student Housing Alternative with Campus Apartment Housing Relocation Alternative

Description

The Increased Student Housing and Campus Apartment Housing Relocation Alternative (hereafter Relocation Alternative) includes all the same elements as the Increased Student Housing Alternative, with the addition of the relocation of 100 campus apartment housing units to a surface parking lot located on the campus at the corner of Birchknoll Drive and Pacific View Drive. Compared to the proposed project, the Relocation Alternative would increase the total number of student beds by 1,040 and reduce the total number of campus apartment housing dwelling units by 180 units. The student housing construction schedule would remain the same as proposed under the proposed project, with a buildout year of 2035.

Findings

The Board of Trustees rejects the Relocation Alternative as undesirable as it would result in an increase in impacts to aesthetics, and biological and cultural resources due to the relocation of the proposed housing units to a surface lot, and because specific economic, legal, social, technological or other considerations that make the alternative infeasible.

Rationale

The Relocation Alternative would help the campus meet most of its project objectives through its provision of adequate facility types and amounts, on-campus housing opportunities, as well as its public-private relationships that would provide learning, research, and internship opportunities. However, the Relocation Alternative would result in an increase in impacts due to the relocation of the proposed housing units to a surface lot. Development in this location would potentially introduce new visual obstructions and impact the jurisdictional drainages and cultural resources more than the proposed project due to a new surface area being excavated.

4.0 General CEQA Findings

4.1 Mitigation Monitoring and Reporting Program

Based on the entire record before the Board of Trustees and having considered the unavoidable significant impacts of the project, the Board of Trustees hereby determines that all feasible mitigation within the responsibility and jurisdiction of the University 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 Mitigation Monitoring, and Reporting Program.

Section 21081.6 of the Public Resources Code requires the 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 Mitigation Monitoring Program for the CSU project is hereby adopted by the Board of Trustees because it fulfills the CEQA mitigation monitoring requirements:

The Mitigation Monitoring Program 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.

4.2 CEQA Guidelines Sections 15091 And 15092 Findings

Based on the foregoing findings and the information contained in the administrative record, the 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.

4.3 Board of Trustees Independent Judgment

The Final EIR for the Campus Master Plan reflects the Board of Trustees' independent judgment. The 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 Board of Trustees of the California State University hereby makes findings pursuant to and in accordance with Sections 21081, 21081.5, and 21081.6 of the Public Resources Code.

4.4 Nature of Findings

Any finding made by the 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 Board of Trustees, whether or not any particular sentence or clause includes a statement to that effect. The 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 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.

E. 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. In accordance with Public Resources Code Section 21167.6(e), the record of proceedings (i.e., administrative record) for the Board of Trustees' decision on the project is comprised of the following documents:

- The Final EIR (September 2019) for the project, including appendices;
- The Draft EIR (February 2019) for the project, including appendices;
- The Initial Study/Notice of Preparation (IS/NOP) (August 2017) for the project;
- Any appendices, studies or documents cited, referenced, or relied on in the IS/NOP, Draft EIR, Final EIR, or any document prepared for the project's EIR and either made available to the public during a public review period or included in the Board of Trustees' non-privileged, retained files on the project;

- Reports and technical reports, studies, and memoranda included or referenced in the IS/NOP, Draft EIR, Final EIR, or responses to comments on the project;
- All public notices issued in conjunction with the project, including notices issued to comply with CEQA, the CEQA Guidelines, or any other law governing the processing and approval of the project;
- Scoping Meeting(s) notices and comments received at Scoping Meeting(s);
- The Notice of Availability and Notice of Completion of the Draft EIR;
- Comments received on the NOP;
- All reports, studies, memoranda, maps, or other planning or environmental documents relating to the project or its compliance with CEQA and prepared by the Board of Trustees, consultants to the Board of Trustees, or responsible or trustee agencies with respect to the project that were either made available to the public during a public review period or included in the Board of Trustees' non-privileged, retained files on the project;
- All written comments and attachments on the project received from agencies, organizations, or members of the public during the Draft EIR comment period or prior to the close of the public hearing before the Board of Trustees;
- All responses to comments received from agencies, organizations, or members of the public in connection with the project or its compliance with CEQA;
- Any supplemental documents submitted to the Board of Trustees prior to public hearings on the project;
- Staff reports prepared for the Board of Trustees for any information sessions, public meetings, and public hearings relating to the project, and any exhibits or attachments thereto;
- Minutes and/or transcripts of all public information sessions, public meetings, and public hearings relating to the project (including all presentation material used or relied upon at such sessions, meetings, and hearings);
- Any documentary or other evidence submitted to the Board of Trustees at such information sessions, public meetings, and public hearings;
- Any proposed decisions or findings submitted to the Board of Trustees and either made available to the public during a public review period or included in the Board of Trustees' non-privileged, retained files on the project;
- All findings and resolutions adopted by the Board of Trustees in connection with the project, and all documents cited or referred to therein;
- The Mitigation Monitoring and Reporting Program (MMRP) for the project;

- Any documents expressly cited in these findings and any documents incorporated by reference;
- Any other written materials relevant to the 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 Board of Trustees non-privileged retained files for the EIR or project; and
- The Notice of Determination.

The 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 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 Board of Trustees prior to reviewing and reaching its decision on the EIR and project.

F. Custodian of Records

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

  California State University, Dominguez Hills
  1000 East Victoria Street
  Office of the Vice President for Administration and Finance
  James L. Welch Hall (WH) B-470
  Carson, CA 90747

G. 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 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 CEQA Guidelines.

5.0 Certification of the Final Environmental Impact Report CEQA Guidelines § 15090

The Board of Trustees certifies that the Final EIR, dated September 2019, has been completed in compliance with CEQA and the CEQA Guidelines, that the EIR was presented to the Board of Trustees, and that the Board reviewed and considered the information contained therein before approving the Increased Student Housing Alternatives as the project, and that the EIR reflects the independent judgment and analysis of the Board. (CEQA Guidelines § 15090.)

6.0 Statement of Overriding Considerations

Pursuant to Public Resources Code Section 21081(b) and CEQA Guidelines section 15093(a) and (b), the 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 Board of Trustees finds that the mitigation measures identified in the Final EIR and the Mitigation Monitoring and Reporting Program, when implemented, will avoid or substantially lessen many of the significant effects identified in the Final EIR for the Increased Student Housing Alternative (hereinafter, Campus Master Plan or Project). However, certain significant impacts of the Campus Master Plan are unavoidable even after incorporation of all feasible mitigation measures. These significant unavoidable impacts are to air quality, greenhouse gas emissions, noise, and traffic and circulation. 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 Board of Trustees finds that all feasible mitigation measures identified in the Final EIR within the purview of the California State University will be implemented with the Campus 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:

a) CSU has identified the need to serve the higher education needs of the historically under-represented populations and cultures of the State of California, and, the Campus Master Plan will enable CSU Dominguez Hills to meet projected increases in student demand for higher education by providing a framework for development of the University's physical campus and its facilities to accommodate campus enrollment growth from its current enrollment of approximately 11,000 FTES to 20,000 FTES over a planning horizon extending to 2035.

b) The Project will provide development of new and expanded facilities in three areas of the 344-acre campus: (i) the Core Campus; (ii) the University Village; and (iii) the StubHub Center.

c) The Project will foster economic growth, create jobs, and attract new private businesses to the surrounding area, thereby enhancing the existing relationship between CSU and the local community.

d) The Project will replace existing facilities, which are currently in various states of disrepair and blight, to address capacity needs and design goals for the campus, as well as replace existing structures to enhance visual appeal and longevity.

e) The Project will replace existing, aged structures with highly energy and water efficient structures that achieve a LEED Silver rating.

f) The Project will improve overall campus design, architectural character, accessibility, image, and identity by creating a high-intensity development designed to accommodate both campus and community uses.

g) The Project is a dense, infill development that furthers smart growth principles by avoiding sprawl, connecting to existing infrastructure, and locating compatible uses in close proximity to one another, which furthers air quality benefits, and greenhouse gas emission and vehicle miles traveled reductions as compared to development in outlying areas.

h) The Project will help CSU accommodate the demand for campus-sponsored, affordable student housing options in close proximity to the campus.

i) The Project is the result of extensive input from both the campus and surrounding communities and responds to concerns and desires to maintain a high-quality public university in the region while accommodating local community needs.

j) The Project supports students, faculty, and staff with appropriate teaching, research, and administrative facilities.

k) The Project supports the creation and maintenance of residential and non-residential learning communities on the campus, including the accommodation of smaller learning communities within a variety of campus spaces such as the University Village and the Core Campus.

l) The Project supports the creation of a range of student learning/research/incubator type spaces through public-private and public-public partnerships.

m) The Project makes efficient use of developable campus land and preserves a balance between developed areas and open space.

n) The Project provides appropriate facilities for student interaction, student learning, passive recreation, and informal and organized recreation.

o) The Project provides a comprehensive approach to sustainability and maintains CSU's stewardship of campus landscape and natural resources.

p) The Project conserves natural resources while creating and fostering an environmentally, socially, and economically sustainable physical and operational campus.

q) The Project creates and fosters campus facilities that efficiently utilize University human, natural, and financial resources.

r) The Project creates a more sustainable and resilient campus.

s) The Project enhances the aesthetics and visual character of the campus.

t) The Project improves campus pedestrian and bicycle connections and circulation.

Considering all the factors, the Board of Trustees finds that there are specific economic, legal, social, technological, and other considerations associated with the project that serve to override and outweigh the project's significant unavoidable effects and, thus, the adverse effects are considered acceptable. Therefore, the Board of Trustees hereby adopts this Statement of Overriding Considerations.