

### 3.1 THEMATIC RESPONSES

#### *Thematic Response #1: Alternatives to the Proposed Project*

##### I. Introduction

Numerous comments submitted on the Draft Environmental Impact Report (DEIR) for the California State University (CSU) / San Diego State University (SDSU) New Student Housing project (Project) relate to the selection and rejection of alternative locations for the proposed Project as described in Chapter 6.0, Alternatives, of the DEIR. Generally, the comments contend the DEIR did not adequately analyze possible alternative locations. More specifically, the comments assert SDSU developed narrow Project objectives to omit from analysis a range of possible alternatives and in doing so, rejected feasible alternatives in favor of the proposed Project. As demonstrated below, consistent with the requirements of the California Environmental Quality Act (CEQA), the DEIR analyzed a reasonable range of alternatives, including at least two off campus and 13 on campus alternative locations, and, based on that analysis, determined the alternatives failed to meet most of the basic project objectives, were infeasible, or were unable to avoid or substantially lessen the Project’s significant environmental impacts.

Accordingly, this thematic response summarizes the discussion of alternative locations in Chapter 6.0, Alternatives, of the DEIR; explains the criteria for selection of alternative locations to the proposed Project; describes the feasibility of the alternative locations; and, analyzes the ability of the alternative locations to attain the proposed Project’s basic objectives and fundamental purpose and to avoid or substantially lessen the proposed Project’s significant effects.

##### II. CEQA Requires The DEIR Analyze A Range Of Reasonable Alternatives

Pursuant to CEQA, the DEIR analyzed a range of reasonable alternatives. CEQA requires an EIR describe a range of reasonable alternatives to the project or to the location of the project that would feasibly attain most of the basic objectives of the project while avoiding or substantially lessening any of the significant environmental impacts of the project. (See *Laurel Heights Improvement Assn. v. Regents of Univ. of Cal.* (1988) 47 Cal.3d 376, 403 (“*Laurel Heights*”).) Chapter 6.0, Alternatives, of the DEIR followed the requirements set forth in CEQA to provide “sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project.” (CEQA Guidelines, § 15126, subd. (d).) Chapter 6.0 identifies and describes various alternative locations to the proposed Project; evaluates the feasibility of the alternative locations in relation to the proposed Project; and analyzes whether

the alternative locations would attain most of the proposed Project’s basic objectives. In doing so, the DEIR provided a sufficient legal analysis under CEQA.

A. *The Range Of Alternatives Must Be Feasible, Attain Most Project Objectives, And Avoid Or Substantially Lessen Significant Impacts*

As noted, an EIR must include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project. (CEQA Guidelines, § 15126.6, subd. (d).) Specifically, Section 15126.6, subdivision (a) of the CEQA Guidelines states:

An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. . . . An EIR is not required to consider alternatives which are infeasible. . . . There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.

Section 15126.6, subdivision (f) of the CEQA Guidelines defines the “rule of reason” as follows:

The . . . “rule of reason” . . . requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project. Of those alternatives, the EIR need examine in detail only the ones that the lead agency determines could feasibly attain most of the basic objectives of the project. . . .

Further, Section 15126.6, subdivision (f)(1) of the CEQA Guidelines addresses the feasibility analysis required for evaluating each alternative:

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 (projects with a regionally significant impact should consider the regional context), and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent). No one of these factors establishes a fixed limit on the scope of reasonable alternatives.

The EIR must consider alternatives that “(1) offer substantial environmental advantages over the project proposal . . .; and (2) may be ‘feasibly accomplished in a successful manner’ considering the economic, environmental, social and technological factors involved.” (*Citizens of Goleta Valley Bank v. Board of Supervisors* (1990) 52 Cal.3d 553, 566 (“*Citizens of Goleta Valley Bank*”).) “[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.” (*California Native Plant Soc. v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 1001 (“*California Native Plant Soc.*”).) An alternative that “is impractical or undesirable from a policy standpoint” also may be rejected as infeasible. (*Id.*)

If an alternative location to the proposed Project is rejected as infeasible, Section 15126, subdivision (c) of the CEQA Guidelines requires the lead agency provide the following explanation:

The EIR should also identify any alternatives that were considered by the Lead Agency but were rejected as infeasible during the scoping process and briefly explain the reasons underlying the Lead Agency’s determination. . . . Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts.

*B. The Lead Agency Selects The Range Of Reasonable Alternatives*

Generally, the selection of alternatives is within the lead agency’s discretion. (See *Laurel Heights, supra*, 47 Cal.3d at p. 405 [Guideline requirement that agency develop alternatives is reasonable in light of the fact that project proponent knows as much or more about its project and feasibility and infeasibility of various alternatives than anyone else, including project opponents]; see, e.g., *Citizens for Open Govt. v. City of Lodi* (2012) 205 Cal.App.4th 296 [upholding EIR that evaluated no-project alternative, reduced alternative, and alternative location, with explanation why other alternatives not feasible]; *City of Long Beach v. Los Angeles Unified Sch. Dist.* (2009) 176 Cal.App.4th 889, 919 [upholding EIR for new school that considered reduced project size alternative and explained why alternative sites were infeasible or would not fulfill project objectives].) “When an EIR discusses a reasonable range of alternatives sufficient to foster informed decisionmaking, it is not required to discuss additional alternatives substantially similar to those discussed. [Citations omitted] The selection of alternatives discussed ‘will be upheld, unless the challenger demonstrates that the alternatives are manifestly unreasonable and that they do not contribute to a reasonable range of alternatives.’” (*Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (2010) 190

Cal.App.4th 316, 355 (“*Cherry Valley*”); see also CEQA Guidelines, § 15126.6, subd.(f)(3) citing *Residents Ad Hoc Stadium Committee v. Board of Trustees* (1979) 89 Cal.App.3d 274 [stating “[a]n EIR need not consider an alternative whose effect cannot be reasonably ascertained and whose implementation is remote and speculative”].)

C. *The Range Of Alternatives Is A Function Of The Project Objectives*

“A clearly written statement of objectives will help the lead agency develop a reasonable range of alternatives to evaluate in the EIR . . . The statement of objectives should include the underlying purpose of the project.” (CEQA Guidelines, § 15124, subd. (b); see also CEQA Guidelines, § 15126.6, subds. (c) and (f).) A lead agency is “justified in limiting its review of alternative[s] . . . to those . . . which could feasibly accomplish the project’s purpose.” (*Save San Francisco Bay Assn. v. San Francisco Bay Conservation and Development Commission* (1992) 10 Cal.App.4th 908, 929 (“*Save San Francisco Bay*”).)

Accordingly, a lead agency has broad discretion to formulate project objectives. (See *California Oak Foundation v. Regents of Univ. of Cal.* (2010) 188 Cal.App.4th 227, 276 (“*California Oak Foundation*”) [determining “CEQA does not restrict an agency’s discretion to identify and pursue a particular project designed to meet a particular set of objectives”]; see also *San Diego Citizenry Group v. County of San Diego* (2013) 219 Cal.App.4th 1, 14 (“*San Diego Citizenry Group*”) [rejecting the contention that the Board of Supervisors developed an artificially narrow definition of project objectives when it directed staff to develop a tiered winery ordinance that would include “by-right boutique wineries”]; see also *California Native Plant Soc., supra*, 177 Cal.App.4th at p. 989 [finding the City’s decision makers could easily select any of the alternatives rather than the proposed project and “nothing in the objectives preordained that the proposed Project had to be approved in the precise form described in the Draft EIR”].) “Although a lead agency may not give a project’s purpose an artificially narrow definition, a lead agency may structure its EIR alternative analysis around a reasonable definition of underlying purpose and need not study alternatives that cannot achieve that basic goal.” (*In re Bay-Delta etc.* (2008) 43 Cal.4th 1143, 1166.)

III. *The Project Objectives For SDSU’s New Student Housing Project And Related Alternatives Arose From Thoughtful Consideration Of The Project’s Purpose*

A. *SDSU Conducted A Site Assessment Based On Broadly Developed Criteria*

SDSU previously prepared an assessment that analyzed on campus locations for suitability to support an expansion of student housing. (See Attachments 1 - 3.) The assessment evaluated potential sites that could fulfill SDSU’s goal of providing on campus housing for all freshmen outside

the San Diego area and all sophomores enrolled at SDSU. At the time, SDSU required all freshmen outside the San Diego area to live on campus and accommodated freshmen from the San Diego area that wanted to live on campus. A recent, emerging trend indicated sophomores that live on campus achieve greater academic success and graduate at higher rates. (See Attachments 4 and 5.) As a result, SDSU proposed expanding the requirement to live on campus to include sophomores to help those students perform better. But, to implement the requirement for sophomores to live on campus, SDSU determined it needed to add beds to the present student housing inventory to accommodate all freshmen and sophomore students. To do so, SDSU would have to build freshmen appropriate housing to free-up apartment and suite-style housing more suitable for sophomores. At the present time, due to the freshmen demand for on-campus housing, freshmen are housed in apartment and suite-style housing, which is more appropriate for sophomores.

To assess its on campus options, SDSU established broad, general criteria for the development of a residence hall complex constructed in multiple phases, along with associated program, social, food service, and support spaces. Evaluation of the criteria was scored on a scale from 1 to 5, with 1 as the lowest score and 5 as the highest score. The location with the highest score would most closely realize SDSU’s development goals. (See Attachments 1 – 3.)

SDSU evaluated locations based on the following broad criteria:

- Minimize site prep and other costs. SDSU evaluated the costs associated with acquisition of the site if it was not under SDSU control; clearing the site if demolition was necessary; and, other extra costs due to site development challenges.
- Site under SDSU control. SDSU evaluated whether the site is under SDSU control; whether part or the entire site requires transfer from a SDSU Auxiliary; or, whether part or the entire site is under private control.
- Minimize impact on current bed capacity. SDSU evaluated whether the location would require eliminating existing beds from inventory, where the site requires the demolition of existing housing prior to construction.
- Proximity to other housing. SDSU evaluated the location’s proximity to other student housing of the same type (residence halls versus apartments) to establish a community among resident students and allow for economies of scale in sharing existing or new amenities, such as dining facilities, community rooms, outdoor space, laundries, etc. Both horizontal distance and vertical relationships (i.e., grade change) were considered in evaluating proximity and the site’s contribution to a sense of community.
- Proximity to amenities. SDSU evaluated the location’s proximity to other types of student amenities, such as the Union, recreation, event/concert facilities, and third party retail.

As to on-campus locations, SDSU evaluated these locations using the following additional criteria:

- Minimize technical challenges. SDSU evaluated any challenges to construction at the proposed location, such as topography, utilities, infrastructure, site size or encumbrances, underground conditions requiring special construction (such as bridging the trolley tunnel), as well as access challenges for residents of the new facility.
- For example, a site located in an area with steep topography separating it from other housing, amenities, or connections to the campus received a low score because SDSU would need to address access for people with and without disabilities between the new housing and the existing housing/amenities.
- Aligns with current plans. SDSU evaluated whether the proposed location is consistent with the campus master plan, and other formal and informal future plans for various sites, as well as any pending, in progress, or emerging projects.
- Benefit adjacent uses. SDSU evaluated whether the location proposed for development would contribute to the surrounding campus uses.
- As an example, a housing complex that is currently isolated would benefit significantly from having other housing of a similar type built near it.
- Minimize impacts on the surrounding community. SDSU evaluated the perceived impact of the location on adjacent, off campus users and the community.
- Capacity for future expansion. SDSU evaluated whether the location would accommodate future expansion beyond the number of beds proposed.

SDSU evaluated 16 on campus locations<sup>1</sup> pursuant to the above criteria. When the 16 locations proposed for possible student housing development were scored against the above criteria, two sites received the highest score: the areas to the immediate west and east of Chapultepec Hall. Specifically, based on the broad criteria outlined above, the sites surrounding Chapultepec Hall scored the highest because:

- Site preparation costs were reasonable. SDSU owns the property and there is no existing facility to be demolished.
- The site did not require any existing beds to go out of service for any period of time.

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<sup>1</sup> SDSU identified the following locations for possible student housing: (i) Parking Lot G; (ii) Parking Lot E; (iii) East side of College Avenue; (iv) 700 Field; (v) 600 Field; (vi) west side of Chapultepec Hall; (vii) East side of Chapultepec Hall; (viii) W Lot; (ix) 55th Street Peninsula; (x) Parking Lot X; (xi) Parking Lot A; (xii) North of Villa Alvarado; (xiii) Parking Lot D; (xiv) Alvarado Medical Center; (xv) Union Tribune Parking Lot; and (xvi) Adobe Falls.

- The site is near existing freshmen beds and has some existing small food service and program space.
- The site is near a number of existing amenities, including the recreation center and sports facilities.
- The addition of at least 600 beds at this location provides an excellent opportunity to improve the sense of community in the existing adjacent housing and would provide enough of a critical mass to provide more robust food service and other amenities for this community.

B. *This Broad Criteria Formed The Basis Of The Project Objectives*

As demonstrated above, the criteria were developed broadly in 2013 without reference to, or bias for, the sites surrounding Chapultepec Hall. The Project objectives, which grew out of the above criteria, were not conceived to apply narrowly. (See, e.g., *Citizens of Goleta Valley, supra*, 52 Cal.3d at p. 573 [when county had undertaken study of suitability of various sites for commercial development and its findings were reflected in local coastal plan, board did not abuse its discretion in relying on plan when assessing feasibility of alternative sites for project]; see also *Save San Francisco Bay Assn., supra*, 10 Cal.App.4th 908 [recognizing the requirements for a proposed aquarium project (waterfront access, proven attendance base, transportation, and parking) were specific and well defined and that the alternatives available were in turn constrained by these considerations].) The Project objectives (set forth below) are based on the broad criteria described above.

- Create a distinct west campus housing neighborhood similar to the student residential neighborhood on the east side of campus, that is inviting and safe, that has a distinct identity, and that provides students with supportive amenities such as a tutoring center, a dining facility, community spaces, and study areas.
- Alleviate isolation of Chapultepec Hall and respond to the deficit in student amenities in the proposed project vicinity, as reported by the residents and staff of Chapultepec Hall.
- Provide additional on-campus housing for freshman students, thereby making existing housing that is more appropriate for sophomores, available to sophomores, in furtherance of the Sophomore Success Program<sup>2</sup>.

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<sup>2</sup> The “Sophomore Success Program” is a program that seeks to ensure higher student engagement and success using leadership and independent living; academic and career planning; and high impact learning opportunities. In particular, the “Sophomore Success Program” builds on research that demonstrates a correlation between sophomores living on-

- Provide food and convenience services in the vicinity of the proposed project for students housed both in existing on-campus housing and to be housed in the new housing.
- Increase on-campus student housing options by providing housing for approximately 2,600 additional students in a distinct neighborhood, thereby reducing the demand for student housing in the adjacent off-campus neighborhoods.
- Take advantage of an existing undeveloped area on campus to construct housing on a site that does not require the temporary removal of much-needed existing beds from the existing inventory.
- Provide additional students in an area that has the capacity to accommodate a large number of student housing beds and associated amenities, where the land is owned by the university and unencumbered by other uses or existing structures that would need to be demolished.
- Reduce regional traffic and increase the walkability of the SDSU campus by providing on-campus housing that includes a variety of student-friendly amenities and that is situated within a walkable distance from the academic, athletic, and social centers of campus.

IV. The DEIR Analyzed A Range Of Reasonable Off-Campus and On-Campus Alternative Project Locations

As explained in detail in Chapter 6.0, Alternatives, the DEIR analyzed several off campus and on campus alternative locations to the proposed Project. For the reasons explained in Chapter 6.0 and summarized below, the DEIR found those alternative locations failed to meet the most basic project objectives, were infeasible, or would not avoid or reduce the project’s significant environmental impacts. (See *Laurel Heights Improvement Assn. v. Regents of Univ. of Cal.* (1993) 6 Cal.4th 1112, 1142 (“*Laurel Heights II*”) [evidence of university’s long-range development plan, which concluded that expansion of particular campus was undesirable and additional space should be developed at other locations, supported finding that expansion was not feasible alternative for facilities relocation project].)

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campus and engaged in the campus community, and higher retention and graduation rates. Evidence shows that sophomores that live on campus are two times more likely to graduate college within 4 years than their counterparts that live off-campus. Based on the data, the Program is designed to require second year students to live on campus to foster a sense of community and engagement that will lead to higher success rates for those students.



A. Off Campus Alternative Locations Considered But Found Infeasible and Failing To Meet Most of The Project Objectives

The DEIR evaluated two (2) off-campus alternative locations for development: Qualcomm Stadium and the 55th Street Peninsula site, and determined that the development of student housing at these alternative locations would not meet Project objectives, were infeasible, and would not avoid or reduce significant environmental impacts. (See DEIR Figure 6-1.)

1. Qualcomm Stadium Alternative

Under this alternative, student housing would be developed on the existing Qualcomm Stadium site in Mission Valley to take advantage of the existing San Diego Trolley connection between Qualcomm Stadium and SDSU. But, this alternative would not attain most of the basic Project objectives. This location would not create a distinct campus housing neighborhood; would not create connectivity with the SDSU campus core; would not alleviate Chapultepec Hall’s current isolation; and, would not provide food and convenience services for existing students residing on campus not currently well-served by such services. In addition, this alternative is infeasible as it would involve the use of land that SDSU does not own or control. The City of San Diego owns the Qualcomm site, and the site is currently the subject of a voter-sponsored initiative to build a soccer stadium and related development.

2. 55th Street Peninsula Alternative

Under this alternative, existing student housing would be demolished and new student housing would be developed. But, this location would not attain most of the basic Project objectives. Specifically, this location would not create a distinct west campus housing neighborhood; would not alleviate Chapultepec Hall’s current isolation; would not be located in an area that has the capacity to accommodate a sufficient number of student housing beds and associated amenities; and, would not provide food and convenience services in the vicinity of the proposed Project.

In addition, this alternative is infeasible because transfer of the property and development thereon would result in an inefficient expenditure of funds and would render it impractical to proceed with the Project. First, the property would have to be transferred to the State, requiring additional time and cost to transfer ownership and the transfer would be subject to CEQA review, adding more time and delay. Second, demolition of the site would result in the loss of existing, useable student housing for approximately 770 students from the campus inventory. The 770 existing beds are a critical component of SDSU’s second year phasing proposal regarding campus live on requirements. As a result, the first 850 beds to be constructed would

merely provide replacement housing and would only add 80 beds to the current inventory. SDSU would need to construct approximately 1,620 beds to achieve an increase of approximately 850 beds, as would be provided by the Project. Third, the increase in costs would render the project inefficient and economically infeasible. Based on their experience as university planners, the SDSU Planning, Design and Construction office estimates that it would cost approximately \$115 million to replace the existing 770 beds. The costs of construction would increase relative to the proposed Project by approximately \$115 million. Fourth, demolition and redevelopment would displace student residents during the construction period, and SDSU would have to obtain or lease replacement housing, at a cost, for these displaced students. (See *Flanders Foundation v. City of Carmel-by-the-Sea* (2012) 202 Cal.App.4th 603, 622 [“[T]he feasibility question is not whether [the City] can afford the proposed alternative, but whether the marginal costs of the alternative as compared to the cost of the proposed project are so great that a reasonably prudent property owner would not proceed with the [alternative]”).) The minimal disruption that would result from the demolition of small, auxiliary buildings on Parking Lot 9 required to build the proposed Project cannot be compared to the substantial disruption that would result from the demolition of existing, operational student housing for 770 students.

Further, SDSU could not feasibly develop multiple 25 story towers at the 55th Street location. The development of 20-plus story towers would result in enormous construction costs, structural and safety issues, and increased significant environmental impacts. SDSU is not required to analyze alternate versions of the alternatives it evaluated in the DEIR when those alternate versions would not avoid or reduce significant impacts. (See *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704 [upholding the range of alternatives for a residential project that was limited to a modified site plan, increased density, and a reduced density alternative finding there was no need to consider other alternatives that would further reduce visual impacts because no alternative could eliminate the impacts altogether].)

B. *On Campus Alternative Locations Considered But Found Infeasible and Failing To Meet Most of The Project Objectives*

The DEIR analyzed the potential development of student housing at 11 on campus sites: Parking Lots 15, 16, and 17C; Parking Lot 2B; University Towers Parking Lot; Recreation Field 103; Sports Fields 600 and 700; East side of College Avenue; and Alvarado Medical Center and Adobe Falls. (See DEIR **Figure 6-2.**) Each on campus alternative location was evaluated on the following grounds: (i) ability to meet most of the basic project objectives, (ii) feasibility, and (iii) ability to avoid or reduce significant environmental impacts. In each instance, these alternative

locations were determined not to achieve the Project’s objectives; infeasible for economic or site suitability reasons; or would not avoid or reduce significant impacts.

Parking Lots 15, 16, 17C, 2B, and the University Towers Parking Lot are too remotely located from the SDSU campus core and similar student housing. The proposed Project site is located across the street from and within walking distance to existing student housing, several recreational and athletic centers, the Tony Gwynn stadium, Peterson Gym, and the Viejas arena. Proximity to the athletic facilities would improve the student athlete experience and offer opportunities for dining and convenience services to the student athletes that spend considerable time on the west side of campus. Because of their remote location, these Parking Lots would fail to meet the most basic Project objectives. These sites would not create a distinct west campus housing neighborhood, would not alleviate Chapultepec Hall’s current isolation, would not be capable of creating a housing community on campus since they are not near existing housing, and any food and convenience services would only serve the new housing such that existing students in the west campus area could not benefit from those services at these Parking Lot locations.

In addition, development of Parking Lots 2B, 15, and 17C are located in close proximity to the San Diego Trolley Line and would involve significant technical challenges and expense to mitigate structural impacts to the trolley tunnel structures. Further, Parking Lot 2B’s location and shape limits its capacity to provide space for additional student housing. SDSU may reject sites when development poses economic and technical challenges. (See e.g., *Bowman v. City of Petaluma* (186) 185 Cal.App.3d 1065, 1084 [evidence in record that alternative of building new arterial road to serve housing project could not be justified economically and would substantially delay project].)

Development of Recreation Field 103 and Sports Fields 600 and 700 would require the removal and relocation of existing, operational uses. Also, these field sites do not have the capacity to accommodate associated student housing amenities (for example, Recreation Field 103 is only 2.26 acres). In addition, these alternative locations would not achieve the Project’s objectives because they would not create a distinct west campus housing neighborhood; would not alleviate Chapultepec Hall’s current isolation; would not create an on campus housing community; and would not provide food and convenience services for the west campus area.

Further, the comments incorrectly assert that Recreation Field 103 was converted into a field site in an effort to circumvent its use as student housing. According to SDSU’s Planning, Design and Construction office, in 2013, SDSU’s Associated Students commissioned an Athletic Fields Feasibility Study to evaluate and select an on campus location for a practice playing field for

recreational and intramural practice and events, activities that have been shown positively impact student well-being, engagement, and success, and provide a healthy alternative activity for students. The Associated Students chose Recreation Field 103 (former Parking Lot W) for the location of this practice playing field and submitted a request for development. Construction of Recreation Field 103 was completed in March 2016.

The Alvarado Medical Center site would require demolition of existing structures presently in use and would represent an inefficient expenditure of funds. SDSU's costs to relocate existing uses and demolish structures would not represent a reasonable use of funds, especially where those relocation and demolition costs would not be realized as part of the proposed Project. It would be unreasonable for SDSU to expend funds to demolish existing, operational buildings in an effort to avoid fallow areas on campus.

The Adobe Falls site is remote to the campus core, not located in close proximity to other student housing facilities, and would not meet the basic Project objectives. This alternative location would not create a distinct west campus housing neighborhood; would not alleviate Chapultepec Hall's current isolation; would not create an on campus housing community; and would not provide food and convenience services for the west campus area. Further, it would not eliminate environmental impacts identified on the proposed sites.

Further, the site located on the East side of College Avenue is not currently owned or controlled by SDSU. Two owners have already indicated they have no interest in selling. Ownership of this parcel, if even possible, would cause significant Project delays as SDSU and the seller engage in due diligence and the sales transaction. In addition, purchase of the parcel would increase Project-related costs as compared to the costs of developing the Project on a site SDSU presently owns and controls. And, without site investigation, it would be speculative to assume SDSU could own the property and could develop the property within a reasonable time. (See CEQA Guidelines, § 15126.6, subd. (f)(3); see also *Al Larson Boat Shop, supra*, 18 Cal.App.4th at p. 745 [an alternative may be found remote and speculative if it is unlikely as a practical matter to be carried out within the reasonable future or is contingent on the occurrence of uncertain future events].) In addition, the site would not achieve the Project objective to provide additional student housing where the land is owned by SDSU and unencumbered by other uses or existing structures that must be demolished. In addition, due to its location, this alternative would not create a distinct west campus housing neighborhood, would not alleviate Chapultepec Hall's current isolation, is not located in an area that has capacity to accommodate associated student housing

amenities, and would not provide food and convenience services for the west campus area, all objectives of the Project.

Several comments suggest redevelopment of existing on campus student housing located at Maya and Olmeca Residence Halls. Development of these sites poses similar challenges as those presented above in regard to the housing at 55th Street. Demolition of the existing Maya and Olmeca Halls, including the surrounding landscaped areas, complex swimming pool, and associated amenities, would result in the displacement of about 420 students housed in these residence halls. A loss in inventory of approximately 420 beds would occur during reconstruction of Maya and Olmeca Halls; and, as a result, reconstruction would merely provide replacement housing and would require SDSU to construct 1,270 beds to achieve an increase of approximately 850 beds. Further, the increase in costs would render the project inefficient and economically undesirable. Based on recent construction costs, the SDSU Planning, Design and Construction office estimates that it would cost approximately \$63 million to replace the existing 420 beds. The costs of construction would increase relative to the proposed Project by approximately \$63 million. In addition, demolition and redevelopment also would displace student residents during the construction period and SDSU would have to acquire interim replacement housing. Also, Maya and Olmeca Halls are in the vicinity of former underground storage tanks and dry cleaning facilities; and, therefore, development at these sites would result in potentially significant impacts related to hazards and hazardous materials.

Comments also suggest redevelopment of the International Student Center as campus student housing. The International Student Center site would require demolition of existing structures presently in use and would represent an inefficient expenditure of funds. SDSU's costs to relocate existing uses and demolish structures would not represent a reasonable use of funds, especially where those relocation and demolition costs would not be realized as part of the proposed Project. It would be unreasonable for SDSU to expend funds to demolish existing, operational buildings in an effort to avoid fallow areas on campus.

C. On Campus Alternative Locations Analyzed But Rejected

1. Alternative On Campus Site 1 (Parking Lot 2A)

Several comments suggest the DEIR failed to analyze the development of student housing on existing Parking Lot 2A. However, the DEIR includes a comprehensive analysis regarding the development of student housing on Parking Lot 2A that demonstrated the site did not meet

project objectives; was otherwise infeasible; and, would not avoid significant impacts and, in at least one instance, would result in increased significant impacts relative to the proposed Project.

As part of the site assessment SDSU previously conducted, SDSU evaluated Parking Lot 2A (formerly, Parking Lot G) and found the location infeasible. Specifically, Parking Lot 2A received a lower score compared to the site of the proposed Project with respect to site preparation costs, proximity to other housing and creation of a community, proximity to amenities, and technical challenges.

In addition, the DEIR evaluated Parking Lot 2A as an alternative location for the site of the proposed Project (Alternative On Campus Site 1). The analysis determined that this alternative generally would avoid the proposed Project's potentially significant impacts. However, impacts associated with the alternative's proximity to known hazardous waste sites (less than 0.25 miles from present and former gas stations and dry cleaners) would be more significant than the proposed Project. Alternatives may be rejected when they result in increased significant impacts. (See *Tracy First v. City of Tracy* (2009) 177 Cal.App.4th 912 [finding the record did not establish that reduced-size alternative would substantially diminish any of the project's significant environmental impacts].)

Further, development at this alternative location is infeasible. The size of any structure on this parking lot would be severely limited by the existence of a subterranean trolley tunnel that crosses through the center of the lot. Building a larger footprint over this tunnel would necessitate extensive grading and extremely costly foundations, making the project economically infeasible. (See e.g., *Del Mar Terrace Conservancy, Inc. v. City Council* (1992) 10 Cal.App.4th 712 [finding an EIR may reject alternative alignments for highway project that entailed steep grades, traffic weaving problems, and extensive cut-and-fill grading in a visually sensitive open space area].)

In addition, this alternative fails to satisfy most of the basic proposed Project objectives. Although the site appears to be near existing freshman housing and existing amenities such as outdoor social space, shared community space and dining facilities, there is a significant grade differential between this site and the east campus residential neighborhood, which would work against any sense of connectivity with the existing east campus residential and support facilities. Also, any new facilities built to serve this housing would effectively serve only this housing. Development of student housing in this location would not create a distinct west campus housing neighborhood, alleviate Chapultepec Hall's current isolation of, or provide food and convenience services in the vicinity of an underserved student residence. (See, e.g., *Save Our Residential*

*Environment v. City of W. Hollywood* (1992) 9 Cal.App.4th 1745 [determining fact that residential care facility for senior citizens required large parcel in proximity to public transportation, medical facilities, and shopping held sufficient to support determination alternative sites were not available].)

## 2. Alternative On Campus Site 2 (Parking Lot 17)

Under this Alternative, the Project would be developed on Parking Lot 17 located in the northeastern portion of the SDSU campus. This alternative would result in impacts similar to those of the Project. However, this alternative would increase the potential for impacts related to hazards and hazardous materials. Parking Lot 17 is located approximately 0.5 mile from an active gasoline service station.

In addition, this alternative would not attain the Project’s basic objective because the student housing would be located in the northeast corner of campus away from critical existing amenities (i.e., existing freshman housing, recreation, sports, and dining facilities). Therefore, this alternative is neither feasible nor desirable. (See e.g., *California Native Plant Soc.*, *supra*, 177 Cal.App.4th at p. 1001 [finding an alternative that “is impractical or undesirable from a policy standpoint” also may be rejected as infeasible].)

## V. Additional Alternatives Offered By The Commenters Either Fail To Meet the Project Objectives, are Infeasible, or Would Not Avoid Significant Environmental Impacts

Several comments suggest additional alternatives to those analyzed in the DEIR even though the DEIR analyzed a range of reasonable alternatives (approximately 17 alternatives to the proposed Project) and, therefore, no additional analysis is required. (See *Cherry Valley*, *supra*, 190 Cal.App.4th at p. 348 [finding “CEQA does not require analysis of every imaginable alternative . . . [n]or does it demand what is not realistically possible, given the limitation of time, energy and funds”].)

Nonetheless, the comments suggest the DEIR also should have analyzed the following alternatives:

- Increase Phase I to accommodate 1,400 beds and eliminate Phase II.
- Develop Phase II on Recreation Field 103 or on 55th Street.
- Demolish Chapultepec Hall and rebuild housing at a new location.
- Develop student housing at the locations identified in the 2007 Campus Master Plan.

As explained below, these alternatives either fail to meet the project objectives, are infeasible, or would not avoid significant environmental impacts.

At the outset, it is noted that in response to a directive from SDSU President Elliot Hirshman, and public comments and concern raised during the Draft EIR public comment period, the proposed project has been modified to eliminate Phases II and III in their entirety. Thus, the proposed Project to be considered by the CSU Board of Trustees for approval will include only Phase I (at 850 student housing beds), which is the same project as the Reduced Density Alternative. Please see Final EIR, Preface, for additional information regarding the project modifications.

As to the comments to increase Phase I to accommodate 1,400 beds and eliminate Phase II, this proposal represents a 550 bed increase over the proposed project as modified and, therefore, the alternative would result in greater, no lesser, impacts. As a result, the suggested alternative would not substantially lessen the significant environmental impacts relative to the proposed project/Reduced Density Alternative (Phase I only alternative), and in fact, would result in increased impacts due to the increased density and bed count.

Next, increasing the size of Phase I to add additional stories in order to accommodate 1,400 beds would not meet the Project objectives. Specifically, the Phase I site (Parking Lot 9) is the only location in the vicinity of Chapultepec Hall large enough to accommodate a community outdoor space for students and student residents. In order to be useable during the academic year, the outdoor space must have adequate light and air. Easy and direct access to these outdoor spaces also increases their usability, as does the sense of being safe in the space. The outdoor spaces designed as part of Phase I are surrounded by buildings in a courtyard configuration that provides limited access points to the complex (which will include Chapultepec and Phase I), but a free flow once inside the secure zone. This configuration also allows a more direct relationship between the indoor and outdoor spaces, increasing the desirability of the outdoor spaces. Increasing the height of Phase I to accommodate more beds would diminish the amount of light and air available in the outdoor community spaces as well as in the surrounding indoor spaces, and would, as a practical matter, eliminate the ability to provide useable community space.

Based on their experience as university planners, the SDSU Planning, Design and Construction office, as well as the offices of Housing Administration and Residential Education, advocate that outdoor community spaces are essential to a well-rounded university education. Well-designed and connected networks of indoor and outdoor spaces on campus are important in



student learning and promote a sense of belonging in the campus community. The college experience is a stimulating and demanding time in a student's life, where curricular and extra-curricular situations require frequent and heavy use of direct, focused attention and concentration by the student. Campus outdoor community spaces replenish students' cognitive functioning and provide a quiet space in the midst of curricular and extra-curricular situations. Students spend most of their tightly structured learning time indoors amidst traditional instructional classrooms that are primarily structured for the visual mode of learning. Student breaks from directed attention activities are typically taken inside student unions, alcoves and corridors, and student lounges. Students benefit most from direct attention breaks spent in outdoor communal settings. Cognitive breaks from direct attention in outdoor settings can help students regulate, replenish, and strengthen cognitive function and ability to prepare for either the next round of classes or improve the effectiveness and efficiency of an independent study period. Attention to a mix of different spaces that combine outdoor space and interesting architecture provide more options for regulating learning and restoration cycles. Community spaces and outdoor environments lend more opportunities for community interaction and social encounters that foster a sense of belonging, and quiet areas provide a place for students to refresh themselves, have a temporary escape, or quiet reflection, affording an enriched and enjoyable campus life.

With regards to the comment to re-locate Phase II to Recreation Field 103 or 55th Street, as discussed above, Phase II has been eliminated from the Project. In any event, development on Recreation Field 103 or on 55th Street is infeasible and would not meet the basic Project objectives or avoid or reduce significant impacts, as previously discussed.

Further, as to the comment to demolish Chapultepec and relocate it to another part of campus, such alternative would be infeasible, would not meet the basic Project objectives, and would create significant impacts equal to or greater than the proposed Project. Demolishing Chapultepec would require replacing the 600 existing beds, adding \$90M to the cost of the project regardless of its site. Replacing Chapultepec on the 55th Street site would add a total of \$205 M to the cost of the project before any new capacity would be achieved.

Finally, some of the comments suggest that SDSU should have analyzed, as alternatives to the proposed project, those projects listed in the 2007 Campus Master Plan EIR. First, the 2007 Campus Master Plan is not operative; following litigation, approval of the 2007 Campus Master Plan and EIR certification was set aside. Second, the proposed project is similar to the student housing project included in the 2007 Campus Master Plan (i.e., development of student housing on Parking Lot 9). Third, the Draft EIR considered several of the 2007 Campus Master Plan

locations as alternative sites for the proposed project, including the Adobe Falls and Alvarado Medical Center sites, and each was determined to be infeasible.

### *Thematic Response #2: Biological Resources and Adjacent Canyon*

The proposed project is evaluated in Section 4.3, Biological Resources of the Draft EIR. Biological surveys were conducted for the entire property in 2014. These surveys address the vegetation within the project site, assess the potential for wetlands on site, and provide a list of the plant and wildlife species, including special-status species, observed on site. Updated surveys were conducted in 2017 to map vegetation, identify rare plants, and determine presence of California gnatcatcher, and perform a jurisdictional wetland delineation. The field mapping was conducted consistent with the *Protocols for Surveying and Evaluating Impacts to Special Status Native Populations and Natural Communities* (CDFG 2009). Vegetation communities were identified by keying them to the Manual of California, Second Edition (Sawyer, Keeler-Wolf, and Evans 2009), resulting in a vegetation map that is detailed and can be “cross-walked” to City of San Diego MSCP vegetation communities. All surveys were conducted on foot via meandering transects throughout the entire project area. Field survey methods and mapping of rare plants generally conformed to CNPS Botanical Survey Guidelines (CNPS 2001), Guidelines for Assessing the Effects of Proposed Projects on Rare, Threatened, and Endangered Plants and Natural Communities (CDFG 2000), and General Rare Plant Survey Guidelines (Cypher 2002). Surveys for California gnatcatcher included six visits in 2014 and six visits in 2017 to the site; these were in addition to all of the other site visits. Thus the site was well investigated for special-status plants, wildlife, vegetation communities and wetlands, and the surveys conformed to standard methods and/or protocol requirements. In addition, 2017 was a very good year for detecting both plant and wildlife species due to the greater than average rainfall during the winter season.

The proposed project footprint was superimposed on the biological resources mapping to determine the impacts that will occur from the proposed project. According to Section 4.3.6, the impacts include both the construction of the buildings and impacts associated with the fuel management zones (FMZs) 1 (irrigated) and 2 (thinning). While there is potential for the presence of the coastal California gnatcatcher in the canyon around the project area, a federally-listed threatened bird species, the protocol focused surveys for the species, conducted by a federally-permitted wildlife biologist in spring 2014 and 2017, were negative. In March 2017, a California gnatcatcher survey was completed by Dudek for the Residential Block 701 Undergrounding Utility District Project (UUDP), located approximately 0.5 mile west and several canyons away from the proposed project. One individual gnatcatcher was detected at

the UUDP site on March 10, 2017, during the second survey pass, but was not detected during the first or third passes. This individual gnatcatcher did not appear to be paired with another bird. In summary, the federally-permitted biologist (i) did not detect the individual gnatcatcher more than once during the survey period, and (ii) determined that the individual gnatcatcher did not likely utilize this area as breeding or nesting habitat. The gnatcatcher surveys conducted for the proposed project were all negative in both 2014 and 2017 (see finalized focused California gnatcatcher survey for the project, dated May 2017, included in the Final EIR). Therefore, based on the survey data, neither the canyon behind the proposed project or other nearby canyons have been shown to support the coastal California gnatcatcher.

The April 2017 rare plant surveys identified one special-status plant: San Diego goldenstar (*Bloomeria clevelandii*). No special-status plants were observed during the June 2017 botanical survey (see finalized botanical survey for the project, dated June 2017, included in the Final EIR).

The proposed project would impact 2.31 acres of developed and ornamental land covers; there are no impacts to native vegetation communities, including coastal sage scrub, or to special-status plant or wildlife species (see Section 4.3 Biological Resources).

All undeveloped land within the canyon to the north and west will remain either undisturbed. This undisturbed habitat will remain connected to other habitat adjacent to Interstate 8. Note also that the canyon is considered a cul-de-sac in configuration and does not provide for wildlife movement between areas of habitat. The site supports a linkage function within the canyon but is cut off from southern portions of the county due to other land uses such as the interstate, residential development located to the south and SDSU. The canyon does, however, provide habitat for species that are tolerant of the urban interface.

The EIR includes mitigation measures to address both direct and indirect impacts to special-status resources. The mitigation includes nesting bird surveys and avoidance buffers if nests are found per a Wildlife Agency-approved Avian Monitoring Plan and special-status plants and wildlife monitoring and fencing for short- and long-term impacts (see Section 4.3, Biological Resources). Biological monitoring and restrictions on landscaping and fencing around buildings mitigate for short- and long-term impacts on non-wetland waters and wildlife corridors (see Section 4.3, Biological Resources ). SDSU will reduce indirect impacts to less than significant by implementing mitigation measures that are consistent with the City of San Diego Land Use Adjacency Guidelines of the Multiple Species Conservation Program (MSCP). SDSU has agreed to this approach because the project site is adjacent to land that the MSCP has designated as preserve.

Proposed project short- and long-term direct and indirect impacts would be mitigated to less than significant levels as described above and in Section 4.3 Biological Resources of the Final EIR.

SDSU was not involved with the preparation of the MSCP program in the mid-1990s. SDSU is not a signatory to the San Diego MSCP and is therefore not a “permittee” under this HCP. Because of this, the restrictions typically placed on land within the Multi-Habitat Planning Area (MHPA) per the City’s Biological Resource Guidelines do not apply to SDSU or SDSU-owned land. An area west of the proposed project site was previously designated as MHPA and at that time was described as conserved lands. However, the City incorrectly included this SDSU-owned land and the proposed project site within the MHPA. The City also incorrectly identified the site as a “habitat gain” in the Habitrak system of preserve recordation. The City is in the process of correcting the database to remove the state property from the City’s Habitrak system, which tracks cumulative conservation lands (Forburger 2017). On April 21, 2017, a conference call meeting was conducted between the City of San Diego, California Department of Fish and Wildlife (CDFW), and United States Fish and Wildlife Service (USFWS) to discuss the SDSU New Student Housing Project and MHPA boundary designation on SDSU property. It was concluded that the subject parcel was incorrectly mapped as MHPA and will be removed from the City’s preserve (Forburger 2017). The City’s 2017 MSCP Annual Report will therefore reflect the MHPA Boundary Line Correction change of habitat loss and gain under the City’s MSCP (Forburger 2017). The City and USFWS and CDFW also discussed whether and to what extent removing the SDSU-owned land from the MHPA would affect the City’s regional conservation planning efforts as they related to coastal sage scrub. The City is very close to the target for overall, region-wide coastal sage scrub conservation. Accordingly, the City, the USFWS, and CDFW have agreed that loss of the SDSU-owned land would not have an effect on the City’s ability to achieve the coastal sage scrub-specific conservation goals contained in the City’s Subarea Plan.