

CEQA FINDINGS OF FACT AND STATEMENT OF
OVERRIDING CONSIDERATIONS

SDSU Evolve Student Housing Project

SCH# 2024080979
May 2025

SDSU | San Diego State
University

PREPARED FOR:

THE BOARD OF TRUSTEES OF THE
CALIFORNIA STATE UNIVERSITY
401 Golden Shore
Long Beach, California 90802



DUDEK

PREPARED BY:

SAN DIEGO STATE UNIVERSITY FACILITIES
PLANNING, DESIGN, AND CONSTRUCTION
5500 Campanile Drive
San Diego, California 92182-1624

San Diego State University Evolve Student Housing Project

CEQA Findings of Fact and Statement of Overriding Considerations

State Clearinghouse No. 2024080979

Prepared for:

The Board of Trustees of the California State University

401 Golden Shore
Long Beach, CA 90802

Prepared by:

San Diego State University
Facilities Planning, Design and Construction
5500 Campanile Drive
San Diego, CA 92182-1624

TABLE OF CONTENTS

Section	Page
1	CEQA FINDINGS OF FACT 1
1.1	INTRODUCTION 1
1.1.1	Purpose 1
1.1.2	Organization and Format of Findings 2
1.1.3	Summary of Project Description 3
1.1.4	Project Goals and Objectives 4
1.1.5	Environmental Review Process..... 4
1.2	CEQA FINDINGS OF INDEPENDENT JUDGMENT 6
1.2.1	Effects Determined Not to Be Significant in the NOP Scoping Process and Not Discussed in the EIR..... 6
1.2.2	No Impact or Less Than Significant Impacts..... 7
1.2.3	Potentially Significant Impacts Mitigated Below a Level of Significance 14
1.2.4	Significant Impacts That Cannot Be Mitigated Below a Level of Significance..... 24
1.3	FINDINGS REGARDING ALTERNATIVES..... 26
1.3.1	Alternatives Considered but Not Evaluated in Detail in the EIR 27
1.3.2	Alternatives Evaluated in the EIR..... 28
1.4	GENERAL CEQA FINDINGS..... 32
1.4.1	Mitigation Monitoring and Reporting Program..... 33
1.4.2	CEQA Guidelines Section 15091 and 15092 Findings..... 33
1.4.3	CSU Board of Trustees Independent Judgment..... 33
1.4.4	Nature of Findings 33
1.4.5	Reliance on Administrative Record 34
1.5	CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT..... 36
2	STATEMENT OF OVERRIDING CONSIDERATIONS..... 37

This page intentionally left blank.

1 CEQA FINDINGS OF FACT

1.1 INTRODUCTION

1.1.1 Purpose

This statement of Findings of Fact (Findings) and Statement of Overriding Considerations addresses the environmental effects associated with the proposed San Diego State University (SDSU or University) Evolve Student Housing Project (Project) located in San Diego, 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 (CEQA Guidelines). The potentially significant impacts were identified in both the Draft Environmental Impact Report (EIR) and the Final EIR, as well as in the complete record of proceedings.

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

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

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

Section 15093 of the CEQA Guidelines state that:

- a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposed project

outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

- b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the Final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.
- c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

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

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

1.1.2 Organization and Format of Findings

Section 1.1, "Introduction," contains a summary description of the Evolve Student Housing Project and background facts relative to the environmental review process.

Section 1.2 discusses the CEQA findings of independent judgment. Subsection 1.2.1 describes the environmental effects determined not to be significant during the Notice of Preparation (NOP) scoping process, do not require mitigation measures, and were therefore not discussed in detail in the EIR. Subsection 1.2.2 identifies the Project's potential environmental effects that were determined not to be significant during preparation of the EIR and, therefore, do not require mitigation measures. Subsection 1.2.3 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. Subsection 1.2.4 identifies the significant impacts of the Project that cannot be mitigated to a less than significant level, although all feasible mitigation measures have been identified and incorporated into the Project.

Section 1.3 identifies the feasibility of the project Alternatives that were studied in the EIR.

Section 1.4 discusses findings with respect to mitigation of significant adverse impacts, and adoption of the MMRP.

Section 1.5 describes the certification of the Final EIR.

Chapter 2 contains the Statement of Overriding Considerations providing the CSU Board of Trustees' views on the balance between the Evolve Student Housing Project's significant environmental effects and the merits and objectives of the Project.

1.1.3 Summary of Project Description

The Project is the construction and development of new student housing, dining, and ancillary uses on SDSU's main campus located in San Diego, approximately eight miles east of downtown. The SDSU campus is located along the Interstate-8 (I-8) corridor and can be accessed from the north by College Avenue, which also provides local access to I-8. The campus can be accessed from the east or west by Montezuma Road, an east-west roadway near the southern boundary of the campus, and accessed from the south via College Avenue. The existing Metropolitan Transit System Green Line and SDSU Trolley Station are situated to the north of the project site.

The Project comprises two components: the Peninsula Component, which would be located at the northern terminus of 55th Street, and the University Towers East Component, which would be located immediately east of the existing University Towers on Montezuma Road.

The Peninsula Component would be located on an approximately 10.6 acre site, just south of Interstate 8 and west of Canyon Crest Drive. Development of the Peninsula Component would involve demolition of 13 existing buildings that currently provide 702 student beds, and phased development of the site with one 9-story student residential building and five student residential buildings up to 13 stories in height, collectively providing approximately 4,450 student beds. The Peninsula Component would also include a new two-story amenity building, approximately 15,000 square feet in size, that would be utilized for dining and other student support uses. Additionally, during the initial Project development phase, a sports field area would be constructed on the Peninsula site that would serve as a temporary facility until development of subsequent Project phases at that location required its removal.

The University Towers East Component would be developed on an approximately 1.1-acre site immediately east of the existing University Towers Building, south of Montezuma Road. An existing surface parking lot would be demolished to allow for redevelopment of the site with a new 9-story student residential building that would accommodate approximately 720 student beds.

Overall, development of the Project would result in approximately 5,170 new student beds, a net increase of approximately 4,468 student beds on the campus.

By co-locating increased student housing opportunities on the SDSU main campus where students' educational needs are met, the Project simultaneously would reduce vehicle miles traveled (VMT) and related GHG emissions attributable to student commute patterns while providing students with a living environment that enhances student life on campus.

As part of the Project, SDSU would implement a number of project design features (PDFs) intended to reduce certain identified impacts, including impacts associated with air emissions, wildfire, energy efficiency, and light and glare. To ensure implementation, the PDFs are included in the Mitigation Monitoring and Reporting Program (MMRP) that is required to be adopted by the Board of Trustees as part of the Project approvals, and are as follows:

Construction and Operational Equipment Design Features

PDF-AQ-1 Construction Offroad Equipment. CSU/SDSU, or its designee, shall require the Project's construction contractor(s) to use California Air Resources Board (CARB)-certified Tier 4 Final engines for all diesel-powered, off-road construction equipment throughout all phases of construction.

PDF-AQ-2 Operational Back-Up/Emergency Generator Exhaust Minimization. At a minimum, CSU/SDSU, or its designee, shall require the use of California Air Resources Board (CARB)-certified Tier 3 engines with CARB-certified level 3 diesel particulate filters (DPFs) for all on-site, back-up/emergency generators associated with the Project.

PDF-ENE-1 Solar Photovoltaics. CSU/SDSU, or its designee, shall provide solar in accordance with the requirements of California's Building Energy Efficiency Standards, as set forth in Title 24, Part 6, of the California Code of Regulations. Based on the currently applicable 2022 standards (CEC-400-2022-010-CMF), CSU/SDSU, or its designee, shall provide, at a minimum, 308 kilowatts of solar photovoltaic output by Project buildout.

PDF-ENE-2 All Electric Operation. CSU/SDSU, or its designee, shall require the Project's buildings to be all-electric and not use natural gas. The only exception to the all-electric design is for the Amenity Building for purposes of providing food service to the Peninsula Component residences.

Fire Hardening Design Features

PDF-WLD-1 SDSU, or its designee, shall require that Project construction utilize Type I-B construction materials in all buildings, which would exceed the standards of Chapter 7A.

Nighttime Lighting Design Features

PDF-AES-1 Project site (Peninsula Component) exterior lighting fixtures shall be installed in such a manner to be aimed away from the Project site (Peninsula Component) perimeter, and shielded to prevent backlight toward the Project site (Peninsula Component) perimeter, to limit light trespass at the adjacent westerly undeveloped canyon.

PDF-AES-2 Project site (University Towers East Component) exterior lighting shall be shielded, aimed away from the Project site (University Towers East Component) property line, and installed in such manner to limit light trespass to 0.74 fc maximum at adjacent residential use properties to the immediate east ("College Campanile Apartments") and immediate south (i.e., south of the shared alley and north of Mary Lane Drive) of the Project site.

PDF-AES-3 Sports Field Lighting shall be installed in such manner to be shielded and or aimed to limit maximum surface luminance visible from any residential use to 100 cd/m² to prevent glare.

PDF-AES-4 Site light fixtures at perimeter of the property (Peninsula Component and University Towers East Component) shall comply with CALGreen Backlight Uplight Glare (BUG) requirements, including the use of backlight shields, and installed in such manner to limit maximum surface luminance visible from any residential use to 100 cd/m² to prevent glare.

1.1.4 Project Goals and 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 project objectives also aid decision makers in preparing findings and a statement of overriding considerations, if necessary. The statement of objectives should also include the underlying purpose of the proposed project.

The underlying purpose of the Project is to provide an increased number of SDSU students with the opportunity to live on the main SDSU campus, thereby enhancing student life on campus and reducing vehicle miles traveled and attendant greenhouse gas emissions. Specific Project objectives are as follows:

- Expand the west campus student residential neighborhood in a manner similar to the student residential neighborhood on the east side of campus, to create housing that is inviting and safe, has a distinct identity,

and provides students with supportive amenities such as a dining facility, community spaces, and study areas.

- Provide food and support services in the immediate vicinity of the Project site for students to be housed in the new housing complexes.
- Increase on-campus student housing options to the maximum degree possible for students currently housed off campus, thereby reducing the demand for student housing in the adjacent off-campus neighborhoods.
- Replace outdated, low-density, inefficient student housing with more modern, attractive, and energy-efficient facilities.
- Provide additional student housing on campus in an area that has the capacity to accommodate a large number of student housing beds and associated amenities, unencumbered by other uses that are not easily demolished or relocated.
- Reduce vehicle miles traveled and related greenhouse gas emissions and increase the walkability of the SDSU campus by providing on-campus housing that includes a variety of student-friendly amenities situated within walking distance of the academic, athletic, and social centers of campus.
- Take advantage of the limited available buildable area on an urban, built-out campus by maximizing density and number of student beds within the Project site.

1.1.5 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 Initial Study/Notice of Preparation (IS/NOP) of the Draft EIR was circulated for public review for a period of 30 days, beginning on August 23, 2024. The University held two public information/scoping meetings, one on September 4, 2024, and the second via webinar on September 5, 2024, to present an overview of the project and to solicit public input regarding the proposed scope and content of the Draft EIR.

DRAFT EIR

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

- | | |
|---|--------------------------------------|
| ▶ Aesthetics; | ▶ Land Use and Planning; |
| ▶ Air Quality; | ▶ Noise; |
| ▶ Biological Resources; | ▶ Population and Housing; |
| ▶ Cultural and Tribal Cultural Resources; | ▶ Public Services and Recreation; |
| ▶ Energy; | ▶ Transportation; |
| ▶ Geology and Soils; | ▶ Utilities and Service Systems; and |
| ▶ Greenhouse Gas Emissions; | ▶ Wildfire. |
| ▶ Hazards and Hazardous Materials; | |
| ▶ Hydrology and Water Quality; | |

The Draft EIR was made available to the public for review and comment for a 45-day period. The review and comment period began on January 3, 2025, and concluded on February 17, 2025.

The Draft EIR was accessible online at <https://bfa.sdsu.edu/campus/facilities/planning/eir>. Copies of the Draft EIR also were made available for public review at the following locations during normal business hours:

- San Diego State University Love Library, 5500 Campanile Drive, San Diego, California, 92182
- College-Rolando Public Library, 6600 Montezuma Road, San Diego, California 92115
- San Diego State University Office of Facilities Planning, Design, and Construction, 5500 Campanile Drive, San Diego, California 92182-1624

During the Draft EIR public review period, the University received 50 comment letters including letters from three public agencies, five organizations, and 42 individuals. 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.

FINAL EIR

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

The Final EIR assembles in one document all the environmental information and analysis prepared for the Evolve Student Housing Project, including comments on the Draft EIR and responses to those comments.

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

The Final EIR was released on May 6, 2025, and was made available for review by commenting agencies, in accordance with CEQA requirements, and also available to the public.

1.2 CEQA FINDINGS OF INDEPENDENT JUDGMENT

1.2.1 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. Based on the NOP process, implementation of the Evolve Student Housing Project was determined to result in either no impact or a less than significant impact without the implementation of mitigation measures on the following resources, which were therefore not discussed in detail in the EIR:

- ▶ **Agricultural Resources:** The Project would not Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use.

- ▶ Agricultural Resources: The Project would not conflict with existing agricultural zoning for agricultural use or a Williamson Act contract.
- ▶ Agricultural Resources: The Project would not conflict with existing zoning for, or cause rezoning of, forestland or timberland.
- ▶ Agricultural Resources: The Project would not result in the loss of forest land or conversion of forest land to non-forest use.
- ▶ Agricultural Resources: The Project would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use.
- ▶ Mineral Resources: The Project would not result in the loss of availability of a known mineral resource that would be of value to the region and residents of the state.
- ▶ Mineral Resources: The Project would not result in the loss of availability of a locally-important mineral resource recovery site delineated on an applicable land use plan.

1.2.2 No Impact or Less Than Significant Impacts

The CSU Board of Trustees finds that, based upon substantial evidence in the record, including information in the Final EIR, the Project would either have no impact or less than significant impacts to the following environmental impact categories and, therefore, 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 impacts related to aesthetics is provided in Section 4.1, "Aesthetics," of the Final EIR. Implementation of the Project would not result in significant impacts related to scenic vistas, state scenic highways, or substantial degradation of the existing visual character or quality of public views of the site and its surroundings or conflict with applicable campus guidelines governing scenic quality. As to potential light and glare impacts, implementation of the nighttime lighting design PDFs AES-1 through AES-4 as part of the Project, which address the installation, aiming, and shielding of exterior building and Sports Field lighting to minimize visible luminance at off-site residential uses, would reduce any impacts to less than significant.

Finding

The CSU Board of Trustees finds that, based upon substantial evidence in the record, the potential impacts of the Project related to scenic vistas, state scenic highways, substantial degradation of the existing visual character or quality of public views of the site and its surroundings, conflicts with applicable guidelines, and light and glare are less than significant, and no mitigation measures are required.

AIR QUALITY

Less than Significant Impacts

An evaluation of the Project's impacts related to air quality is provided in Section 4.2, "Air Quality," of the Final EIR. The Project would be within the SANDAG regional housing annual projections and within regional growth projections and would not conflict with the relevant federal or state clean air plans. The Project would not exceed the San Diego

Air Pollution Control District's significance thresholds during construction or operation. Emissions of toxic air contaminants during construction and operation would not exceed applicable thresholds for off-site or on-site receptors. Based on the low incidence rate of Coccidioidomycosis, or valley fever, in the Project area and in greater San Diego County, as well as the Project's implementation of dust control strategies, construction-related earth-moving activities are not anticipated to result in exposure to valley fever. The Project would also not cause or create a CO hotspot. Implementation of the Project would not result in significant impacts related to air quality plan consistency, criteria air pollutants, pollutant concentrations at sensitive receptors, odors affecting a substantial number of people, or cumulative air quality impacts.

Finding

The CSU Board of Trustees finds that, based upon substantial evidence in the record, the potential impacts of the Project related to air quality plan consistency, criteria air pollutants, pollutant concentrations at sensitive receptors, odors affecting a substantial number of people, or cumulative air quality impacts are less than significant, and no mitigation measures are required.

BIOLOGICAL RESOURCES

No Impact/Less than Significant Impacts

An evaluation of the Campus Master Plan's impacts related to biological resources is provided in Section 4.3, "Biological Resources," of the Final EIR. Implementation of the Project would not result in significant impacts related to state or federally protected wetlands, local policies protecting biological resources, or conflicts with a habitat conservation plan.

Finding

The CSU Board of Trustees finds that, based upon substantial evidence in the record, the potential impacts of the Project related to state or federally protected wetlands, local policies protecting biological resources, or conflicts with a habitat conservation plan, are less than significant, and no mitigation measures are required.

CULTURAL RESOURCES AND TRIBAL CULTURAL RESOURCES

Less than Significant Impacts

An evaluation of the Project's impacts related to cultural and tribal cultural resources is provided in Section 4.4, "Cultural Resources and Tribal Cultural Resources," of the Final EIR. The Project site has been substantially disturbed through past development of the existing student housing complexes and associated parking lots. Project construction would have no indirect impacts outside the Project site or Area of Potential Effect on archaeological resources, human remains, or tribal cultural resources listed as a historic resource, and Project operations would have no impact on archaeological resources, human remains, or tribal cultural resources listed as a historic resource.

Finding

The CSU Board of Trustees finds that, based upon substantial evidence in the record, the potential impacts of the Project related to cumulative impacts on cultural resources, or any tribal cultural resource listed as a historic resource, are less than significant, and no mitigation measures are required.

ENERGY

Less than Significant Impacts

An evaluation of the Project's impacts related to energy is provided in Section 4.5, "Energy," of the Final EIR. Natural gas is not anticipated to be required during Project construction because construction activities for new buildings and facilities do not typically utilize natural gas, and Project operations would only use natural gas in the Amenity Building for cooking. With respect to fuel demand, the project would employ electric construction equipment where possible and off-road diesel equipment would be required to comply with California Air Resources Board regulations governing idling times and limiting the use of older engines, reducing fuel consumption and emissions. Construction-related electricity use would be needed for lighting and electronic equipment, such as computers, inside temporary construction trailers. Building heating and cooling, water heating, lighting, appliances, and electronics would directly generate demand for electricity, while the supply, conveyance, treatment and distribution of water to the project site would generate indirect demand. The Project sites are already served by electricity infrastructure and San Diego Gas & Electric would provide electricity for construction and operations. The Project would adhere to 2024 Title 24 energy standards and, if adopted, 2025 standards after January 1, 2026. By providing housing on the main campus, the Project would improve the efficiency of student VMT patterns, and limited fuel consumption would only be required for reduced use of personal vehicles, alternative modes of transportation, and landscaping equipment. Implementation of the Project would not result in significant impacts related to wasteful, inefficient, or unnecessary consumption of energy or wasteful use of energy resources; or conflicting with or obstructing a state or local plan for renewable energy or energy efficiency, or cumulative effects on energy resources.

Finding

The CSU Board of Trustees finds that, based upon substantial evidence in the record, the potential impacts of the Project related to wasteful, inefficient, or unnecessary consumption of energy or wasteful use of energy resources; or conflicting with or obstructing a state or local plan for renewable energy or energy efficiency, or cumulative effects on energy resources, are less than significant, and no mitigation measures are required.

GEOLOGY AND SOILS

No Impact/Less than Significant Impacts

An evaluation of the Project's impacts related to geology and soils is provided in Section 4.6, "Geology and Soils," of the Final EIR. The Project site is not underlain by known fault zones and the potential for liquefaction is very low. Design and construction in accordance with geotechnical report recommendations and CSU review would achieve an acceptable level of slope stability safety and structural foundation safety. Implementation of the Project would not result in significant impacts, including the risk of loss, injury or death, related to rupture of a known earthquake fault, strong seismic ground shaking, seismic ground failure, or landslides. Nor would the Project result in significant impacts related to substantial erosion or loss of topsoil, be located on a geologic unit that is unstable, be located on expansive soil creating substantial risk to life or property, have soils incapable of supporting alternative wastewater disposal as applicable, or have a cumulative effect on geology and soils resources.

Finding

The CSU Board of Trustees finds that, based upon substantial evidence in the record, the potential impacts of the Project related to rupture of a known earthquake fault, strong seismic ground shaking, seismic ground failure, landslides, substantial erosion or loss of topsoil, be located on a geologic unit that is unstable, be located on

expansive soil creating substantial risk to life or property, have soils incapable of supporting alternative wastewater disposal as applicable, are less than significant, and no mitigation measures are required.

GREENHOUSE GAS EMISSIONS

Less than Significant Impacts

An evaluation of the Project's impacts related to greenhouse gas emissions is provided in Section 4.7, "Greenhouse Gas Emissions," of the Final EIR. The Proposed Project would not potentially conflict with the CSU Sustainability Policy, SDSU Climate Action Plan, San Diego Association of Government's Regional Plan, or California Air Resources Board Scoping Plan, all of which were adopted for the purpose of reducing GHG emissions. Operational emissions would be reduced compared to existing conditions, as a result of the Project's reduction in per-student VMT through the provision of on-campus housing, demolition of 13 less energy-efficient existing buildings to facilitate Project development, and adherence to Title 24 building standards and CSU Sustainability Policy. Implementation of the Project would not result in significant impacts related to the generation of greenhouse gases, conflicts with applicable plans, policies, or regulations adopted for the purpose of reducing greenhouse gas emissions, or cumulative effects on greenhouse gas emissions.

Finding

The CSU Board of Trustees finds that, based upon substantial evidence in the record, the potential impacts of the Project related to the generation of greenhouse gases, conflicts with applicable plans, policies, or regulations adopted for the purpose of reducing greenhouse gas emissions, or cumulative effects on greenhouse gas emissions, are less than significant, and no mitigation measures are required.

HAZARDS AND HAZARDOUS MATERIALS

No Impact/Less than Significant Impacts

An evaluation of the Project's impacts related to hazards and hazardous materials is provided in Section 4.8, "Hazards and Hazardous Materials," of the Final EIR. Implementation of the Project would not result in significant impacts related to location on a site included on a list of hazardous materials sites that would create a significant hazard to the public or environment, nor be located within two miles of a public airport thereby resulting in a safety or noise hazard, nor have a cumulative effect on hazards and hazardous materials.

Finding

The CSU Board of Trustees finds that, based upon substantial evidence in the record, the potential impacts of the Project related to location on a site included on a list of hazardous materials sites that would create a significant hazard to the public or environment, nor be located within two miles of a public airport thereby resulting in a safety or noise hazard, nor have a cumulative effect on hazards and hazardous materials. Impacts would be less than significant and no mitigation measures are required.

HYDROLOGY AND WATER QUALITY

No Impact/Less than Significant Impacts

An evaluation of the Project's impacts related to hydrology and water quality is provided in Section 4.9, "Hydrology and Water Quality," of the Final EIR. Implementation of the Project would not result in significant impacts related to: violating water quality standards or waste discharge requirements or otherwise substantially degrading surface

water or groundwater quality; substantially decreasing groundwater supplies or interfering substantially with groundwater recharge thereby impeding sustainable groundwater management; substantially altering the existing drainage pattern of the area in a manner that results in substantial erosion, substantially increases the rate of surface runoff resulting in flooding, creates or contributes runoff water exceeding the capacity of stormwater drainage systems or additional sources of polluted runoff, or impeding flood flows; risking release of pollutants due to project inundation; conflicting with or obstructing implementation of a water quality control plan or sustainable groundwater management plan; or, having a cumulative effect on hydrology or water quality resources.

Finding

The CSU Board of Trustees finds that, based upon substantial evidence in the record, the potential impacts of the Project related to: violating water quality standards or waste discharge requirements or otherwise substantially degrading surface water or groundwater quality; substantially decreasing groundwater supplies or interfering substantially with groundwater recharge thereby impeding sustainable groundwater management; substantially altering the existing drainage pattern of the area in a manner that results in substantial erosion, substantially increases the rate of surface runoff resulting in flooding, creates or contributes runoff water exceeding the capacity of stormwater drainage systems or additional sources of polluted runoff, or impeding flood flows; risking release of pollutants due to project inundation; conflicting with or obstructing implementation of a water quality control plan or sustainable groundwater management plan; or, having a cumulative effect on hydrology or water quality resources, are less than significant, and no mitigation measures are required.

LAND USE AND PLANNING

Less than Significant Impacts

An evaluation of the Project's impacts related to land use and planning is provided in Section 4.10, "Land Use and Planning," of the Final EIR. Implementation of the Project would not result in significant impacts related to: physically dividing an established community; conflicting with applicable land use plans, policies, or zoning; or a cumulative effect on land use resources.

Finding

The CSU Board of Trustees finds that, based upon substantial evidence in the record, the potential impacts of the Project related to physically dividing an established community; conflicting with applicable land use plans, policies, or zoning; or a cumulative effect on land use resources, are less than significant, and no mitigation measures are required.

NOISE

Less than Significant Impacts

An evaluation of the Project's impacts related to noise and vibration is found in Section 4.11, "Noise," of the Final EIR. Construction-related vibration would be less than significant due to the distance to the nearest off-site/off-campus land uses. Operation of the Project would reduce mobile noise sources attributable to vehicle traffic compared to existing conditions and would remove most of the existing parking on the Peninsula site, and stationary noise sources such as HVAC equipment would have a less than significant impact at off-campus noise sensitive residential receptors. Implementation of the Project would not result in significant impacts related to: the generation of excessive groundborne vibration or groundborne noise levels; exposure of people to excessive airport noise levels; or a cumulative effect on noise levels.

Finding

The CSU Board of Trustees finds that, based upon substantial evidence in the record, the potential impacts of the Project related to the generation of excessive groundborne vibration or groundborne noise levels; exposure of people to excessive airport noise levels; or cumulative effects on noise levels, are less than significant, and no mitigation measures are required.

POPULATION AND HOUSING

Less than Significant Impacts

An evaluation of the Project's impacts related to population and housing is provided in Section 4.12, "Population and Housing," of the Final EIR. Implementation of the Project would not result in significant impacts related to: displacing substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere; or a cumulative effect on housing and/or population resources.

Finding

The CSU Board of Trustees finds that, based upon substantial evidence in the record, the potential impacts of the Project related to displacing substantial numbers of existing people or housing necessitating the construction of replacement housing elsewhere; or a cumulative effect on housing and/or population resources, are less than significant, and no mitigation measures are required.

PUBLIC SERVICES AND RECREATION

No Impact/Less than Significant Impacts

An evaluation of the Campus Master Plan's impacts related to public services and recreation is provided in Section 4.13, "Public Services and Recreation," of the Final EIR. Implementation of the Project would not result in significant impacts related to: substantial adverse physical impacts associated with the provision/construction of or the need for new or physically altered fire, police, schools, parks, or other public facilities; increased use of existing parks or other recreational facilities such that substantial physical deterioration would occur; construction or expansion of recreation facilities that might have an adverse physical effect on the environment; or cumulative effects on public services or recreation resources.

Finding

The CSU Board of Trustees finds that, based upon substantial evidence in the record, the potential impacts of the Project related to substantial adverse physical impacts associated with the provision/construction of or the need for new or physically altered fire, police, schools, parks, or other public facilities; increased use of existing parks or other recreational facilities such that substantial physical deterioration would occur; construction or expansion of recreation facilities that might have an adverse physical effect on the environment; or cumulative effects on public services or recreation resources, are less than significant, and no mitigation measures are required.

TRANSPORTATION

Less than Significant Impacts

An evaluation of the Campus Master Plan's impacts related to transportation is provided in Section 4.14, "Transportation," of the Final EIR. The Project would not introduce new driveways or other roadway features that

alter the existing roadway network or vehicular circulation patterns and does not propose any material changes to the existing circulation system, including transit, roadways, and bicycle lanes. Instead, the Project would enhance and increase pedestrian and use of student micro-mobility devices. Through the increase in housing and supporting amenities on the main campus, Project would facilitate the creation of a community campus rather than a commuter campus. by adding student housing near and on campus and hence promoting the reduction of vehicular trips associated with the university. The Project would be designed and constructed to all applicable standards and comply with emergency access requirements of SDSU and the San Diego Fire-Recue Department. The construction of additional housing on campus would enable a significant percentage of students who used to drive to campus to no longer drive, thereby resulting in a reduction in VMT; the Project would also be consistent with the San Diego Association of Governments 2021 Regional Transportation Plan, as the development of student housing is consistent with the Plan's land use assumptions for the campus. Therefore, the Proposed Project would result in a net reduction of VMT The Project is expected to result in an overall decrease in parking demand due to the substantial reduction in the number of students commuting to campus and parking there. Implementation of the Project would not result in significant impacts related to: conflicts with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities; conflicts or inconsistency with CEQA guidelines section 15064.3(b) regarding vehicle miles traveled; substantially increase of hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); inadequate emergency access; or cumulative effect on transportation resources.

Finding

The CSU Board of Trustees finds that, based upon substantial evidence in the record, the potential impacts of the Project related to: conflicts with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities; conflicts or inconsistency with CEQA guidelines section 15064.3(b) regarding vehicle miles traveled; substantially increase of hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); inadequate emergency access; or cumulative effect on transportation resources, are less than significant, and no mitigation measures are required.

UTILITIES AND SERVICE SYSTEMS

Less than Significant Impacts

An evaluation of the Project's impacts related to utilities and service systems is provided in Section 4.15, "Utilities and Service Systems," of the Final EIR. Implementation of the Project would not result in significant impacts related to: requiring or resulting in the relocation or construction of new or expanded utility infrastructure; the availability of sufficient water supplies; the availability of wastewater treatment capacity; generating solid waste in excess of state or local standards or in excess of the capacity of local infrastructure or otherwise impairing the attainment of solid waste reduction goals or requirements; or a cumulative effect on utilities and/or service systems resources.

Finding

The CSU Board of Trustees finds that, based upon substantial evidence in the record, the potential impacts of the Project related to: requiring or resulting in the relocation or construction of new or expanded utility infrastructure; the availability of sufficient water supplies; the availability of wastewater treatment capacity; generating solid waste in excess of state or local standards or in excess of the capacity of local infrastructure or otherwise impairing the attainment of solid waste reduction goals or requirements; or a cumulative effect on utilities and/or service systems resources, are less than significant, and no mitigation measures are required.

WILDFIRE

Less than Significant Impacts

An evaluation of the Project's impacts related to wildfire is provided in Section 4.16, "Wildfire," of the Final EIR. The Project would be stabilized during the construction phase, include infrastructure for diverting stormwater, and would include thinning of fuels on the most prominent slopes, which would reduce fire intensity and maintain slope stabilization. Further, digital review of available information as well as coring samples indicate that there is no potential for slope instability and the site is not within a 100- or 500-year flood zone. Implementation of the Project would not result in significant impacts related to: exposure of people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes; or a contribution to a cumulative effect on wildfire.

Finding

The CSU Board of Trustees finds that, based upon substantial evidence in the record, the potential impacts of the Project related to: exposure of people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes; or a cumulative effect on wildfire are less than significant, and no mitigation measures are required.

1.2.3 Potentially Significant Impacts Mitigated Below a Level of Significance

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

BIOLOGICAL RESOURCES

An evaluation of the potential impacts of the Project on biological resources is provided in Section 4.3, "Biological Resources," of the Final EIR. Implementation of the Project would: have a substantial adverse effect, either directly or through habitat modification, on sensitive species; have a substantial adverse effect on a sensitive natural community; interfere substantially with migratory wildlife corridors; have a cumulative effect on biological resources, thereby resulting in the following potentially significant impacts to biological resources: direct impacts to special-status plants, birds, including the coastal California gnatcatcher if present, reptiles and invertebrates; construction-related impacts to migratory birds during the nesting season; short-term indirect construction-related impacts to special-status plants associated with the generation of fugitive dust, changes in hydrology, and chemical pollutants; short-term indirect impacts associated with noise to special-status birds, including the coastal California gnatcatcher if present, due to construction activities and periodic operational activities associated with events that may be held on the proposed interim/temporary recreational fields; long-term indirect impacts to special-status wildlife species associated with the generation of fugitive dust, altered hydrology, non-native invasive plant and animal species, increased human activity, and alteration of the natural fire regime; direct and indirect impacts to sensitive natural communities; and, direct and indirect impacts to wildlife movement.

To avoid or reduce the significant environmental effects of the Project related to biological resources to the extent feasible, SDSU shall implement the following mitigation measures:

MM-BIO-1: Habitat Mitigation. If California gnatcatcher is determined to be present within the Peninsula Study Area and/or the Peninsula Component site, impacts to disturbed Diegan coastal sage scrub beyond those impacts presently occurring due to existing brush management practices on the site shall be mitigated according to the requirements of MM-BIO-2. If California gnatcatcher is determined to be absent, and the Project would result in impacts to coastal sage scrub beyond those impacts presently occurring due to existing brush management practices, California State University (CSU)/San Diego State University (SDSU), or its designee, shall mitigate impacts to Diegan coastal sage scrub, including brush management zones, by the conservation of non-occupied coastal sage scrub habitat at a 1:1 ratio. Conservation of habitat shall be by on-site preservation or by purchase of appropriate credits at an approved mitigation bank in San Diego County.

The mitigation habitat shall include appropriate habitat for special-status reptiles with potential to occur on site. The mitigation habitat shall also support special-status plants, if found to occur on site, or be suitable for enhancement and planting of special-status plants. If surveys identify the presence of special-status plants that would be removed as part of the Project, CSU/SDSU, or its designee, shall implement a plant mitigation and monitoring plan to ensure the success of any enhancement, translocation, or restoration.

MM-BIO-2: Coastal California Gnatcatcher Surveys. If the biological surveys presently being conducted determine the California gnatcatcher is present within the Peninsula Study Area and/or the Peninsula Component site, and brush management is necessary beyond the scope of brush management presently being conducted on the site, California State University (CSU)/San Diego State University (SDSU), or its designee, shall mitigate impacts to disturbed Diegan coastal sage scrub, including brush management zones, through conservation of California gnatcatcher-occupied Diegan coastal sage scrub. Mitigation shall be provided at a 2:1 ratio either by on-site preservation or by purchase of appropriate credits at an approved mitigation bank in San Diego County.

If the surveys determine coastal California gnatcatcher is present within the Peninsula Study Area and/or the Peninsula Component, CSU/SDSU shall consult with the U.S. Fish & Wildlife Service prior to the commencement of construction activities within suitable gnatcatcher habitat to determine if the Project needs to obtain a Section 7 or Section 10 permit.

Additionally, if the surveys determine coastal California gnatcatcher is not present within the Peninsula Study Area and/or would not be affected by the Peninsula Component, no mitigation for the species is required, including this mitigation measure (MM-BIO-2) and related MM-BIO-7.

MM-BIO-3: Nesting Bird Survey(s). If construction activity occurs during the breeding season (typically January 15 through September 15), California State University (CSU)/San Diego State University (SDSU), or its designee, shall retain a qualified biologist to conduct a biological survey for nesting bird species protected by the federal Migratory Bird Treaty Act and California Fish and Game Code within 72 hours prior to construction. The survey shall be conducted within both the Peninsula Component site and the University Towers East Component site and a 300-foot buffer beyond each site. If any active nests are detected, the area shall be flagged and mapped on the construction plans along with a minimum of a 25-foot buffer and up to a maximum of 300 feet for raptors, as determined by the biologist, and such areas shall be avoided until the nesting cycle is complete as determined by the biologist.

MM-BIO-4: Construction Monitoring and Reporting. To prevent inadvertent disturbance to areas outside the limits of grading, California State University (CSU)/San Diego State University (SDSU), or its designee, shall retain a qualified biologist to monitor all grading activities on both the Peninsula Component site and the University

Towers East Component site. The biological monitor shall be contracted to perform biological monitoring during all grading, clearing, grubbing, and construction activities.

The biological monitor shall perform the following duties:

1. Attend the preconstruction meeting with the contractor and other key construction personnel prior to clearing, grubbing, or grading to reduce conflict between the timing and location of construction activities with other mitigation requirements (e.g., seasonal surveys for nesting birds).
2. Conduct meetings with the contractor and other key construction personnel to describe the importance of restricting work to designated areas and of minimizing harm to or harassment of wildlife prior to clearing, grubbing, or grading.
3. Review and/or designate the construction area in the field with the contractor in accordance with the final grading plan prior to clearing, grubbing, or grading.
4. Supervise and monitor vegetation clearing, grubbing, and grading weekly to ensure against direct and indirect impacts to biological resources that are intended to be protected and preserved and to document that protective fencing is intact.
5. Flush special-status species (i.e., avian or other mobile species) from occupied habitat areas immediately prior to brush-clearing and earth-moving activities.
6. Verify that the construction site is implementing the following stormwater pollution prevention plan best management practices: dust-control, silt fencing, removal of construction debris and a clean work area, covered trash receptacles that are animal-proof and weather-proof, prohibition of pets on the construction site, and a speed limit of 15 miles per hour during the daylight and 10 miles per hour during dark hours.
7. Periodically monitor the construction site after grading is completed and during the construction phase to see that artificial security light fixtures are directed away from open space and are shielded and to document that no unauthorized impacts have occurred.
8. Keep monitoring notes for the duration of the Project for submittal in a final report to substantiate the biological supervision of the vegetation clearing and grading activities and the protection of the biological resources.
9. Prepare a monitoring report after the construction activities are completed, which describes the biological monitoring activities, including a monitoring log; photos of the site before, during, and after the grading and clearing activities; and a list of special-status species observed.

MM-BIO-5: Invasive Species Prohibition. CSU/SDSU, or its designee, shall ensure that final landscape plans comply with the following provisions: (1) no invasive plant species as included on the most recent version of the California Invasive Plant Council California Invasive Plant Inventory for the Project region shall be included, and (2) the plant palette shall be composed of native species that do not require high irrigation rates. The Project biologist shall periodically check landscape products for compliance with this requirement.

MM-BIO-6: Construction Fencing. To prevent inadvertent disturbance to sensitive vegetation and species within or adjacent to the sites, California State University (CSU)/San Diego State University (SDSU), or its designee, shall install fencing on both the Peninsula Component site and the University Towers East Component site prior to the commencement of construction activities. The fencing shall be placed to protect sensitive vegetation and species from inadvertent disturbance outside of the limits of grading, as well as in an effort to prevent unauthorized access into the canyon adjacent to the Peninsula site.

MM-BIO-7: Construction Noise Monitoring. For any work proposed between February 1 and September 15, prior to start of construction activities, California State University (CSU)/San Diego State University (SDSU), or its designee,

shall retain a qualified biologist to conduct a pre-construction survey(s) for the coastal California gnatcatcher to document the presence/absence, potential nest location(s), and extent of occupied habitat on the Peninsula Component site. The pre-construction survey area for the coastal California gnatcatcher shall encompass all suitable habitats within the Peninsula Component site, as well as within a 300-foot buffer. If a coastal California gnatcatcher nest is detected, noise monitoring shall be conducted, and on-site feasible noise reduction techniques shall be implemented to ensure that construction noise levels do not exceed 60 A-weighted decibels L_{eq-h} or preconstruction ambient noise levels, whichever is higher, during the breeding season, at any nest location(s). Noise monitoring and noise reduction techniques shall be implemented until the end of the nesting cycle for the detected nest as determined by the qualified biologist. Noise reduction techniques may include but are not limited to constructing a sound barrier, utilization of quieter equipment, adherence to equipment maintenance schedules, installation of temporary sound barriers, or shifting construction work away from occupied areas and/or further from the nest.

MM-BIO-8: Potential Mitigation for Operational Amplified Field Noise. If amplified/elevated noise that would result in ambient noise level of above 60 A-weighted decibel average, or existing ambient noise level, whichever is higher, is anticipated from operational use (i.e. sporting/student/campus events) of the recreation fields, noise reduction techniques shall be implemented to ensure that amplified and/or elevated noise does not result in noise impacts to the coastal California gnatcatcher. Prior to any such elevated and/or amplified field noise expected to occur between February 1 and September 15, California State University (CSU)/San Diego State University (SDSU), or its designee, shall retain a qualified biologist to conduct survey(s) for the coastal California gnatcatcher to document the presence/absence, potential nest location(s), and extent of occupied habitat within a 300-foot buffer of the recreational field(s) within the Peninsula Component site. If no nest is detected, no further action is necessary. If a coastal California gnatcatcher nest is detected, SDSU or its designee shall implement feasible noise reduction techniques so that noise levels at the nest are not higher than 60 A-weighted decibels L_{eq-h} or existing ambient noise levels, whichever is higher. Noise reduction techniques may include but are not limited to constructing a sound barrier, utilization of quieter sound equipment, focusing sound equipment eastward to avoid projection into the adjacent canyon, and/or installation of temporary sound barriers.

Finding

The CSU Board of Trustees finds that Mitigation Measures MM-BIO-1 through MM-BIO-8 are feasible and will reduce the Project's potentially significant impacts to biological resources to less than significant to the extent feasible. The CSU Board of Trustees adopts these mitigation measures. The Board further finds that impacts to the coastal California gnatcatcher, if present, related to construction noise would not be reduced to less than significant, even with implementation of MM-BIO-7 and, therefore, these impacts would remain significant and unavoidable and are identified as such in Section 1.2.4, below.

Mitigation Measures MM-BIO-1 through MM-BIO-6 and MM-BIO-8 require: impacts to disturbed Diegan coastal sage scrub be mitigated as applicable; consultation with U.S. Fish and Wildlife commence if coastal California gnatcatcher is present; nesting bird surveys be conducted and appropriate buffers established during construction activities; a biologist monitor grading activities and perform specified duties to minimize impacts to sensitive species; final landscape plans comply with provisions regarding invasive species and water management; fencing of sensitive vegetation and species be installed prior to construction; and, noise monitoring be conducted if surveys reveal the presence of coastal California gnatcatcher during construction activities and during amplified events exceeding acceptable noise levels, and related noise reduction techniques be implemented to the extent feasible. Accordingly, the CSU Board of Trustees finds that, pursuant to PRC Section 21081(a)(1) and State CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the potentially significant and significant environmental effects on biological resources as identified in the Final EIR.

CULTURAL RESOURCES AND TRIBAL CULTURAL RESOURCES

An evaluation of the Project's impacts related to cultural and tribal cultural resources is provided in Section 4.4, "Cultural Resources and Tribal Cultural Resources," of the Final EIR. Implementation of the Project would: potentially cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines section 15064.5; potentially disturb human remains, including those interred outside of dedicated cemeteries; potentially cause a substantial adverse change in the significance of a tribal cultural resource; and potentially have a cumulative effect on tribal cultural resources. Accordingly, SDSU shall implement the following mitigation measures to avoid or reduce the potentially significant environmental effects of the Project related to cultural and tribal cultural resources:

MM-CUL-2: In the event that archaeological resources (sites, features, or artifacts) are exposed/uncovered during construction activities associated with the Project, the California State University/San Diego State University (CSU/SDSU), or its designee, shall immediately stop all construction work occurring within 50 feet of the find until a qualified archaeologist meeting the Secretary of the Interior's Professional Qualification Standards can evaluate the significance of the find. Construction activities may continue in other areas but shall be redirected a safe distance from the find. If the new discovery is evaluated and found to be significant under CEQA and avoidance is not feasible, additional work such as data recovery may be warranted. In such an event, a data recovery plan shall be developed by the qualified archaeologist in consultation with the CSU/SDSU and Native American representatives, if applicable. Ground disturbing work can continue in the area of the find only after impacts to the resources have been mitigated consistent with the data recovery plan.

MM-CUL-3: In the event that any human remains are discovered during construction activities, the California State University/San Diego State University (CSU/SDSU), or its designee, shall contact the San Diego County Medical Examiner. Upon identification of human remains, no further disturbance shall occur in the immediate area of the find until the County Medical Examiner has made the necessary findings as to origin. If the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission, shall be contacted by the property owner or their representative to make recommendations regarding the proper treatment and disposition of the remains. The immediate vicinity where the Native American human remains are located is not to be damaged or disturbed by further development activity until the opportunity to complete consultation with the Most Likely Descendant regarding their recommendations as required by California Public Resources Code Section 5097.98 has occurred. All relevant provisions of California Public Resources Code Section 5097.98, CEQA Section 15064.5, and California Health and Safety Code Section 7050.5 shall be followed.

MM-CUL-4: Although the potential for discovery of tribal cultural resources on the project site is considered low, in response to the requests made during AB 52 consultation meetings, the CSU/SDSU shall authorize tribal monitoring of such resources during project construction grading activities and shall provide appropriate remuneration for such monitoring consistent with standard practices. SDSU retains the authority to select the monitor, which shall be provided by the Campo Band of Diegueño Mission Indians. Such monitoring by a single tribal monitor shall be authorized on a daily basis during project construction grading activities; however, in the event a monitor is not available on any given day, project construction activities may continue uninterrupted. In the event tribal cultural resources are inadvertently encountered during project construction activities, work in the immediate area must stop and a qualified archaeologist meeting the Secretary of the Interior's Professional Standards shall assess the discovery in consultation with the Campo Band of Diegueño Mission Indians to evaluate the resource and develop a plan for treatment and disposition of the resource. If avoidance is not feasible, additional work such as data recovery may be warranted. Following evaluation by a qualified archaeologist, in consultation with the Campo Band of Diegueño Mission Indians and the CSU/SDSU, construction shall be permitted to resume.

Finding

The CSU Board of Trustees finds that Mitigation Measures MM-CUL-2 through MM-CUL-4 are feasible and will reduce the identified potentially significant cultural and tribal cultural resources impacts of the Project to a less than significant level. The CSU Board of Trustees adopts these mitigation measures. These mitigation measures require that construction work stop in the event archaeological resources are uncovered and a qualified archaeologist evaluate the find and redirect activities if the discovery is found significant and appropriate steps be taken, that the County Medical Examiner be contacted and the Most Likely Descendant be contacted if human remains are found and determined to be of Native American origin, and that a tribal monitor be retained during Project construction grading activities and appropriate steps be taken in the event tribal cultural resources are inadvertently encountered. Accordingly, the CSU Board of Trustees finds that, pursuant to PRC Section 21081(a)(1) and State CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the potentially significant environmental effects to cultural and tribal cultural resources as identified in the Final EIR.

GEOLOGY AND SOILS

An evaluation of the Project's impacts related to geology and soils is provided in Section 4.6, "Geology and Soils," of the Final EIR. Implementation of the Project potentially would directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. SDSU shall implement the following mitigation measure to avoid or reduce the potentially significant environmental effects of the Project related to geology and soils:

MM-GEO-1: Prior to commencement of any ground-disturbing activity on site, California State University (CSU)/San Diego State University (SDSU), or its designee shall retain a qualified paleontologist as defined by the 2010 Society of Vertebrate Paleontology guidelines, subject to the review and approval of SDSU. The qualified paleontologist shall attend the preconstruction meeting and be on site during all rough grading and other significant ground-disturbing activities in previously undisturbed Eocene Mission Valley Formation and/or Stadium Conglomerate, late Pliocene to early Pleistocene San Diego Formation, or Pleistocene very old paralic deposits. In the event that paleontological resources (e.g., fossils) are unearthed during ground disturbing activities, the paleontological monitor will temporarily halt and/or divert grading activity in the impacted area to allow recovery of paleontological resources. The area of discovery will be roped off with a 50-foot-radius buffer. Once documentation and collection of the find is completed, the monitor will remove the rope and allow ground-disturbing activities to recommence in the impacted area. Upon completion of the paleontological monitoring program, the qualified paleontologist shall prepare a final monitoring report documenting the results of the mitigation program. This report is recommended to include discussions of the methods used, stratigraphic section(s) exposed, fossils collected, and significance of recovered fossils. Costs of laboratory processing and curation of any fossils recovered during the monitoring program are the responsibility of the Project applicant.

Finding

The CSU Board of Trustees finds that Mitigation Measure MM-GEO-1 is feasible and will reduce the identified potentially significant geology and soil impacts of the Project to a less than significant level. The CSU Board of Trustees adopts the mitigation measure. The mitigation measure requires SDSU to retain a qualified paleontologist to monitor construction ground disturbing activities and in the event fossils are unearthed, temporarily halt or divert grading activity to allow recovery of the resource. Once recovered and documentation and collection of the find is completed, construction activities are to commence and the monitor will prepare a monitoring report documenting the results of the program once the program is completed. Accordingly, the CSU Board of Trustees finds that, pursuant to PRC Section 21081(a)(1) and State 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 paleontological resources as identified in the Final EIR.

HAZARDS AND HAZARDOUS MATERIALS

An evaluation of the Project's impacts related to hazards and hazardous materials is provided in Section 4.8, "Hazards and Hazardous Materials," of the Final EIR. Implementation of the Project potentially would: create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; create a significant hazard through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; and, emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. Additionally, the Project potentially would impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan, and expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires. As such, SDSU shall implement the following mitigation measures to avoid or reduce the potentially significant environmental effects of the Project related to hazards and hazardous materials:

MM-HAZ-1: Pre-Demolition Hazardous Materials Abatement. The California State University/San Diego State University, or its designee, shall ensure that demolition or renovation plans and contract specifications incorporate appropriate abatement procedures for the removal and where applicable delivery of materials containing asbestos, lead, polychlorinated biphenyls, hazardous material, hazardous wastes, petroleum and oil products, and universal waste items. Further, all abatement work shall be done in accordance with federal, state, and local regulations, including those of the U.S. Environmental Protection Agency (which regulates disposal), Occupational Safety and Health Administration, U.S. Department of Housing and Urban Development, California Occupational Safety and Health Administration (which regulates employee exposure), California Department of Public Health (which certifies lead paint workers), and the San Diego County Air Pollution Control District.

MM-WLD-1: Prior to occupancy of the first housing unit to be constructed as part of the Proposed Project, California State University (CSU)/San Diego State University (SDSU) or its designee shall implement a Wildfire Education Program (WEP). The Program would provide targeted outreach to residents living in a fire risk area in order to foster a community that has fire adaptive capacity. The educational program would cover a wide range of information such as residential evacuation planning, activities in a fire risk area, and more, all provided in easy-to-understand, graphically based materials. The educational program would be based on a layered approach to wildfire awareness that includes both passive and active features. The program would be ongoing in order to maintain high wildfire awareness even as the community grows and evolves. The program would feature bi-annual email and/or mailers, a custom website, including accessibility on the University's Office of Emergency Services website, webinars, and a new resident packet.

In addition, the University Office of Housing Administration would identify a Fire Safety Coordinator that is responsible for:

- i. Preparing and distributing the annual reminder notice that shall be provided to each occupant encouraging them to review the WEP and be familiar with community evacuation protocols.
- ii. Coordination with local fire agencies to hold an annual fire safety and evacuation preparedness informational meeting for occupants. The meeting should be attended by representatives of appropriate fire agencies and important fire and evacuation information should be reviewed.
- iii. Maintaining fire safety information on the development's website, including the WEP and materials from the "Ready, Set, Go!" Program.

MM-WLD-3: If biological constraints prevent implementation of full code-compliant Fuel Modification Zones (FMZs), prior to the commencement of construction activities, CSU/SDSU, or its designee, shall revise the Fire Protection Plan (FPP) to include alternative materials and methods of construction, alternative materials and methods (AM&Ms) of construction with justification of fire hardening that meets or exceeds the intent of a full 100 feet of fuel modification, such as a concrete masonry unit (CMU) fire wall, higher rated fire resistant siding, dual paned tempered glass windows, or other code exceeding measures. The updated FPP that describes the AM&Ms and justification shall be submitted to San Diego Fire and Rescue Department.

MM-WLD-4: Following completion of Project construction, CSU/SDSU, or its designee shall confirm that the Project's FMZs and landscape areas are being maintained according to the FPP and the OSFM's fuel modification guidelines, the Proposed Project's managing entity would obtain an FMZ inspection and report from a qualified inspector by May 31 of each year certifying that vegetation management activities throughout the Project Site have been performed. If the FMZ areas are not compliant, the Project's managing entity will have a specified period to correct any noted issues.

MM-WLD-5: The widths of the irrigated Zone A are proposed to be extended beyond the 30-foot-wide requirement. The Zone A fuel modification zone for the Proposed Project would be at least 35 feet wide and would be up to over 100 feet in width. The Proposed Project's Zone A would consist of irrigated landscaping of fire-resistant, frequently maintained vegetation as well as non-combustible roads and walkways including the 26-foot-wide looping fire road. Zone A conditions result in a greater reduction in fire behavior than Zone B conditions, which means that there would be greater reduction in fire behavior per foot of fuel modification compared to a traditional FMZ

Finding

The CSU Board of Trustees finds that Mitigation Measures MM-HAZ-1, MM-WLD-1, and MM-WLD-3 through MM-WLD-5 are feasible and will reduce the potentially significant hazards and hazardous materials impacts of the Project to a less than significant level. The CSU Board of Trustees adopts these mitigation measures. These mitigation measures require SDSU to: ensure that demolition and renovation plans incorporate appropriate abatement procedures for the removal of hazardous materials during Project construction; implement a Wildfire Education Program to educate Project residents of fire adaptive practices; take appropriate steps in the event biological constraints prevent implementation of full code-compliant FMZs and that the FMZs be properly maintained. Accordingly, the CSU Board of Trustees finds that, pursuant to PRC Section 21081(a)(1) and State CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the potentially significant effects related to hazards and hazardous materials on the environment identified in the Final EIR.

NOISE

An evaluation of the Project's impacts related to noise is provided in Section 4.11, "Noise," of the Final EIR. Implementation of the Project would generate a substantial temporary increase in noise levels due to construction activities at the University Towers East Component that would exceed applicable thresholds. Accordingly, SDSU shall implement the following mitigation measure to avoid or reduce the potentially significant effects of the Project related to noise:

MM-NOI-1: Temporary Construction Noise Reduction (University Towers East Component). The California State University/San Diego State University, or its designee, shall implement one or more of the following noise reduction measures, as necessary, in order to achieve on-site noise control and sound abatement that, in

the aggregate, would result construction noise levels below the applicable threshold of 75 decibels (dB) at the closest noise-sensitive receptor during each phase of the construction of Phase 1b:

- **Administrative controls** (e.g., reduce operating time of equipment and/or prohibit usage of equipment type[s] within certain distances to a nearest receiving occupied off-site property).
- **Engineering controls** (change equipment operating parameters [e.g., speed, capacity] or install features or elements that otherwise reduce equipment noise emission [e.g., upgrade engine exhaust mufflers]).
- **Install noise abatement** on the site boundary fencing (or within, as practical and appropriate) in the form of sound blankets or comparable temporary solid barriers of at least 9 feet tall to occlude construction noise emission between the site (or specific equipment operation as the situation may define) and the noise-sensitive receptor(s) of concern.
 - For example, suspended sound blankets, field-erected plywood sheeting, or comparable temporary solid (or flexible but sufficiently massive) barriers (of minimum sound transmission class rating of 25, which per California Department of Transportation guidance indicates would permit up to 8 dB of expected barrier insertion loss) would occlude construction noise emission between the site (or specific equipment operation as the situation may define) and the noise-sensitive receptor(s) of concern.
 - Temporary barriers shall adhere to a minimum height standard of 9 feet to serve as an effective deterrent against noise pollution and shielding for adjoining off-site receptors.

Finding

The CSU Board of Trustees finds that Mitigation Measure MM-NOI-1 is feasible and will reduce the potentially significant noise impacts of the Project to a less than significant level. The CSU Board of Trustees adopts this mitigation measure. The mitigation measure requires SDSU to implement certain noise reduction measures, as necessary, to achieve on-site noise control and sound abatement at affective sensitive uses in the vicinity of the University Towers East Component. Accordingly, the CSU Board of Trustees finds that, pursuant to PRC Section 21081(a)(1) and State CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the potentially significant noise effects on the environment identified in the Final EIR.

POPULATION AND HOUSING

An evaluation of the Project's impacts related to population and housing is provided in Section 4.12, "Population and Housing," of the Final EIR. To ensure the applicable regional planning agency, the San Diego Association of Governments (SANDAG), considers the number of student housing facilities that would be added by the Project within its regional housing inventory forecasts and related planning, thereby ensuring the Project does not induce unplanned population growth in the area, SDSU shall implement the following mitigation measure to avoid or reduce the potentially significant effects of the Project related to population and housing:

MM-POP-1: Following approval of the Proposed Project, California State University/San Diego State University (SDSU) will promptly submit the following information to SANDAG and the City of San Diego and request that the information be incorporated into SANDAG's regional housing inventory.

- The Evolve Student Housing Project would add approximately 4,468 beds to the existing SDSU housing inventory (3,748 within Census Tract 28.01 and 720 within Census Tract 28.04), thereby resulting in an increase in available housing units to the College Area Community.

SANDAG and the City of San Diego can and should consider this information in preparing the next update to SANDAG's regional forecasts, local housing elements, policies, land use designations, incentive programs and regulatory processes intended to accommodate future housing demand.

Finding

The CSU Board of Trustees finds that Mitigation Measure MM-POP-1 is feasible and will reduce the potentially significant population and housing impacts of the Project to a less than significant level. The CSU Board of Trustees adopts this mitigation measure. The mitigation measure requires SDSU to notify the applicable planning agencies of the number of student beds that would be added to the existing housing inventory as a result of the Project, thereby ensuring the Project is considered within regional housing inventory forecasts and related planning. Accordingly, the CSU Board of Trustees finds that, pursuant to PRC Section 21081(a)(1) and State CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the potentially significant population and housing effects on the environment identified in the Final EIR.

WILDFIRE

An evaluation of the Project's impacts related to wildfire is provided in Section 4.16, "Wildfire," of the Final EIR. While the Project would be constructed to meet all applicable building requirements relative to fire safety, implementation of the Project potentially would impair an adopted emergency response plan or emergency evacuation plan. To ensure residents of the Project are apprised of the proper steps to be taken in the event of a wildfire, SDSU shall implement Mitigation Measure MM-WLD-1, provided above in subsection 1.2.3 under the Hazards and Hazardous Materials heading, which requires implementation of a Wildfire Education Program to avoid or reduce the potentially significant effects of the Project related to wildfire response and evacuation. In addition, implementation of the Project potentially would exacerbate wildfire risks and thereby expose Project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. To ensure proper vegetation management practices to minimize such risk to the extent feasible, and alternative construction materials and methods if full code-compliant fuel modification zones are not possible due to biological constraints, SDSU shall implement Mitigation Measures MM-WLD-2 through MM-WLD-6. Mitigation Measures MM-WLD-3 through MM-WLD-5 are provided above under the Hazards and Hazardous Materials heading in subsection 1.2.3, Mitigation Measures MM-WLD-2 and MM-WLD-6 are provided below. Lastly, the Project would require installation or maintenance of associated infrastructure that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. Accordingly, SDSU shall implement the following additional mitigation measures to avoid or reduce the potentially significant effects of the Project related to wildfire:

MM-WLD-2: Concurrent with commencement of construction activities, prior to the start of import of combustible construction materials, and continuing throughout construction, California State University (CSU)/San Diego State University (SDSU) or its designee, shall implement vegetation management requirements pursuant to the Fire Protection Plan (FPP) and Office of the State Fire Marshal's (OSFM) These requirements include adequate fuel breaks around all grading, site work, and other construction activities in areas where there is flammable vegetation and combustible construction materials shall not be brought on-site without prior OSFM approval, or San Diego Fire Department approval should the OSFM decide to delegate the responsibility.

MM-WLD-6: During construction of the Peninsula Component Building, 4, CSU/SDSU, or its designee, shall utilize dual pane windows on the first 4 floors starting from ground level which is within 100 feet of natural fuels. Both panes shall be tempered glass to mitigate for a reduced fuel modification zone.

Finding

The CSU Board of Trustees finds that Mitigation Measures MM-WLD-1 through MM-WLD-6 are feasible and will reduce the potentially significant wildfire impacts of the Project to a less than significant level. The CSU Board of Trustees adopts these mitigation measures. The mitigation measures require: implementation of a Wildfire Education Program to aid in proper emergency response and evacuation, if necessary; implementation of vegetation management practices to reduce the risk of wildfire; confirmation of fuel modification zone maintenance and related alternative construction materials and methods if biological constraints prevent implementation of full code-compliant fuel modification zones. Accordingly, the CSU Board of Trustees finds that, pursuant to PRC Section 21081(a)(1) and State CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the potentially wildfire effects on the environment identified in the Final EIR.

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

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

BIOLOGICAL RESOURCES/SPECIAL-STATUS BIRDS - SUBSTANTIAL TEMPORARY (CONSTRUCTION) NOISE

An evaluation of the Project's impacts related to biological resources is provided in Section 4.3, "Biological Resources," of the Final EIR. The coastal California gnatcatcher, a federally listed threatened species under the Endangered Species Act and a California Department of Fish and Wildlife designated species of special concern, has a high potential to occur in the disturbed Diegan coastal sage scrub present on the Peninsula Component site. Equipment used during Project construction would generate noise, which can have a variety of indirect impacts on wildlife species, including increased stress, weakened immune systems, altered foraging behavior, displacement due to startle, degraded communication, damaged hearing from extremely loud noises, and increased vulnerability to predators. If a gnatcatcher nest is present within a 300-foot buffer on the Peninsula site, construction-related noise may result in significant adverse impacts to a special-status species. Construction noise would need to be reduced to 60 A-weighted decibel average, or existing ambient levels, whichever is higher to reduce potential impacts. One method of avoiding potential construction noise-related impacts would be to suspend construction during nesting season (February 1 through September 15); however, this method would substantially lengthen the duration of construction such that completion of the Project would be delayed a minimum of 5-10 years at substantially increased cost and delay in providing the necessary housing and related benefits that would result from the Project in meeting the Project objectives.

The Project would implement MM-BIO-7, provided above under the Biological Resources heading in subsection 1.2.3, which requires pre-construction surveys for the gnatcatcher prior to construction work between February 1 and September 15. If a gnatcatcher nest is detected, noise monitoring shall be conducted, and on-site noise reduction techniques shall be implemented during the breeding season to ensure that construction noise levels do not exceed 60 A-weighted decibels hourly equivalent sound level or pre-construction ambient noise levels, whichever is higher, during the breeding season, until the completion of the nesting cycle, as determined by the biologist. While this mitigation likely would reduce potential impacts related to construction noise, because it is not

known at this time the location of any potential future nests, nor the feasibility of each noise reduction technique, it cannot be concluded with certainty the mitigation measure would reduce the impact to a less than significant level. As such, the impact would be significant and unavoidable.

Even where impacts cannot be reduced to a less than significant level, Section 15021 of the State CEQA Guidelines establishes a duty for public agencies to minimize environmental damage where feasible. Accordingly, Mitigation Measure MM-BIO-7, provided above in subsection 1.2.3, to lessen the Project's impacts related to biological resources to the greatest extent feasible is proposed.

Finding

The CSU Board of Trustees finds that mitigation measure MM-BIO-7 requires pre-construction surveys for the coastal California gnatcatcher to document the presence/absence of the species on the Peninsula site during the nesting season and if a nest is detected, noise monitoring shall be conducted and on-site noise reduction techniques shall be implemented to reduce construction noise levels to the extent feasible. Noise reduction techniques may include, but are not limited to, sound barriers, utilization of quieter equipment, adherence to equipment maintenance schedules, or shifting construction work away from occupied areas and or further from the nest. While this mitigation likely would reduce potential impacts related to construction noise, because it is not known at this time the location of any potential future nests, nor the feasibility of each noise reduction technique, it cannot be concluded with certainty the mitigation measure would reduce the impact to a less than significant level. As such, the impact would remain significant and unavoidable. Pursuant to PRC Section 21081(b), see Chapter 2, "Statement of Overriding Considerations," of this document for the specific overriding economic, legal, social, technological, and other benefits of the project that outweigh this significant and unavoidable impact.

CULTURAL RESOURCES – CAUSE A SUBSTANTIAL ADVERSE CHANGE IN THE SIGNIFICANCE OF A HISTORICAL RESOURCE

An evaluation of the Project's impacts related to cultural resources is found in Section 4.4, "Cultural Resources and Tribal Cultural Resources," of the Final EIR. Construction and development of the Project would require the demolition of seven existing apartment buildings located on the Peninsula Component site. One of those structures to be demolished is Mixquic Hall, a two-story residential building constructed in 1958 that is presently used as student housing and meets National Register of Historic Places (NRHP) relevant criteria in the area of architecture.

Because Mixquic Hall meets NRHP criteria, its demolition would constitute a substantial adverse change in the significance of a historical resource, a significant impact. Implementation of mitigation measure MM-CUL-1, which requires the preparation of an Historic American Building Survey (HABS)-like recordation of Mixquic Hall by a qualified professional to document the structure, would reduce impacts to the extent feasible, but would not reduce the direct impact to a level that is less than significant. Therefore, the impact would remain significant and unavoidable.

Even where impacts cannot be reduced to a less than significant level, Section 15021 of the State CEQA Guidelines establishes a duty for public agencies to minimize environmental damage where feasible. Accordingly, required mitigation that would lessen the Project's impacts related to cultural resources to the greatest extent feasible is provided below:

MM-CUL-1: Prepare a Historic American Building Survey-Like Documentation. The California State University (CSU)/San Diego State University (SDSU), or its designee, shall prepare of a Historic American Building Survey (HABS) Level III-like documentation for Mixquic Hall. All work shall be prepared by an architectural historian who meets the Secretary of the Interior's Professional Qualification Standards for architectural history and/or history. The HABS-like documentation shall follow the guidelines set forth by the National Park Service (NPS)

for a HABS Short Format. This mitigation measure is being proposed in compliance with CEQA and does not necessitate consultation or approval of the documentation by NPS or the State Historic Preservation Officer. The HABS-like short format document shall be limited to the following:

- Digital photographs
- Photograph index
- Written Short Form for a HABS Level III using the NPS template

Digital photographs shall be completed prior to issuance of any Project related permitting or construction. Photograph documentation shall be prepared according the 2024 NPS National Register of Historic Places and National Historic Landmarks Program Consolidated and Update Photograph Policy. The photographer must be familiar with the NPS photograph policy. A minimum of 15 photographs must be taken. The photographer shall work with a qualified architectural historian to determine what shall be photographed, which shall include the overall parcel and all elevations of the building, existing setting, surrounding viewsheds, and character-defining details. No interior spaces (communal or private living spaces) are required. Photographs shall be indexed according to 2024 NPS National Register of Historic Places and National Historic Landmarks Program Consolidated and Update Photograph Policy.

The written documentation shall be printed on archival paper according to NPS standards for HABS documentation. Archival CD/DVD containing a PDF of the written documentation and photographs shall be produced according to NPS standards. Four digital copies of the HABS documentation and photographs shall be prepared and distributed to the San Diego State University Special Collections & University Archives, City of San Diego's Digital Archives, Save Our Heritage Organisation, and the San Diego History Center.

Finding

The CSU Board of Trustees finds that Mitigation Measure MM-CUL-1 would reduce potentially significant impacts on historic resources because actions would be taken to record, evaluate, avoid, or otherwise treat the resource appropriately, in accordance with pertinent laws and regulations. However, the State CEQA Guidelines (Section 15126.4[b][2]) note that in some circumstances, documentation of an historical resource will not mitigate the effects of demolition of that resource to a less than significant level because the historic resources would no longer exist. Therefore, because the permanent loss of a historic resource or its integrity cannot be precluded, the Project's impact on historical resources would remain significant and unavoidable.

Pursuant to PRC Section 21081(b), see Chapter 2, "Statement of Overriding Considerations," of this document for the specific overriding economic, legal, social, technological, and other benefits of the Project that outweigh this significant and unavoidable impact.

1.3 FINDINGS REGARDING ALTERNATIVES

PRC Section 21002 provides that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]" The same statute states that the procedures required by CEQA "are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects."

Where a lead agency has determined that, even after the adoption of all feasible mitigation measures, a project as proposed will still cause one or more significant environmental effects that cannot be substantially lessened or avoided, the agency, prior to approving the project as mitigated, must first determine whether, with respect to such

impacts, there remain any project alternatives that are both environmentally superior and feasible within the meaning of CEQA. Although an EIR must evaluate this range of potentially feasible alternatives, an alternative may ultimately be deemed by the lead agency to be “infeasible” if it fails to fully promote the lead agency’s underlying goals and objectives with respect to the project. (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 401, 417.)

“[F]easibility’ under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors.” (*Ibid*; see also *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715.) Thus, even if a project alternative will avoid or substantially lessen any of the significant environmental effects of the project, the decision-makers may reject the alternative if they determine that specific considerations make the alternative infeasible, or if the alternative does not meet the objectives for the project.

All of the environmental impacts associated with the Project would be substantially lessened or avoided with the adoption of the mitigation measures set forth in these Findings, with the exception of biological resource impacts associated with construction activity noise, and cultural resource impacts related to demolition of a historical resource. SDSU’s goal in evaluating the project alternatives was to select an alternative that feasibly attains the project objectives, while further reducing the Project’s significant and unavoidable impacts.

The CEQA Guidelines require that an EIR “describe a range of reasonable alternatives to the project, or to the location of the project, which could feasibly obtain the basic objectives of the project...” (CEQA Guidelines Section 15126.6[a]). The lead agency has the discretion to determine how many alternatives constitute a reasonable range and that an EIR need not present alternatives that are incompatible with fundamental project objectives. Additionally, CEQA Guidelines Section 15126.6(a) provides that an EIR need not consider alternatives that are infeasible. CEQA Guidelines Section 15126.6(f)(1) provides that among the factors that may be taken into account when addressing the feasibility of alternatives are “site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site.” CEQA Guidelines Section 15126.6(f) states that the range of alternatives required in an EIR is governed by a “rule of reason” that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The EIR analysis considered a reasonable range of alternatives.

1.3.1 Alternatives Considered but Not Evaluated in Detail in the EIR

The Final EIR identifies alternatives that were considered by SDSU but were rejected during the planning or scoping process and briefly explains the reasons underlying the lead agency’s determination. The following alternatives were considered by SDSU but were not evaluated further in the EIR:

- **Existing Height Alternative:** Under this alternative, all of the buildings to be constructed as part of the Project would be no taller than the existing buildings on campus. Under this alternative, the buildings proposed for the Peninsula Component would be limited to three stories rather than nine stories as proposed; the building proposed for the University Towers East Component would not be affected. This alternative would not eliminate the significant and unavoidable impacts to biological and historic resources that would occur under the Project. Further, with the limitation on building height, this alternative would provide substantially fewer new student beds and would fail to meet most of the Project objectives. Thus, because this alternative would not meet most of the basic project objectives, nor eliminate the identified significant unavoidable impacts of the Project, this alternative is not feasible and is not considered in further detail.

- ▶ **Off Campus Alternative Location:** Under this alternative, new student housing would instead be located at an off-campus location such as the SDSU Mission Valley site. SDSU Mission Valley is a medium-density, mixed-use, transit-oriented development that includes Snapdragon Stadium, and Innovation District, housing, hotel, retail, and approximately 80 acres of community parks and open space. One of the Project's objections is to provide on-campus housing for students currently living off campus. As the Mission Valley site is not located within the SDSU main campus, locating student housing in Mission Valley would not meet a critical project objective. Further, campus planning efforts have intended the Mission Valley site to be an upper division and research-centric campus. Lower division and undergraduate students as presently served on the main campus will continue to be served on the main campus consistent with the vision for development of the university. As for consideration of other off-campus locations they would likewise not meet the Project objectives for creating on-campus housing options and reducing the demand for student housing in adjacent neighborhoods. Therefore, off-site alternatives are not considered further in the EIR.

1.3.2 Alternatives Evaluated in the EIR

The Final EIR identified and considered the following reasonable range of feasible alternatives to the Project that would be capable, to varying degrees, of reducing identified significant impacts and meeting Project objectives:

- ▶ No Project Alternative
- ▶ Historic Preservation Alternative
- ▶ Gnatcatcher Avoidance Alternative
- ▶ Reduced Height Alternative
- ▶ Alternative On-Campus Locations Alternative

These alternatives are evaluated for their ability to avoid or substantially lessen the significant environmental impacts of the Project identified in the Final EIR, as well as consideration of their ability to meet the basic objectives of the Project as described in the Final EIR. In compliance with CEQA, these Findings examine these five alternatives and the extent to which they lessen or avoid the Project's significant environmental effects while meeting the project objectives.

In addressing the No Project Alternative, CSU Board of Trustees followed the direction of the State CEQA Guidelines, which provide that the no project analysis shall discuss the existing conditions, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services (CEQA Guidelines Section 15126.6[e][2]).

The CSU Board of Trustees find that a good faith effort was made to evaluate all reasonable alternatives to the Project that could feasibly obtain its basic objectives, even when the alternatives might impede the attainment of the objectives or might be more costly. The CSU Board of Trustees also finds that all reasonable alternatives were reviewed, analyzed, and discussed in the review process of the Final EIR and the ultimate decision on the Project.

NO PROJECT ALTERNATIVE

Description

CEQA Guidelines Section 15126.6(e)(1) requires that the "no project" alternative be described and analyzed "to allow decision makers to compare the impacts of approving the project with the impacts of not approving the project." The no project analysis is required to discuss "the existing conditions at the time the notice of preparation is published...as well as what would be reasonably expected to occur in the foreseeable future if the project were

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

Specific to the Evolve Student Housing Project, under the No Project Alternative, the existing seven residential buildings on the Peninsula Component site would remain, as would the existing parking lot on the site of the proposed University Towers East site. While this alternative would eliminate the significant and unavoidable impacts to biological and historic resources, no additional on-campus housing would be provided. This alternative would not attain any of the Project objectives. The No Project alternative generally would result in fewer environmental impacts than the Project, although impacts to air quality, greenhouse gas emissions, hydrology and water quality, population and housing, transportation, and wildfire would be greater due in part to the fact that the students who would otherwise live in the Project housing would need to continue commuting to campus under this alternative, and the existing structures on the Peninsula site would not be replaced by new buildings meeting current fire safety standards.

Finding

The No Project Alternative would adversely affect efforts to meet existing and future student housing demands and, thereby, not meet Project Objectives 1, 3, 4, 5, and 6. Additionally, this alternative would not result in reducing vehicle miles traveled from existing levels and, correspondingly, would not achieve the associated reduction in greenhouse gas emissions and not meet Objective 6. Further, by not building the Amenity Building, the No Project Alternative would not meet Objective 2, the objective of providing food and convenience services for students. Thus, the No Project Alternative would not meet the basic project objectives. Therefore, the CSU Board of Trustees declines to adopt this alternative pursuant to the standards in CEQA and the CEQA Guidelines.

HISTORIC PRESERVATION ALTERNATIVE

Description

Under the Historic Preservation Alternative, the historic apartment building known as Mixquic Hall would be retained and the remainder of the Peninsula Component site would be developed with the Amenity Building, the 9-story building, and four towers, and the University Towers East Component would be developed as planned. To accommodate Mixquic, the site design would be re-designed. This alternative would retain the existing 62 student beds in Mixquic Hall and add a total of approximately 3,690 new student beds within the Peninsula Component as opposed to approximately 4,450 under the Project. Additionally, given the age of Mixquic Hall and the lack of improvements to the building since its construction some 60 years ago, Mixquic Hall likely would require renovations to bring it up to current building standards, including fire prevention standards. Such renovations could be extremely costly and may not be possible given the age of the structure.

While this alternative would meet Objectives 1 and 2 because a west campus student residential neighborhood would still be developed, the alternative would only partially meet Objectives 3, 4, and 7 because housing options would not be increased to the maximum amount possible and not all outdated student housing would be removed. Objective 5 would be met because the alternative would provide student housing in an area that has the capacity

to accommodate a large number of student beds, though a fewer number would be provided under this alternative. Lastly, while this alternative generally would result in impacts comparable to the Project, this alternative would not fully meet Objective 6 because it would not achieve the level of reduction in traffic VMT and corresponding greenhouse gas emissions as the Project.

Finding

Under the Historic Preservation Alternative, while this Alternative would eliminate the significant and unavoidable impact to historic resources, this alternative would not provide as many new student beds as the Project. With a reduced number of student beds, this alternative would not fully achieve the goal of providing increased on-campus housing in order to reduce the demand for housing in the surrounding residential neighborhoods, nor would it achieve the level of reduction in traffic VMT and corresponding greenhouse gas emissions reduction as the Project. Additionally, this alternative would only partially meet Project Objectives 3, 4, and 7 because housing options would not be increased to the maximum amount possible and not all outdated student housing would be removed, and renovations to bring Mixquic Hall up to current building standards, including fire prevention standards, could be costly and may not be possible given the age of the structure. Therefore, while this alternative would eliminate the significant and unavoidable impacts to cultural resources, it would not fully meet most of the Project Objective and the CSU Board of Trustees declines to adopt this alternative pursuant to the standards in CEQA and the CEQA Guidelines.

GNATCATCHER AVOIDANCE ALTERNATIVE

Description

Under the Gnatcatcher Avoidance Alternative, no construction activities would occur within 300 feet of the edge of any coastal sagebrush habitat, habitat of the coastal California gnatcatcher, resulting in a buildable area of approximately 1.1 acres on the Peninsula Component site. Because Mixquic Hall lies within the 300 foot buffer, Mixquic Hall would also be preserved under this alternative, thereby avoiding significant and unavoidable impacts to both biological and cultural resources. However, given the small size of this area, the only component of the Project that could be built on the Peninsula Component as proposed would be the Amenity Building. As the Amenity Building is intended to serve primarily the students that would reside in the proposed housing, the Amenity Building would not be built on the Peninsula absent construction of the other proposed buildings. Thus, under this alternative, in place of the Amenity Building, a single residential building housing approximately 760 students would be constructed on the Peninsula site, with development of the University Towers East Component of the Project as planned resulting in a total of 1,480 beds developed under the Project.

As compared to the Project, this alternative would result in increased impacts related to air quality, greenhouse gas emissions, population and housing, transportation, and wildfire, with reduced impacts to aesthetics, biological resources, cultural and tribal cultural resources, energy, geology and soils, public services, and utilities and service systems. The EIR identifies this alternative as the environmentally superior alternative because it would eliminate the significant and unavoidable impacts to biological and cultural resources and would result in similar impacts to other resources compared to the Project. However, this Alternative would not fully meet any of the Project Objectives.

Finding

Under the Gnatcatcher Avoidance Alternative, because of the significantly reduced number of new student beds that would be added under this alternative, the alternative would not meet Project Objectives 1, 3, 5, and 7. The alternative also would not meet Objective 2 because it would not develop an Amenities Building if there is limited student housing developed on the Peninsula site. The alternative also would not meet Objective 4 because it would

not replace outdated student residential buildings with modern, efficient buildings. Lastly, while this alternative would reduce vehicle miles traveled and related greenhouse gas emissions relative to existing conditions, it would not do so as much as the Project. Thus, while this alternative would eliminate the significant and unavoidable impacts to biological and cultural resources, it would not meet most of the Project Objectives. Therefore, the CSU Board of Trustees declines to adopt this alternative pursuant to the standards in CEQA and the CEQA Guidelines.

REDUCED HEIGHT ALTERNATIVE

Description

Under the Reduced Height Alternative, the five towers on the Peninsula Component would be reduced from the proposed height of up to 13 stories down to 7 stories, and the 9-story building would be reduced from the proposed height to 5 stories. With the reduced height, each of the five towers would provide for approximately 406 student beds instead of 760 under the Project. Therefore, the five towers on the Peninsula Component site would add a total of approximately 2,030 new student beds, instead of the approximately 3,800 under the Project. Under this alternative, the 9-story building would add approximately 360 new student beds instead of 650. Therefore, under this alternative, the total amount of new student beds on the Peninsula Component would be reduced to approximately 2,390 new beds instead of 4,450; the number of beds at the University Towers East Component would remain unchanged at approximately 720.

As compared to the Project, this alternative would not eliminate the significant and unavoidable impacts to biological and cultural resources. This alternative would result in reduced impacts related to air quality, energy, noise, public services and recreation, and utilities and service systems. Impacts would be unchanged or greater relative to aesthetics, biological resources, cultural and tribal cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, land use and planning, population and housing, transportation, and wildfire.

Finding

Under the Reduced Height Alternative, the alternative would not eliminate the significant and unavoidable impacts of the project related to biological and cultural resources, and would reduce a relatively limited number of other environmental impacts. Due to the reduction in the number of student beds that would be provided under this alternative, this alternative would only partially meet Objectives 1, 3, 5, and 7 because it would not maximize the number of additional beds that could be provided on the Peninsula site. Additionally, the alternative would not reduce vehicle miles traveled and related greenhouse gas emissions related to students commuting to and from campus to the same extent as the Project. Thus, while this alternative would reduce some environmental impacts, it would not eliminate the identified significant and unavoidable impacts and would not fully meet most of the Project Objectives. Therefore, the CSU Board of Trustees declines to adopt this alternative pursuant to the standards in CEQA and the CEQA Guidelines.

ALTERNATIVE ON-CAMPUS LOCATIONS ALTERNATIVE

Description

Under the Alternative On-Campus Locations Alternative, the Project would be built on various lots across the SDSU campus identified in the EIR rather than the Peninsula and University Towers East sites. In order to achieve, at least partially, the Project objective to enable an increased number of students the opportunity to live on the main campus, the proposed residence would need to be built on several different locations throughout the campus. Some of the other available locations are problematic in that they have physical constraints, or are planned for

other uses in part due to their location and, therefore, development of these sites as student housing would require other locations on campus be identified for the uses that would be pre-empted by their conversion to student housing.

While location new student housing on these lots within the campus potentially would provide the same number of new student beds as the Project, these sites collectively would not meet the goal of expanding the west campus, or provide a student housing neighborhood with a distinct identity and supportive amenities such as a dining facility, community spaces and study areas. Overall, this alternative would not meet four of the Project objectives, would partially meet one of the objectives, and would fully meet two of the objectives.

As compared to the Project, this alternative potentially would eliminate the significant and unavoidable impacts to biological and cultural resources depending on ultimate locations. Otherwise, this alternative would result in comparable impacts to the Project, with reduced impacts related to aesthetics, geology and soils, and wildfire, and increased impacts to hydrology and water quality.

Finding

Under the Alternative On-Campus Locations Alternative, the alternative would potentially eliminate the significant and unavoidable impacts related to biological and cultural resources, and generally result in comparable impacts to the other impact categories as the Project. However, this Alternative would not meet Project Objectives 1 and 2 and would not expand the west campus, or provide a student housing neighborhood with a distinct identity and supportive amenities such as a dining facility, community spaces and study areas because it would develop the housing in several locations across the campus. This alternative also would not result in elimination of the existing housing on the Peninsula to be replaced by modern, efficient housing and, therefore, would not meet Objective 4. Overall, this alternative would not meet four of the Project objectives, would partially meet one of the objectives, and would fully meet two of the objectives. Thus, while this alternative would reduce some environmental impacts, it would not fully meet many of the Project Objectives. Therefore, the CSU Board of Trustees declines to adopt this alternative pursuant to the standards in CEQA and the CEQA Guidelines.

1.4 GENERAL CEQA FINDINGS

1.4.1 Mitigation Monitoring and Reporting Program

Based on the entire record before the CSU Board of Trustees and having considered the unavoidable significant impacts of the Project, the CSU Board of Trustees hereby determines that all feasible mitigation within the responsibility and jurisdiction of SDSU has been adopted to reduce or avoid the potentially significant and 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 Subsections 1.2.3 and 1.2.4, above, and are set forth in the MMRP. Project design features that also have the effect of reducing Project impacts are set forth in Subsection 1.1.3 above and will be included in the MMRP to ensure their implementation.

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

- ▶ The MMRP is designed to ensure compliance with the changes in the project and mitigation measures imposed on the project during project implementation.

- Measures to mitigate or avoid significant effects on the environment are fully enforceable through conditions of approval, permit conditions, agreements or other measures.

1.4.2 CEQA Guidelines Section 15091 and 15092 Findings

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

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

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

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

1.4.3 CSU Board of Trustees Independent Judgment

The Final EIR for the SDSU Evolve Student Housing Project reflects the CSU Board of Trustees' independent judgment. The CSU Board of Trustees has exercised independent judgment in accordance with PRC 21082.1(c)(3) in retaining its own environmental consultant in the preparation of the EIR, as well as reviewing, analyzing, and revising material prepared by the consultant.

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

1.4.4 Nature of Findings

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

1.4.5 Reliance on Administrative Record

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

RECORD OF PROCEEDINGS

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

- ▶ The NOP for the project and all other public notices issued in conjunction with the project;
- ▶ All comments submitted by agencies or members of the public during the comment period on the NOP;
- ▶ The Draft EIR for the project (SCH No. 2024080979) and all appendices;
- ▶ All comments submitted by agencies or members of the public during the comment period on the Draft EIR;
- ▶ The Final EIR for the project, including comments received on the Draft EIR, responses to those comments, and appendices;
- ▶ Documents cited or referenced in the Draft EIR and Final EIR;
- ▶ The MMRP for the project;
- ▶ All findings and resolutions adopted by the CSU Board of Trustees in connection with the project and all documents cited or referred to therein;
- ▶ All reports, studies, memoranda, maps, staff reports, or other planning documents relating to the project prepared in compliance with the requirements of CEQA and with respect to the CSU Board of Trustees' action on the project;
- ▶ All documents submitted by other public agencies or members of the public in connection with the project, up through the close of the final public hearing;
- ▶ Any minutes and/or verbatim transcripts of all information sessions, public meetings, and public hearings held in connection with the project;
- ▶ Any documentary or other evidence submitted at such information sessions, public meetings, and public hearings;
- ▶ Any and all resolutions adopted by the CSU regarding the project, and all staff reports, analyses, and summaries related to the adoption of those resolutions;
- ▶ Matters of common knowledge, including, but not limited to federal, state, and local laws and regulations;
- ▶ Any documents expressly cited in these findings and any documents incorporated by reference, in addition to those cited above;
- ▶ Any other written materials relevant to the CSU Board of Trustees' compliance with CEQA or its decision on the merits of the project, including any documents or portions thereof, that were released for public review, relied upon in the environmental documents prepared for the project, or included in the CSU Board of Trustees non-privileged retained files for the EIR or project;
- ▶ Any other materials required for the record of proceedings by PRC Section 21167.6(e); and
- ▶ The Notice of Determination.

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

CUSTODIAN OF RECORDS

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

San Diego State University
Facilities Planning, Design and
Attn: Kara Peterson, Director of Planning
5500 Campanile Drive
San Diego, CA 92182

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 Section 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 Section 15088.5(b).) Recirculation also is not required simply because new information is added to the EIR — indeed, new information is oftentimes added given CEQA's public/agency comment and response process and CEQA's post-Draft EIR circulation requirement of proposed responses to comments submitted by public agencies. In short, recirculation is "intended to be an exception rather than the general rule." (*Laurel Heights Improvement Assn. v. Regents of University of California* (1993) 6 Cal.4th 1112, 1132.)

In this legal context, the CSU Board of Trustees finds that recirculation of the Draft EIR prior to certification is not required. In addition to providing responses to comments, the Final EIR includes revisions to expand upon information presented in the Draft EIR; explain or enhance the evidentiary basis for the Draft EIR's findings; update information; and 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 Evolve Student Housing Project will not result in any new significant impacts or increase the severity of a significant impact, as compared to the analysis presented in the Draft EIR. The

changes reflected in the Final EIR also do not indicate that meaningful public review of the Draft EIR was precluded in the first instance. Accordingly, recirculation of the EIR is not required as revisions to the EIR are not significant as defined in Section 15088.5 of the State CEQA Guidelines.

1.5 CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT

The CSU Board of Trustees certifies that the Final EIR, dated May 2025, has been completed in compliance with CEQA and the CEQA Guidelines, that the EIR was presented to the CSU Board of Trustees, and that the CSU Board of Trustees reviewed and considered the information contained therein before approving the Campus Master Plan as the project, and that the EIR reflects the independent judgment and analysis of the CSU Board of Trustees. (CEQA Guidelines Section 15090.)

2 STATEMENT OF OVERRIDING CONSIDERATIONS

Pursuant to PRC Section 21081(b) and CEQA Guidelines Section 15093(a) and (b), the CSU Board of Trustees is required to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological or other benefits of the project, including region-wide or statewide environmental benefits, outweigh the unavoidable adverse environmental effects, those effects may be considered “acceptable” (CEQA Guidelines Section 15093(a)). CEQA requires the agency to support, in writing, the specific reasons for considering a project acceptable when significant impacts are not avoided or substantially lessened. Those reasons must be based on substantial evidence in the Final EIR or elsewhere in the administrative record (CEQA Guidelines Section 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 a community plan, and provision of construction jobs. (See *Towards Responsibility in Planning v. City Council* (1988) 200 Cal App. 3d 671; *Dusek v. Redevelopment Agency* (1985) 173 Cal App. 3d 1029; *City of Poway v City of San Diego* (1984) 155 Cal App. 3d 1037; *Markley v. City Council* (1982) 131 Cal App.3d 656.) In accordance with the requirements of CEQA and the CEQA Guidelines, the CSU Board of Trustees finds that the mitigation measures identified in the Final EIR and the MMRP, when implemented, will avoid or substantially lessen many of the significant effects identified in the Final EIR for the proposed Evolve Student Housing Project. However, certain significant impacts of the Project are unavoidable even after incorporation of all feasible mitigation measures. The Project would result in significant and unavoidable impacts on biological resources (potential significant construction noise impacts on the coastal California gnatcatcher, if present); and, cultural resources (cause a substantial adverse change in the significance of a historical resource). The Final EIR provides detailed information regarding these impacts (see Section 1.2.4, “Significant Impacts that Cannot Be Mitigated Below a Level of Significance,” of this document).

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

1. CSU has identified the need to serve the higher education needs of the historically underrepresented populations and cultures of the State of California, and the Evolve Student Housing Project will enable SDSU to continue to meet projected increases in student demand for higher education and related demands for on-campus housing to facilitate student education. The Evolve Student Housing Project, by providing a net increase of approximately 4,468 new student beds to the main campus inventory, along with related support space, will enable SDSU to accommodate the projected demand for increased on-campus student housing and better serve its students.
2. The Evolve Student Housing Project will expand the west campus student residential neighborhood in a manner similar to the student residential neighborhood on the east side of campus, to create housing that is inviting and safe, has a distinct identity, and provides students with supportive amenities such as a dining facility, community spaces, and study areas.
3. The Evolve Student Housing Project will provide food and support services in the immediate vicinity of the Project site for students that will be housed in the new housing complexes.

4. The Evolve Student Housing Project increases on-campus student housing options to the maximum degree possible for students currently housed off campus, thereby reducing the demand for student housing in the adjacent off-campus neighborhoods.
5. The Evolve Student Housing Project will replace outdated, low-density, inefficient student housing with more modern, attractive, and energy-efficient facilities.
6. The Evolve Student Housing Project will provide additional student housing on campus in an area that has the capacity to accommodate a large number of student housing beds and associated amenities, unencumbered by other uses that are not easily demolished or relocated.
7. The Evolve Student Housing Project will reduce vehicle miles traveled and related greenhouse gas emissions and increase the walkability of the SDSU campus by providing on-campus housing that includes a variety of student-friendly amenities situated within walking distance of the academic, athletic, and social centers of campus.
8. The Evolve Student Housing Project will take advantage of the limited available buildable area on an urban, built out campus by maximizing density and number of student beds within the Project site.
9. The Evolve Student Housing Project, when compared to the other alternatives analyzed in the Final EIR (including the No Project Alternative), provides the best available balance between maximizing attainment of the project objectives and minimizing significant environmental impacts.

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