Action Item
Agenda Item 5
May 9-10, 2011

San Diego State University
Plaza Linda Verde

CEQA Findings Of Fact
And Statement Of Overriding Considerations

(Pursuant To Public Resources Code Sections 21081 And 21081.6,
And State CEQA Guidelines Sections 15091 and 15093)

Final Environmental Impact Report
(State Clearinghouse Number 2009011040)

Project Files May Be Reviewed At:

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

CEQA FINDINGS, FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS REGARDING FINAL EIR FOR THE SDSU PLAZA LINDA VERDE PROJECT

1.0 INTRODUCTION

1.1 PURPOSE

This statement of findings and overriding considerations addresses the environmental effects associated with the Plaza Linda Verde Project ("Project"), located immediately adjacent to the existing San Diego State University ("SDSU") campus boundaries in the City of San Diego. This statement is made pursuant to the California Environmental Quality Act ("CEQA;" Pub. Resources Code, §21000 et seq.), specifically Public Resources Code sections 21081 and 21081.6, and the State CEQA Guidelines (Cal. Code Regs., tit. 14, §15000 et seq.), specifically sections 15091 and 15093. The potentially significant effects of the Project were identified in both the Draft and Final Environmental Impact Report ("EIR").

Public Resources Code section 21081 and State CEQA Guidelines section 15091 require that the lead agency, in this case the California State University ("CSU") Board of Trustees, prepare written findings for identified significant impacts, accompanied by a brief explanation of the rationale for each finding. Specifically, State CEQA Guidelines section 15091 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 effects 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 section 21081 and State CEQA Guidelines section 15093, 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 project against its unavoidable environmental risks when determining whether to approve the project. If the benefits of a project outweigh the unavoidable adverse environmental effects, the adverse effects may be considered "acceptable."

The Final EIR for the Project identified potentially significant effects that could result from Project implementation. The Board of Trustees finds that the inclusion of certain mitigation measures as part of the Project approval will reduce most, but not all, of those effects to less-than-significant levels. Those impacts that are not reduced to less-than-significant levels are identified and overridden due to specific Project benefits. (See **Section 6.0, Statement of Overriding Considerations**, below).

As required by CEQA, the Board of Trustees, in adopting these findings, also adopts a Mitigation Monitoring and Reporting Program ("MMRP") for the Project. The Board of Trustees finds that the MMRP, which is incorporated by reference and made a part of these findings, meets the requirements of Public Resources Code section 21081.6 by providing for the implementation and monitoring of measures intended to mitigate potentially significant effects of the Project.

In accordance with CEQA and the State CEQA Guidelines, the Board of Trustees adopts these findings as part of its certification of the Final EIR for the Project. Pursuant to Public Resources Code section 21082.1, subdivision (c)(3), the Board of Trustees also finds that the Final EIR reflects the Board's independent judgment as the lead agency for the Project.

1.2 ORGANIZATION/FORMAT OF FINDINGS

Section 1.0 contains a summary description of the Project and background facts relative to the environmental review process. **Section 2.0** identifies the significant impacts of the Project that cannot be mitigated to a less-than-significant level (even though all feasible mitigation measures have been identified and incorporated into the Project), while **Section 3.0** identifies the potentially significant effects of the Project that will be mitigated to a less-than-significant level with implementation of the identified mitigation measures. **Section 4.0** identifies the Project's potential environmental effects that were determined not to be significant. **Section 5.0** discusses the feasibility of the Project alternatives, and **Section 6.0** presents the statement of overriding considerations.

1.3 SUMMARY OF PROJECT DESCRIPTION

The Project is a student housing project with a mixed-use housing/retail component that will include ground-floor retail and upper-floor student housing, stand-alone student apartments, additional parking facilities, a Campus Green featuring a public promenade, and pedestrian malls in place of existing streets/alleys linking the proposed buildings to the main SDSU campus. The Project proposes the demolition of existing structures and parking lots to facilitate construction on an approximately 18-acre site located immediately south of the SDSU main campus.

In conjunction with the Project, CSU proposes to amend the SDSU Campus Master Plan boundary, such that the southern campus boundary between 55th Street and one block east of College Avenue will extend south, generally from Aztec Walk to Montezuma Road.

The development component of the Proposed Project will include construction of the following five Project components:

I. ***Mixed-Use Retail/Student Housing.*** This Project component consists of the development of four ground-floor retail and upper-floor student residential buildings located south of Hardy Avenue, north of Montezuma Road, and west and east of College Avenue. Collectively, the four buildings will contain approximately 294 apartments to house approximately 1,216 students, and also will contain approximately 90,000 gross square feet (or approximately 77,000 square feet of rentable retail space) of university/community-serving retail uses.

II. ***Student Apartments.*** This Project component will consist of two buildings, each four stories tall, located west of Campanile Drive, north of Montezuma Road, and south of Lindo

Paseo. Collectively, the two buildings will contain approximately 96 apartments to house approximately 416 students.

III. Parking Facilities. A free-standing parking structure will be constructed at the northwest corner of Lindo Paseo and Montezuma Place. The structure will consist of five levels - one underground parking deck and four above ground decks - and will provide approximately 340 parking spaces. The parking structure also will support approximately 2,000 square feet of ground-floor retail space. The Mixed-Use Student Housing/Retail buildings to be developed east of College Avenue will contain underground parking for an additional 160 to 220 vehicles, depending on the ultimate configuration.

IV. Campus Green. A Campus Green is planned for development south of the existing SDSU Transit Center, and will consist of active and passive recreational areas for public use.

V. Pedestrian Malls. The Project also will include two pedestrian malls, in place of existing streets/alleys, to be located along the western and eastern flanks of the main mixed-use building area. These corridors will facilitate non-motorized movement between the proposed buildings and main campus, and will support meeting/resting space and outdoor eating facilities associated with the adjacent retail shops. This Project component will be ancillary to the Mixed-Use Student Housing/Retail component and will not be essential to development of the overall Project site. The Project also includes sufficient right-of-way on College Avenue for the ultimate development of Class 2 bicycle lanes (i.e., dedicated bicycle lanes within the right-of-way) in the areas fronting the Project site.

The development of the pedestrian malls and one of the mixed-use retail/student housing buildings will be contingent upon the vacation of certain existing vehicular rights-of-way by the City of San Diego; if the subject vacations are not approved, the Project will proceed on a modified basis, without development of the pedestrian malls and a reduced size mixed-use building, with corresponding reduced impacts. Additionally, development of certain portions of the Project, primarily those along the eastern side of College Avenue, will be contingent upon the acquisition of certain parcels of land presently not owned by CSU. While CSU is confident that over time the university will acquire all property necessary for build-out of the full Project, if CSU is not able to acquire these parcels from willing sellers, the Project will proceed on a modified basis, based on available development parcels, with corresponding reduced impacts.

For a detailed discussion of the project description and setting, please see **Section 1.0**, Project Description, of the Final EIR.

1.4 PROJECT OBJECTIVES

The overall goal of the Project is the removal of existing substandard and deteriorated properties, and the subsequent development of high density housing with commercial/retail uses to serve the University and community. The specific project objectives follow:

1. Increase on-campus student housing options by providing new housing for approximately 1,600 additional students, thereby reducing the demand for student housing in the neighborhoods adjacent to campus.

2. Provide a vibrant commercial environment adjacent to the main campus with food, entertainment, and shopping opportunities for students, faculty, staff, campus visitors, and local members of the College Area community.

3. Eliminate further deterioration in the area of the Proposed Project.

4. Improve the existing architecture, landscape, and urban design within the Project site.

5. Develop additional local job opportunities.

6. Reduce regional traffic by providing additional on-campus student housing and creating a pedestrian/bicycle friendly, transit-oriented environment.

7. Facilitate comprehensive long-range planning for the campus.

The Board of Trustees has considered the statement of the objectives sought by the Project as found in **Section 1.0**, Project Description, of the Final EIR. The Board of Trustees adopts these objectives as part of the Project.

1.5 INITIAL STUDY AND NOTICE OF PREPARATION

To determine the environmental topics to be addressed in the EIR, SDSU prepared a Notice of Preparation and Initial Study ("NOP/IS"), and circulated the NOP/IS on January 13, 2009 to interested public agencies, organizations, community groups and individuals in order to receive input on the project. SDSU also held a public information meeting on January 21, 2009, to obtain public input on both the project and the scope and content of the EIR. Interested parties attended the public information meeting and provided input.

Following distribution of the NOP/IS, SDSU revised the Project, primarily by eliminating one of the student apartment buildings. Consequently, a revised NOP/IS was issued on April 22, 2009 for public review and comment.

Based on the NOP/IS scoping process, the EIR addressed the following topics:

(a) Aesthetics and Visual Quality;
(b) Air Quality/Global Climate Change
(c) Archaeological/Paleontological Resources;
(d) Geotechnical/Soils;
(e) Hazards and Hazardous Materials;
(f) Historic Resources;
(g) Hydrology and Water Quality;
(h) Land Use and Planning;
(i) Noise;
(j) Population and Housing;
(k) Public Utilities and Service Systems; and,
(l) Transportation/Circulation and Parking.

Based on the NOP/IS scoping process, potential impacts relating to agricultural, biological, and mineral resources were determined to be not significant and, therefore, were not discussed in the EIR.

1.6 ENVIRONMENTAL IMPACT REPORT

SDSU prepared the EIR in accordance with CEQA and the State CEQA Guidelines. The EIR is a full-disclosure informational document that informs public agency decision-makers and the public of the significant environmental effects of the Project. Measures to minimize significant effects are identified in the EIR and reasonable alternatives to the Project are evaluated.

The EIR is intended as a "project EIR" under CEQA and the State CEQA Guidelines. A project EIR is typically prepared for a specific construction-level project. (*See* State CEQA Guidelines §15161.) Under CEQA, a project EIR "should focus primarily on the changes in the environment that would result from the development project . . . [and] examine all phases of the project including planning, construction, and operation." (*Ibid.*)

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 September 27, 2010 and concluded on November 10, 2010. Certain public agencies that requested additional time to prepare their comments were afforded an extension. Specifically, CSU provided the City of San Diego, City of San Diego Redevelopment Agency, and San Diego Association of Governments until November 24, 2010 to submit their comments.

Copies of the Draft EIR were available for public review at the following locations: (a) Benjamin Branch Library, 5188 Zion Avenue, San Diego, California; (b) College Rolando Branch Library, 6600 Montezuma Road, San Diego, California; (c) SDSU Love Library, Government Publications, 3rd Floor; and (d) SDSU, Department of Facilities Planning, Design and Construction, Administration Building, Room 130. The Draft EIR also was available for review at http://newscenter.sdsu.edu/plazalindaverde/. Copies of the Draft EIR were available for purchase by contacting Esquire Litigation Solutions, 110 West "C" Street, San Diego, California 92101, (619) 234-0660.

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

2.0 FINDINGS ON SIGNIFICANT UNAVOIDABLE ADVERSE IMPACTS OF THE PROJECT

This section identifies the significant unavoidable impacts that require a statement of overriding considerations to be issued by the Board of Trustees if the Plaza Linda Verde Project is approved. Based on the substantial record evidence, the following impacts have been determined to fall within this "significant unavoidable impact" category.

2.1 TRANSPORTATION/CIRCULATION AND PARKING

2.3.1 Unavoidable Significant Impacts

The Project will result in near-term significant cumulative impacts at one unsignalized intersection (College Avenue/Zura Way); three signalized intersections (College

Avenue/Canyon Crest Drive, College Avenue/Montezuma Road, and Montezuma Road/Campanile Drive); and, two street segments (College Avenue between Canyon Crest Drive and Zura Way; and Montezuma Road between 55th Street and College Avenue). The four referenced intersections and two street segments will operate at unacceptable levels of service with or without the Project.

Under the long-term cumulative scenario, the EIR analysis determined the Project will result in significant impacts at six intersections (College Avenue/I-8 Eastbound Ramps; College Avenue/Canyon Crest Drive; College Avenue/Zura Way; College Avenue/Montezuma Road; Montezuma Road/55th Street; and, Montezuma Road/Campanile Drive), and three street segments (College Avenue between Canyon Crest Drive and Zura Way; College Avenue between Zura Way and Montezuma Road; and, Montezuma Road between 55th Street and College Avenue). The six referenced intersections and three street segments will operate at unacceptable levels of service with or without the Project.

Under existing plus project conditions, the project would result in significant impacts at one intersection (College Avenue/Zura Way) and two segments (College Avenue between Canyon Crest Drive and Zura Way, and Montezuma Road between 55th Street and College Avenue). These three locations are identified as significantly impacted under the near-term and long-term cumulative scenarios described above. As the analysis under this scenario does not consider cumulative traffic growth and assumes immediate project buildout, the scenario is viewed as hypothetical by traffic engineers and is presented for comparative purposes.

2.3.2 Mitigation Measures

Under the California Supreme Court's decision in *City of Marina v. Board of Trustees of The California State University* (2006) 39 Cal.4th 341 ("*City of Marina*"), CSU is to make a request to the state Legislature for SDSU's fair-share mitigation cost towards those physical improvements to off-campus roads and intersections under the control of local agencies.

Notwithstanding, as to the mitigation cost attributable to the retail component of the Project, it is appropriate in this instance, and consistent with existing law, for the commercial retailers, and not the taxpayers, to contribute to the cost of environmental infrastructure mitigation improvements to support their portion of the Project. As SDSU/CSU intends to collect those contributions from the commercial retailers through the payment of future rents, under these unique circumstances, CSU, through SDSU, will advance to the City of San Diego, and to the California Department of Transportation ("Caltrans"), as applicable, the fair-share of the

mitigation cost attributable to the retail component of the Project, provided that the City's or Caltrans' share of the mitigation improvement cost, as applicable, has been allocated and is available for expenditure, thereby triggering CSU's fair-share contribution payment.

As to the student housing component of the Project, pursuant to its obligation under *City of Marina*, CSU will, following the state budget timelines and process, submit a budget request that will include a mitigation dollar amount consistent with CSU's fair-share amount towards implementation of the necessary roadway improvements within the jurisdiction of the City of San Diego.

As to Caltrans' portion relative to the student housing component ($4,561.00), CSU, through SDSU, will support Caltrans in its efforts to obtain the appropriate funding through the state budget process, and will look to the City of San Diego to join in that support.

Based on the above, the following are the mitigation measures applicable to the Project's traffic-related impacts:

TCP-1 Impact: College Avenue/ Canyon Crest Drive.

Retail

CSU/SDSU shall pay to the City of San Diego its fair-share of the costs attributable to the retail component of the project (3.53%) to re-stripe College Avenue in order to provide an additional (third) northbound through lane from 500 feet south of the Canyon Crest Drive intersection north to the Canyon Crest Drive intersection, provided that the City's share of the mitigation improvement cost has been allocated and is available for expenditure, thereby triggering CSU's fair-share contribution payment.

Student Housing

CSU/SDSU shall pay to the City of San Diego its fair-share of the costs attributable to the student housing component of the project (2.18%) to re-stripe College Avenue in order to provide an additional (third) northbound through lane from 500 feet south of the Canyon Crest Drive intersection north to the Canyon Crest Drive intersection, provided that: (a) the City's share of the mitigation improvement cost has been allocated and is available for

expenditure, thereby triggering CSU's fair-share contribution payment; and (b) the state Legislature appropriates the funds for said improvements as requested by CSU in the state budget process.

TCP-2 Impact: College Avenue/ Zura Way.

Retail

CSU/SDSU shall pay to the City of San Diego its fair share of the costs attributable to the retail component of the project (3.77%) to provide a traffic signal at the intersection of College Avenue/Zura Way, provided that the City's share of the mitigation improvement cost has been allocated and is available for expenditure, thereby triggering CSU's fair-share contribution payment.

Student Housing

CSU/SDSU shall pay to the City of San Diego its fair share of the costs attributable to the student housing component of the project (2.33%) to provide a traffic signal at the intersection of College Avenue/Zura Way, provided that: (a) the City's share of the mitigation improvement cost has been allocated and is available for expenditure, thereby triggering CSU's fair-share contribution payment; and (b) the state Legislature appropriates the funds for said improvements as requested by CSU in the state budget process.

TCP-3 Impact: College Avenue/ Montezuma Road.

Retail

CSU/SDSU shall pay to the City of San Diego its fair share of the costs attributable to the retail component of the project (3.21%) to widen the College Avenue/Montezuma Road intersection to provide an additional (second) left-turn lane on the southbound and westbound approaches to the intersection, provided that the City's share of the mitigation improvement cost has been allocated and is available for expenditure, thereby triggering CSU's fair-share contribution payment.

Student Housing

CSU/SDSU shall pay to the City of San Diego its fair share of the costs attributable to the student housing component of the project (1.80%) to widen the College Avenue/Montezuma Road intersection to provide an additional (second) left-turn lane on the southbound and westbound approaches to the intersection, provided that: (a) the City's share of the mitigation improvement cost has been allocated and is available for expenditure, thereby triggering CSU's fair-share contribution payment; and (b) the state Legislature appropriates the funds for said improvements as requested by CSU in the state budget process.

TCP-4 Impact: College Avenue: Canyon Crest Drive to Zura Way.

Retail

CSU/SDSU shall pay to the City of San Diego its fair-share of the costs attributable to the retail component of the project (29.49%) to re-stripe College Avenue to provide an additional (third) northbound through lane between I-8 and Zura Way, provided that the City's share of the mitigation improvement cost has been allocated and is available for expenditure, thereby triggering CSU's fair-share contribution payment.

Student Housing

CSU/SDSU shall pay to the City of San Diego its fair-share of the costs attributable to the student housing component of the project (5.74%) to re-stripe College Avenue to provide an additional (third) northbound through lane between I-8 and Zura Way, provided that: (a) the City's share of the mitigation improvement cost has been allocated and is available for expenditure, thereby triggering CSU's fair-share contribution payment; and (b) the state Legislature appropriates the funds for said improvements as requested by CSU in the state budget process.

TCP-5 Impact: Montezuma Road: 55th Street to College Avenue.

Retail

CSU/SDSU shall pay to the City of San Diego its fair-share of the costs attributable to the retail component of the project (6.77%) to install a raised median on Montezuma Road between 55th Street and College Avenue, provided that the City's share of the mitigation improvement cost has been allocated and is available for expenditure, thereby triggering CSU's fair-share contribution payment.

Student Housing

CSU/SDSU shall pay to the City of San Diego its fair-share of the costs attributable to the student housing component of the project (0.91%) to install a raised median on Montezuma Road between 55th Street and College Avenue, provided that: (a) the City's share of the mitigation improvement cost has been allocated and is available for expenditure, thereby triggering CSU's fair-share contribution payment; and (b) the state Legislature appropriates the funds for said improvements as requested by CSU in the state budget process.

TCP-6 Impact: 55th Street/ Montezuma Road.

Retail

CSU/SDSU shall pay to the City of San Diego its fair-share of the costs attributable to the retail component of the project (2.00%) to provide a right-turn overlap phase for the westbound approach at the 55th Street / Montezuma Road intersection, provided that the City's share of the mitigation improvement cost has been allocated and is available for expenditure, thereby triggering CSU's fair-share contribution payment.

Student Housing

CSU/SDSU shall pay to the City of San Diego its fair-share of the costs attributable to the student housing component of the project (0.88%) to provide a right-turn overlap phase for the westbound approach at the 55th Street / Montezuma Road intersection, provided that: (a) the City's share of the mitigation improvement cost has been allocated and is available for

expenditure, thereby triggering CSU's fair-share contribution payment; and (b) the state Legislature appropriates the funds for said improvements as requested by CSU in the state budget process.

TCP-7 Impact: Montezuma Road/ Campanile Drive.

Retail

CSU/SDSU shall pay to the City of San Diego its fair-share of the costs attributable to the retail component of the project (5.31%) to widen Campanile Drive to provide a 75-foot long dedicated right-turn lane on the northbound approach to the Montezuma Road/Campanile Drive intersection, provided that the City's share of the mitigation improvement cost has been allocated and is available for expenditure, thereby triggering CSU's fair-share contribution payment.

Student Housing

CSU/SDSU shall pay to the City of San Diego its fair-share of the costs attributable to the student housing component of the project (1.53%) to widen Campanile Drive to provide a 75-foot long dedicated right-turn lane on the northbound approach to the Montezuma Road/Campanile Drive intersection, provided that: (a) the City's share of the mitigation improvement cost has been allocated and is available for expenditure, thereby triggering CSU's fair-share contribution payment; and (b) the state Legislature appropriates the funds for said improvements as requested by CSU in the state budget process.

TCP-8 Impact: College Avenue: Zura Way to Montezuma Road.

Retail

CSU/SDSU shall pay to the City of San Diego its fair-share of the costs attributable to the retail component of the project (2.14%) to: (i) widen the southbound approach of College Avenue to Montezuma Road to provide a second left turn lane (the extra lane would result in a 7-lane cross-section on College Avenue between Montezuma Road and Lindo Paseo); and (ii) provide a third northbound through lane on College Avenue between Lindo Paseo and Zura Way, provided that the City's share of the mitigation improvement

cost has been allocated and is available for expenditure, thereby triggering CSU's fair-share contribution payment.

Student Housing

CSU/SDSU shall pay to the City of San Diego its fair-share of the costs attributable to the student housing component of the project (0.40%) to: (i) widen the southbound approach of College Avenue to Montezuma Road to provide a second left turn lane (the extra lane would result in a 7-lane cross-section on College Avenue between Montezuma Road and Lindo Paseo); and (ii) provide a third northbound through lane on College Avenue between Lindo Paseo and Zura Way, provided that: (a) the City's share of the mitigation improvement cost has been allocated and is available for expenditure, thereby triggering CSU's fair-share contribution payment; and (b) the state Legislature appropriates the funds for said improvements as requested by CSU in the state budget process.

TCP-11 Impact: College Avenue/ I-8 Eastbound On-Ramp.

Retail

CSU/SDSU shall pay to Caltrans its fair-share of the costs attributable to the retail component of the project (2.77%) to re-stripe College Avenue in order to provide an additional (third) northbound through lane from the Canyon Crest Drive intersection north to the Interstate-8 eastbound on-ramp, provided that Caltrans' share of the mitigation improvement cost has been allocated and is available for expenditure, thereby triggering CSU's fair-share contribution payment.

Student Housing

CSU/SDSU shall support Caltrans in its efforts to obtain from the state Legislature the costs attributable to the student housing component of the project (1.35%) to re-stripe College Avenue in order to provide an additional (third) northbound through lane from the Canyon Crest Drive intersection north to the Interstate-8 eastbound on-ramp.

2.3.3 Findings

If all of the roadway improvements set forth in the mitigation measures above were constructed, the Project's impacts would be reduced to a level below significant. However, because the Legislature may not provide funding as to the student housing component, or because the funding for the student housing component may be significantly delayed, or because even if the requested funding is appropriated, the City and/or Caltrans may not obtain the remaining funds to implement the subject improvement, the Board of Trustees finds there are no feasible mitigation measures that will reduce the identified significant impacts to a level below significant. Therefore, these impacts are considered significant and unavoidable even after implementation of all feasible transportation/circulation mitigation measures.

Pursuant to Public Resources Code section 21081, subdivision (a)(3), as described in the Statement of Overriding Considerations, the Board of Trustees has determined that specific economic, legal, social, technological, or other considerations make infeasible the alternatives identified in the EIR and the identified transportation/circulation impacts are thereby acceptable because of specific overriding considerations. (See **Section 6.0**, below.)

3.0 FINDINGS ON SIGNIFICANT BUT MITIGATED IMPACTS

This section identifies significant adverse impacts of the Project that require findings to be made under Public Resources Code section 21081 and State CEQA Guidelines section 15091. Based on substantial record evidence, the Board of Trustees finds that adoption of the mitigation measures set forth below will reduce the identified significant impacts to less-than-significant levels.

3.1 AESTHETICS AND VISUAL QUALITY

3.1.1 Potential Significant Impacts

Short-term light and glare associated with construction of the Project could significantly impact residential uses located in close proximity to the Project site and mobile viewers. At build-out, the Project also will result in additional nighttime lighting and glare associated with reflective surfaces, which is potentially significant. These potential impacts also are cumulatively considerable.

3.1.2 Mitigation Measures

AVQ-1 During construction activities, CSU/SDSU, or its designee, shall take those steps necessary to ensure that temporary construction-related security

lighting is arranged in such a manner so that direct rays will not shine on or produce glare for adjacent street traffic and residential uses.

AVQ-2 During the preparation of final site design plans, CSU/SDSU, or its designee, shall design each of the project components such that: (i) All light fixtures are shielded away from sensitive viewers; (ii) Motion sensor/detector lights are utilized whenever feasible to reduce the amount of constant light, especially during the late evening/early morning hours; (iii) Lighting fixtures provide illumination appropriate for the level of activity; and (iv) The overall lighting design is consistent with the lighting policies contained in SDSU's Physical Master Plan (SDSU Physical Master Plan, Phase I, pp. 157–160).

AVQ-3 During the preparation of final site design plans, CSU/SDSU, or its designee shall comply with SDSU's Physical Master Plan to ensure all building structures will not contain large expanses of reflective glass or reflective metal surfaces that would cause undue glare to passing mobile viewers and/or present a visual hazard to adjacent land uses.

3.1.3 Findings

The Board of Trustees finds that the above mitigation measures are feasible, are adopted, and will reduce the potential aesthetic and visual quality-related impacts of the Project to less-than-significant levels. Accordingly, the Board of Trustees finds that, pursuant to Public Resources Code section 21081, subdivision (a)(1), and State CEQA Guidelines section 15091, subdivision (a)(1), changes or alterations have been required in, or incorporated into, the Project that mitigate or avoid potentially significant aesthetic and visual quality-related impacts of the Project identified in the Final EIR.

3.2 GEOTECHNICAL/SOILS

3.2.1 Potential Significant Impacts

Temporary slopes may be excavated during Project build-out, which may expose adverse geologic conditions; therefore, the Project may result in potentially significant impacts as potential slope failures could damage Project improvements and adjacent properties. Similarly, erosion and mudflows attributable to construction-related activities may be potentially significant. Construction of the Project on unconsolidated and expansive soils, and in a seismically active region, may result in potentially significant impacts. Relatedly, groundwater/seepage may be encountered during Project development, and particularly construction of the below-grade parking; this constitutes a potentially significant impact.

3.2.2 Mitigation Measures

GEO-1 Prior to the commencement of design and construction activities relating to the Proposed Project, CSU/SDSU, or its designee, shall conduct, or cause to be conducted, a geotechnical investigation in conformance with the requirements of the California Building Code ("CBC") and International Building Code ("IBC"). The site-specific geotechnical investigations will include, to the extent required by the CBC and IBC, subsurface exploration, laboratory testing, and geotechnical analysis. The investigations will address the potential for landslides/slope instability, erosion, unconsolidated soils, expansive soils, groundwater seepage, flood inundation and seismic shaking. An evaluation of the suitability of the on-site soils and rock for use as fill also shall be made during the site-specific geotechnical studies. (Reference shall be made to Section 300 of the "Greenbook," which provides specifications of typical fill materials and their typical maximum allowed dimensions.)

Based on the results of the site-specific investigations, geotechnical design recommendations shall be developed and included in the design and construction of the Proposed Project in conformance with applicable regulatory guidelines, including CBC and IBC requirements.

GEO-2 During project design and construction activities, CSU/SDSU, or its designee, shall use proper grading techniques (with appropriate compaction efforts) and stormwater pollution prevention devices (per regulatory agency guidelines), revegetate disturbed areas, and construct appropriate drainage provisions to reduce the potential for erosion on the Project site, in conformance with applicable regulatory guidelines, including CBC and IBC requirements. Additionally, CSU/SDSU, or its designee, shall periodically remove accumulated eroded soils and debris from surface drains, as needed.

GEO-3 During grading activities associated with development of the Proposed Project, CSU/SDSU, or its designee, shall require that compressible soils present on the site be removed where structural fill areas are underlain by unconsolidated soils and replaced with properly compacted or deep foundation systems, which extend through the compressible soils and are supported by the underlying firm natural soils, in conformance with applicable regulatory guidelines, including CBC and IBC requirements.

GEO-4 During grading activities associated with development of the Proposed Project, CSU/SDSU, or its designee, shall prohibit the placement of expansive soils within the upper few feet of finished grade, or mandate that "special" deepened and/or stiffened foundation systems for proposed structures be utilized, in conformance with applicable regulatory guidelines, including CBC and IBC requirements. Surface and subsurface drainage provisions also may be implemented to reduce moisture fluctuations in subgrade soils.

GEO-5 To the extent the geotechnical investigation conducted pursuant to Mitigation Measure GEO-1 concludes that groundwater/seepage issues are present on the Project site, CSU/SDSU, or its designee, shall design and construct subsurface and surface drains in filled areas and behind retaining walls, in conformance with applicable regulatory guidelines, including CBC and IBC requirements. In addition, the shoring and dewatering of excavations, as needed, shall be undertaken to reduce the potential for caving of excavations due to groundwater seeps.

GEO-6 During design of the Proposed Project, CSU/SDSU, or its designee, shall adhere to current design parameters of the CBC (including, but not limited to, CBC Chapters 16 and 18) in order to reduce the effects of seismic shaking.

GEO-7 During site grading activities associated with Proposed Project build-out, CSU/SDSU, or its designee, shall require the appropriate control of surface waters and soil containment on disturbed ground surfaces in conformance with applicable regulatory guidelines, including CBC and IBC requirements, in order to reduce construction-related mudflows.

3.2.3 Findings

The Board of Trustees finds that the above mitigation measures are feasible, are adopted, and will reduce the potential geotechnical/soils impacts of the Project to a less-than-significant level. Accordingly, the Board of Trustees finds that, pursuant to Public Resources Code section 21081, subdivision (a)(1), and State CEQA Guidelines section 15091, subdivision (a)(1), changes or alterations have been required in, or incorporated into, the Project that mitigate or avoid the potentially significant geotechnical/soils impacts identified in the Final EIR.

3.3 HAZARDS AND HAZARDOUS MATERIALS

3.3.1 Potential Significant Impacts

Construction of the Project could result in significant impacts due to the potential for exposure to contaminated groundwater and/or soils beneath existing parking lots, former gas stations, and former dry cleaners. Additionally, demolition of existing structures could result in significant impacts associated with the potential exposure to asbestos and/or lead-based paint. As the potentially contaminated soils, groundwater, asbestos, and/or lead-based paint would be released into the environment within 0.25 mile of the SDSU campus, the Project also may result in the potentially significant emission of hazards.

Four parcels located on the Project site -- specifically Parcels 7, 11, 16 and 18 -- are included in hazardous material databases. Potentially hazardous conditions associated with these parcels may create a significant hazard to the public or environment.

Absent revisions to the Campus Emergency Plan to accommodate the additional traffic loads generated by the Project, the Project could result in potentially significant impacts relating to implementation of the Campus Emergency Plan.

3.3.2 Mitigation Measures

HAZ-1 Prior to the commencement of Project construction, CSU/SDSU, or its designee, shall direct the Project construction contractor to develop and implement a construction health and safety plan for construction work crews who may encounter groundwater or soil contaminants. The plan shall include information about potential contaminants, protocols for reporting suspected contaminants, stop work authority, and protocols for conducting further study upon discovery.

HAZ-2 Prior to the commencement of grading, excavation, or trenching activities on Parcels 1, 2, 3, 6, 7, 10, 11, 12 and 18, CSU/SDSU, or its designee, shall direct the Project construction contractor to implement the following practices:

(i) All construction workers who would be involved with grading, excavation or trenching work shall be trained to recognize visual and olfactory signs of soil contamination prior to the start of such soil work activities;

(ii) All workers shall be instructed to observe the exposed soil for visual evidence of contamination throughout soil work activities;

(iii) If visual contamination indicators are observed during construction activities, the contractor shall halt work in the immediate vicinity of the discovery until the material is properly characterized and appropriate measures are taken to protect human health and the environment, including compliance with applicable federal, state and local requirements for sampling and testing, and subsequent removal, transport and disposal of hazardous materials; and

(iv) In the event contaminated groundwater is encountered, the contractor shall document the exact location of the contamination and immediately notify the SDSU Department of Environmental Health and Safety (DEHS). SDSU DEHS shall then comply with all applicable federal, state and local health and safety requirements for testing, handling and disposing of contaminated groundwater, which may include reporting the hazard to the County Department of Environmental Health and other regulatory agencies, including the Regional Water Quality Control Board.

HAZ-3 Prior to the commencement of excavation activities on Parcels 6, 7, 10, 11, 12 and 18, CSU/SDSU, or its designee, shall require that soil samples be collected and analyzed by a California State-licensed fixed or on-site mobile analytical laboratory to determine whether soil contamination exists on the subject parcels. In the event soil contaminant levels are detected above Maximum Contaminant Levels, CSU/SDSU, or its designee, shall direct that the following steps are taken:

(i) A soil remediation plan shall be prepared in accordance with San Diego County Department of Environmental Health guidelines for soil remediation activity;

(ii) All contaminated soils shall be removed and fully remediated in accordance with all applicable federal, state and local regulations, including those of the San Diego County Department of Environmental Health;

(iii) An official closure letter shall be obtained from the San Diego County Department of Environmental Health prior to the commencement of any grading or excavation activities on the affected parcels; and,

(iv) The soil contamination test results shall be used to determine an appropriate construction worker health and safety plan. All contaminated soils shall be removed by personnel who have been trained through appropriate Occupational Safety and Health Administration (OSHA) programs.

HAZ-4 In the event excavation depths for Parcels 1, 2, 3, 6, 7, and 18 would be deep enough to encounter groundwater, prior to excavation, CSU/SDSU, or its designee, shall require that groundwater samples be collected and analyzed by a California State-licensed fixed or on-site mobile analytical laboratory to determine whether groundwater contamination exists on the subject parcels. In the event contaminated groundwater is detected, CSU/SDSU, or its designee, shall direct that the following steps are taken:

(i) A groundwater remediation plan shall be prepared in accordance with San Diego County Department of Environmental Health guidelines for groundwater remediation activity.

(ii) All contaminated groundwater shall be removed in accordance with applicable federal, state, and local regulations, including those of the San Diego County Department of Environmental Health and San Diego Regional Water Quality Control Board.

(iii) A letter of consent shall be obtained from the San Diego County Department of Environmental Health prior to the commencement of any grading or excavation activities.

(iv) The groundwater contamination test results shall be used to determine an appropriate construction worker health and safety plan. All contaminated groundwater shall be removed by personnel who have been trained through appropriate OSHA programs.

HAZ-5 Prior to the commencement of demolition activities on Parcels 4, 5, 8, 9, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 and 24, CSU/SDSU, or its designee, shall require that an asbestos survey and lead-based paint survey be performed by licensed lead and asbestos contractors. The asbestos and lead paint surveys shall be used to define removal quantities, estimate abatement costs, and otherwise refine the scope of work for the removal of asbestos and lead paint, in full compliance with all applicable laws during project demolition.

HAZ-6 Prior to occupation of Building 1, CSU/SDSU shall take those steps necessary to revise the campus emergency plan to: (i) incorporate the revised campus boundary; and (ii) incorporate the Proposed Project components as "on-campus" facilities. The plan also shall be amended to adequately plan for evacuation of these new campus facilities.

3.3.3 Findings

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

3.4 HYDROLOGY AND WATER QUALITY

3.4.1 Potential Significant Impacts

The Project could result in potentially significant impacts associated with the violation of water quality standards and waste discharge requirements, and could otherwise substantially degrade water quality. More specifically, soils impacted with hydrocarbons and groundwater could be encountered during construction. Potentially significant impacts could occur if the contaminated soil is not disposed of safely, and pumped groundwater is not disposed of correctly. Additionally, operation of the Project could result in the introduction and/or continued contribution of urban stormwater pollutants to downstream receiving water bodies.

Although the Project's increase in stormwater flow is relatively minimal, any net increase over existing flows is considered to result in a potentially significant impact. Therefore, the Project may create or contribute runoff water that could exceed the capacity of existing or planned stormwater drainage systems or provide additional sources of polluted runoff. Similarly, the

net increase indicates that the Project may substantially alter the existing drainage pattern or substantially increase the rate or amount of surface runoff in a manner that could result in on- or off-site flooding.

3.4.2 Mitigation Measures

HWQ-1 Prior to commencement of construction, CSU/SDSU, or its designee, shall develop a project-specific Stormwater Pollution Prevention Plan ("SWPPP"). The SWPPP shall contain a site map(s) that shows the construction site perimeter, existing and proposed buildings, lots, roadways, stormwater collection and discharge points, general topography both before and after construction, and drainage patterns across the project site.

The SWPPP shall include Best Management Practices ("BMPs") to protect stormwater runoff throughout construction, and identify the placement of each BMP in accordance with the California Department of Transportation's Stormwater Quality Handbooks. The SWPPP also shall contain a visual monitoring program and a chemical monitoring program for "non-visible" pollutants for implementation in the event the BMPs fail.

CSU/SDSU, or its designee, shall implement the SWPPP throughout Project construction.

HWQ-2 In the event soil impacted with hydrocarbons is encountered during Project construction, CSU/SDSU, or its designee, shall dispose of such soil in accordance with San Diego Regional Water Quality Control Board ("SDRWQCB") Order R9-2002-342: ”Waste Discharge Requirements for the Disposal and/or Reuse of Petroleum Fuel Contaminated Soils (FCS) in the San Diego Region.” Order R9-2002-342 sets site-specific criteria and establishes waste discharge requirements for temporary waste piles of FCS wastes, and requires the discharger to develop and implement site-specific BMPs for control of erosion and conveyance of stormwater (SDRWQCB, 2003). Examples of BMPs include public notification, and run-on and run-off protection of stockpiles (covers and berms).

HWQ-3 In the event groundwater dewatering is necessary during Project construction, CSU/SDSU, or its designee, shall discharge in accordance with the SDRWQCB requirements outlined in Order No. R9-2008-0002, "General Waste Discharge

Requirements for Discharges from Groundwater Extraction and Similar Discharges to Surface Waters within the San Diego Region Except for San Diego Bay (WDR)" (SDRWQCB, 2008).

Prior to commencement of Project construction, CSU/SDSU, or its designee, shall test the local groundwater quality to determine if it is acceptable for use on site as dust control, whether it can be discharged to the sanitary sewer, or whether it can be tanked and hauled to a legal disposal site for treatment. If discharges of groundwater to surface water are anticipated at any point during construction, CSU/SDSU, or its designee, shall obtain a general National Pollutant Discharge Elimination System ("NPDES") dewatering permit from the SDRWQCB.

HWQ-4 During project design, CSU/SDSU, or its designee, shall incorporate stormwater pollution control BMPs to reduce pollutants discharged from the project site to the maximum extent practicable. Post-construction pollution prevention shall be accomplished by implementing Low Impact Development ("LID") source control and treatment control BMPs, and post-construction discharge levels shall be consistent with the stormwater and water quality regulations in effect at the time of final project design. (LID BMPs slow and filter runoff in a manner that attempts to mimic natural hydrologic conditions. Source control BMPs prevent on-site contaminants from entering the drainage system. Treatment control BMPs reduce or eliminate contaminants from entering the drainage system before water leaves the site.)

Permanent project design BMPs for each Proposed Project component are outlined in Table 3.6-11, Suggested Project Design BMPs.

Table 3.6-11
Suggested Project Design BMPs

Proposed Project Component	LID BMPs	Source Control BMPs	Treatment Control BMPs
Building 1 (Mixed-Use Retail/Student Housing)	Flow-through planter with sub-surface drains	Loading dock facility should drain directly to the sanitary sewer.	Retention
Building 2 (Mixed-Use Retail/Student Housing)	Flow-through planter with sub-surface drains	Loading dock facility should drain directly to the sanitary sewer.	Retention

Building 3 (Parking/Retail)	Flow-through planter with sub-surface drains	Interior parking garage floor drains shall be plumbed to the sanitary sewer.	Hydrodynamic separator/ Vegetated buffer strip
Building 4 (Parking/Mixed-Use Retail/Student Housing)	Flow-through planter with sub-surface drains	Interior parking garage floor drains shall be plumbed to the sanitary sewer.	Retention/Hydrodynamic separator
Building 5 (Parking/Mixed-Use Retail/Student Housing)	Flow-through planter with sub-surface drains	Interior parking garage floor drains shall be plumbed to the sanitary sewer.	Retention/Hydrodynamic separator
Building 6 (Mixed-Use Retail/Student Housing)	Flow-through planters with sub-surface drains	Trash/recycling facility will be covered, graded, and paved to preclude run-on and runoff from the area.	Retention/Vegetated buffer strip
Building 7 (Student Housing)	Flow-through planters with sub-surface drains	Trash/recycling facility will be covered, graded, and paved to preclude run-on and runoff from the area.	Retention/Vegetated buffer strip
Campus Green	Self-retaining area	Attempt to drain rooftops, impervious parking lots, sidewalks, and walkways into adjacent landscaping.	Retention

NA = not applicable
NOTE: Additional source control BMPs are applicable and should be selected as final designs are developed.

HWQ-5 Following completion of Project construction, CSU/SDSU, or its designee, shall develop an Operation and Maintenance Plan requiring that permanent design stormwater pollution control BMPs be maintained throughout project operation. Maintenance activities included in the Plan shall include removal of accumulated sediment and trash, thinning of vegetative brush in biotreatment swales, and maintaining the appearance and general status of the vegetation. The Operation and Maintenance Plan shall include:

- Responsibilities for managing all stormwater BMPs;
- Employee training programs and duties to ensure compliance;
- Operation/routine service schedule (annual inspection of facilities shall occur at a minimum);
- Maintenance frequency;

- Specific maintenance activities (including maintenance of stormwater conveyance stamps); and
- Copies of resource agency permits.

HWQ-6 During Project design, CSU/SDSU, or its designee shall design the Project to ensure no net increase of surface runoff would result once the Project is operational. Project design features shall include directing drainage from rooftops, impervious parking lots, sidewalks, and walkways to adjacent landscaping, if feasible, in order to filter and infiltrate stormwater runoff.

3.4.3 Findings

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

3.5 NOISE

3.5.1 Potential Significant Impacts

Construction activities at the Project site could (i) expose persons to or generate noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies, or (ii) result in a substantial temporary or periodic increase in existing ambient noise levels. This is considered a potentially significant impact.

Although exterior noise levels on the Project site will be acceptable, interior noise levels may be potentially significant. Additionally, existing land uses adjacent to the Project site may be exposed to outdoor mechanical equipment that generates noise levels in excess of applicable standards.

3.5.2 Mitigation Measures

NOI-1 During construction of the Plaza Linda Verde project, CSU/SDSU, or its designee, shall comply with the City of San Diego's noise ordinance criteria relative to construction activities. Therefore, construction-related activities shall be conducted between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday; construction is prohibited on Sunday and legal holidays. In

order to minimize construction-related noise and ensure that the 12-hour average sound level does not exceed 75 dB at any residence, CSU/SDSU, or its designee, shall:

- Locate noisy equipment as far as possible from the Project site boundaries and occupants of buildings.
- Install stationary equipment in enclosures.
- Equip all construction equipment, fixed or mobile, with properly operating and maintained muffler exhaust systems.
- Locate stockpile and vehicle staging areas as far as practical from residences and occupants of buildings.
- Use quieter (i.e., typically smaller) pieces of equipment while working immediately adjacent to the existing residences located west of proposed Buildings 1, 6 and 7 and the on- campus housing adjacent to proposed Buildings 4 and 5.

NOI-2 Prior to construction of Buildings 1, 2, 4, 5 and 7, CSU/SDSU, or its designee, shall conduct an interior noise study to ensure that following construction the interior noise level is mitigated to 45 dB CNEL or less. The noise study may suggest implementation of various noise abatement strategies, such as sound-rated windows and air-conditioning or mechanical ventilation.

NOI-3 During the planning and design phase, CSU/SDSU, or its designee, shall prepare mechanical equipment plans and evaluate those plans to ensure that outdoor mechanical equipment noise will not exceed the City of San Diego's noise ordinance standards for commercial and residential uses at adjacent properties. The mechanical equipment plans may identify measures, such as selecting quieter types of equipment, constructing rooftop equipment screen walls/parapets or locating the equipment within the interior portion of the sites, in order to ensure compliance with the noise ordinance.

3.5.3 Findings

The Board of Trustees finds that the above mitigation measures are feasible, are adopted, and will reduce the potential noise-related impacts of the Project to less-than-significant levels. Accordingly, the Board of Trustees finds that, pursuant to Public Resources Code section 21081, subdivision (a)(1), and State CEQA Guidelines section 15091, subdivision (a)(1), changes or

alterations have been required in, or incorporated into, the Project that mitigate or avoid the potentially significant noise-related impacts of the Project identified in the Final EIR.

3.6 ARCHAEOLOGICAL/PALEONTOLOGICAL RESOURCES

3.6.1 Potential Significant Impacts

Although the Project site already is disturbed/developed, construction-related activities associated with the Project could result in significant impacts to archaeological and paleontological resources, including Native American resources, should such resources be located on the Project site.

3.6.2 Mitigation Measures

ARCH-1 Subsequent to demolition and removal of existing structures and pavement from the Project site, CSU/SDSU, or its designee, shall retain a qualified archaeologist (i.e., one listed on the Register of Professional Archaeologists) to complete an archaeological survey of ground surfaces within the Project area. In the event the survey identifies potentially intact concentrations of prehistoric archaeological materials, focused data recovery archaeological excavations shall be undertaken prior to the commencement of construction in the area of concern. A qualified Native American representative shall be retained to observe all focused data recovery excavations, if any. The focused excavations shall characterize: horizontal and vertical dimensions; chronological placement; site function; artifact/ecofact density and variability; presence/absence of subsurface features; research potential extent; and, the integrity of the resources.

If the archaeological site is determined to be a historical resource within the meaning of CEQA Guidelines section 15064.5(a), the archaeologist shall comply with CEQA Guidelines section 15126.4(b)(3)(A), which notes that preservation in place where feasible is the preferred mitigation approach, or, alternatively, CEQA Guidelines section 15126.4(b)(3)(C), which requires preparation and adoption of a data recovery plan, as well as the submittal of all plans and studies to the California Historical Resources Regional Information Center. Alternatively, if the archaeological site qualifies as a unique archaeological resource (see CEQA Guidelines section 15064.5(c)(3)), the archaeologist shall treat the site in accordance with the provisions of Public Resources Code section 21083.2.

All excavations and excavation and monitoring reports shall be completed consistent with California Office of Historic Preservation's Archaeological Resource Management Reports: Recommended Contents and Format. The archaeological excavation and monitoring reports shall include all appropriate graphics, describing the results, analysis, and conclusions of the monitoring and excavation. All original maps, field notes, non-burial related artifacts, catalog information and final reports shall be curated at a qualified institution within San Diego County that complies with the State Historic Resource Commission's 1993 Guidelines for the curation of archaeological collections, as applicable. Grading activities may continue on other parts of the building site while mitigation is implemented.

PAL-1 Prior to commencement of Project construction, CSU/SDSU, or its designee, shall retain a qualified paleontologist. The qualified paleontologist shall coordinate with the grading and excavation contractors, act in accordance with the Society of Vertebrate Paleontology's guidelines, and monitor all on-site activities associated with the original cutting of previously undisturbed sediments of Moderate to High resource sensitivity in order to inspect such cuts for contained fossils.

In the event that the monitoring results in the discovery of potentially unique paleontological resources within the meaning of Public Resources Code section 21083.2, the qualified paleontologist will have the authority to halt excavation at that location and immediately evaluate the discovery. Following evaluation, if the resource is determined to be "unique" within the meaning of Public Resources Code section 21083.2, the site shall be treated in accordance with the provisions of that section. Mitigation appropriate to the discovered resource, including recovery, specimen preparation, data analysis, and reporting, shall be carried out in accordance with Society of Vertebrate Paleontology guidelines prior to resuming grading activities at that location. Grading activities may continue on other parts of the building site while appropriate mitigation is implemented.

Recovered fossils, along with copies of pertinent field notes, photographs, and maps, shall be deposited in an accredited paleontological collection repository. A final summary report that discusses the methods used, stratigraphy exposed, fossils collected, and significance of recovered fossils

also shall be prepared in a manner that is consistent with Society of Vertebrate Paleontology guidelines.

NA-1 If, during any phase of Project construction, there is the discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps, which are based on Public Resources Code section 5097.98, shall be taken (Cal. Code Regs., tit. 14, §15064.5(e)(1)):

1. There will be no further excavation or disturbance of the site or any nearby area reasonably susceptible to overlying adjacent human remains until:
   a. The San Diego County Coroner is contacted to determine that no investigation of the cause of death is required; and
   b. If the Coroner determines the remains to be Native American:
      (i) The Coroner shall contact the Native American Heritage Commission within 24 hours.
      (ii) The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendant from the deceased Native American; and
      (iii) The most likely descendent may make recommendations to CSU/SDSU for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code section 5097.98, or,
2. Where the following conditions occur, CSU/SDSU, or its designee, shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance (Cal. Code Regs., tit. 14, §15064.5(e)(2)):
   a. The Native American Heritage Commission is unable to identify a most likely descendant or the most likely descendant failed to make a recommendation within 24 hours after being notified by the Commission.
   b. The descendant identified fails to make a recommendation; or

c. CSU/SDSU, or its designee, rejects the recommendation of the descendant, and mediation by the Native American Heritage Commission fails to provide measures acceptable to CSU/SDSU.

3.6.3 Findings

The Board of Trustees finds that the above mitigation measures are feasible, are adopted, and will reduce the potential archaeological/paleontological-related impacts of the Project to less-than-significant levels. Accordingly, the Board of Trustees finds that, pursuant to Public Resources Code section 21081, subdivision (a)(1), and State CEQA Guidelines section 15091, subdivision (a)(1), changes or alterations have been required in, or incorporated into, the Project that mitigate or avoid the potentially significant archaeological/paleontological-related impacts of the Project identified in the Final EIR.

3.7 PUBLIC SERVICES AND UTILITIES

3.7.1 Potential Significant Impacts

As the existing water infrastructure is inadequately sized to accommodate the Project and because the Project will require additional capacity, the Project will result in a potentially significant impact to water distribution infrastructure. The Project also will likely exceed the capacity of the existing sewer mains, resulting in a potentially significant impact. Construction and operational activities associated with the Project could result in potentially significant impacts to solid waste services due to the finite amount of landfill capacity.

3.7.2 Mitigation Measures

PSF-1 Prior to occupancy of the Plaza Linda Verde Project, CSU/SDSU shall pay applicable City of San Diego water supply infrastructure connection fees and applicable fair-share capital facilities fees consistent with Government Code section 54999.3, to the extent the payment of such fees is made necessary by the Proposed Project.

PSF-2 Prior to occupancy of the Plaza Linda Verde Project, CSU/SDSU shall pay applicable City of San Diego sewer infrastructure connection fees and applicable fair-share capital facilities fees consistent with Government Code section 54999.3, to the extent the payment of such fees is made necessary by the Proposed Project.

PSF-3 During construction of the Plaza Linda Verde Project, CSU/SDSU, or its designee, shall dispose of all recyclable demolition waste products at a construction waste recycling facility. Following occupation of the Proposed Project, CSU/SDSU, or its designee, shall maintain an active recycling program to reduce solid waste generated by the project.

PSF-4 During final planning and design of each building to be constructed as part of the Plaza Linda Verde project, CSU/SDSU shall prepare a site-specific sewer study to determine the on-site wastewater improvements necessary to support the intensification of land use consistent with applicable California Building Code standards; and such improvements shall be incorporated into the final design plans.

3.7.3 Findings

The Board of Trustees finds that the above mitigation measures are feasible, are adopted, and will reduce the potential public services and utilities-related impacts of the Project to less-than-significant levels. Accordingly, the Board of Trustees finds that, pursuant to Public Resources Code section 21081, subdivision (a)(1), and State CEQA Guidelines section 15091, subdivision (a)(1), changes or alterations have been required in, or incorporated into, the Project that mitigate or avoid the potentially significant public services and utilities-related impacts of the Project identified in the Final EIR.

3.8 TRANSPORTATION/CIRCULATION AND PARKING

3.8.1 Potential Significant Impacts

Construction activities associated with the Project could result in potentially significant impacts associated with traffic circulation. Additionally, access to/from the proposed subterranean garage under Buildings 4 and 5 at the College Avenue/Lindo Paseo intersections could result in potentially significant impacts relating to the accommodation of peak hour traffic volumes.

3.8.2 Mitigation Measures

TCP-9 Prior to the commencement of construction activities, CSU/SDSU shall prepare a Traffic Control Plan ("TCP") to minimize the impacts to the surrounding roadways that may result during Project construction activities. The TCP shall include requirements that flagmen be utilized to assist in the direction of traffic when necessary, and that construction activities, including

road closures and the movement of heavy equipment, occur during off-peak periods to the maximum extent feasible.

TCP-10 College Avenue/Lindo Paseo Driveway Access Impacts. During design of the subterranean garage to be constructed below Buildings 4 and 5, CSU/SDSU shall take those steps necessary to ensure that the ultimate site plan, including any access control to the garage, is designed in a manner that ensures adequate throating and that appropriate entry-gate controls (if any) are designed to accommodate peak traffic volumes.

3.8.3 Findings

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

4.0 FINDINGS ON LESS THAN SIGNIFICANT IMPACTS

4.1 AESTHETICS AND VISUAL QUALITY

4.1.1 Less Than Significant Impacts

The Project will not have a substantial adverse effect on a scenic vista because there are no scenic vistas in the Project area, the Project site is not located in an area known for scenic vistas, and distant views are not available due to the built-up nature of the community. The Project also will not substantially damage scenic resources because there are no scenic resources in the surrounding area, as determined through the review of applicable planning documents and a field survey. Relatedly, the Project site is not located within the viewshed of a state scenic highway.

Separately, neither construction nor operation of the Project will substantially degrade the existing visual character or quality of the Project site or its surroundings. Construction-related activities and changes are short term and, therefore, considered to result in a less-than-significant impact. And, while operation of the Project will change the visual appearance of the site, the changes to building heights, architectural style, and public, private and campus views

are considered positive and not adverse. Specifically, the Project will contribute to redevelopment of the existing blighted condition by providing a coordinated, mixed-use neighborhood.

The Project will not impact recreational resources because no parks or recreation trails with views of the Project site are located within the viewshed.

4.1.2 Mitigation Measures

Consistent with State CEQA Guidelines section 15126.4(a)(3), mitigation measures are not required for effects which are not found to be significant.

4.1.3 Findings

The Board of Trustees finds that the Project will have a less-than-significant impact on scenic vistas, scenic resources, and visual character and quality; therefore, no mitigation is required.

4.2 AIR QUALITY AND GLOBAL CLIMATE CHANGE

4.2.1 Less Than Significant Impacts

With respect to air quality, the Project will not conflict with or obstruct implementation of the applicable air quality plan because the Project proposes development that is consistent with the level of growth anticipated by the City of San Diego General Plan.

Additionally, the Project will not violate any air quality standard, contribute substantially to an existing or projected air quality violation, or expose sensitive receptors to substantial pollutant concentrations. Specifically, with application of the San Diego Air Pollution Control District's ("SDAPCD") fugitive dust control and architectural coatings measures, construction-related emissions of criteria pollutants will remain below the applicable significance thresholds. Operational-related emissions also will remain below the applicable significance thresholds. The results of the carbon monoxide/hot spots analysis also demonstrate that predicted carbon monoxide concentrations will be substantially below federal and state standards, such that the Project's impacts will not be significant.

The Project will not create any objectionable odors affecting a substantial number of people, and will not result in the development of land uses that emit substantial amounts of toxic air contaminants. Therefore, impacts will be less than significant.

With respect to global climate change, the Project will not emit greenhouse gas ("GHG") emissions, either during its construction or operational phases, which will result in a potentially significant environmental impact. Instead, with incorporation of SDSU's commitment to achieve a LEED Silver rating for the Project, mobile source emission reductions attributable to federal and state regulatory efforts, and California's renewable portfolio standard, the Project's emissions will be consistent with the State's only GHG emissions reduction mandate.

4.2.2 Mitigation Measures

The mitigation measures below, while not required to mitigate any potentially significant impact, are nevertheless recommended as part of the Project approval to ensure that impacts remain less-than-significant:

AQ-1 Prior to the commencement of Project construction activities, CSU/SDSU, or its designee, shall require that the principal construction contractor comply with all applicable regulations of the San Diego Air Pollution Control District regarding construction-related emissions including, but not limited to, the following:

1. During grading activities, any exposed soil areas shall be watered twice per day. On windy days or when fugitive dust can be observed leaving the project site, additional applications of water shall be applied to maintain a minimum 12 percent moisture content. Under windy conditions where velocities are forecast to exceed 25 miles per hour, all ground disturbing activities shall be halted until the winds are forecast to abate below this threshold.

2. The contractor shall implement dust suppression techniques to prevent fugitive dust from creating a nuisance offsite. These dust suppression techniques shall include the following:

    a. Portions of the construction site to remain inactive longer than a period of three months shall be seeded and watered until grass cover is grown or otherwise stabilized.

    b. All on-site access points shall be paved as soon as feasible or watered periodically or chemically stabilized.

c. All material transported offsite shall be either sufficiently watered or securely covered to prevent excessive amounts of dust.

d. The area disturbed by clearing, grading, earthmoving, or excavation operations shall be minimized at all times. A maximum daily grading disturbance area shall be maintained at 8.7 acres or less, if possible and practical.

3. All vehicles on the construction site shall travel at speeds less than 15 miles per hour.

4. All material stockpiles subject to wind erosion during construction activities that will not be utilized within three days, shall be covered with plastic, an alternative cover deemed equivalent to plastic, or sprayed with a nontoxic chemical stabilizer.

5. Where vehicles leave the construction site and enter adjacent public streets, the streets shall be swept daily or washed down at the end of the work day to remove soil tracked onto the paved surface. Any visible track-out extending for more than fifty (50) feet from the access point shall be swept or washed within thirty (30) minutes of deposition.

6. The construction contractor shall utilize as much as possible pre-coated/natural colored building materials. Water-based or low volatile organic compounds ("VOC") coatings with a reactive organic gases ("ROG") content of 100 grams per liter or less shall be used for interior surfaces and 150 grams of VOC per liter or less for exterior surfaces. Spray equipment with high transfer efficiency, such as the electrostatic spray gun method, or manual coatings application such as paint brush, hand roller, trowel, spatula, dauber, rag, or sponge, shall be used to reduce VOC emissions, where practical.

AQ-2 Following project approval, and during the design and construction phases of the Project, CSU/SDSU shall take those steps necessary to ensure that the Plaza Linda Verde project achieves a LEED Silver rating. Included within those project design features incorporated to achieve a LEED Silver rating, CSU/SDSU shall: (i) design, construct and operate the student housing and mixed-use buildings to achieve a minimum five percent exceedance of the

2008 Title 24 energy efficiency standards; and (ii) install Energy Star appliances in the student housing units.

4.2.3 Findings

The Board of Trustees finds that the above mitigation measures are feasible, are adopted, and will ensure that air quality and global climate change impacts, as identified in the Final EIR, remain at less-than-significant levels.

4.3 HISTORICAL RESOURCES

4.3.1 Less Than Significant Impacts

Fifteen existing buildings will be directly affected by the Project. However, of these 15 buildings, four are not old enough to be considered historical resources under federal, state or local standards. While the remaining 11 buildings are old enough to meet the threshold age for listing eligibility, none of the buildings satisfy the other eligibility criteria. For example, no significant events or people that are part of our national, regional or local histories are associated with these buildings. In summary, the potential impacts to historical resources associated with development of the Project are less than significant.

4.3.2 Mitigation Measures

Consistent with State CEQA Guidelines section 15126.4(a)(3), mitigation measures are not required for effects which are not found to be significant.

4.3.3 Findings

The Board of Trustees finds that the Project will have a less-than-significant impact on historical resources; therefore, no mitigation is required.

4.4 GEOTECHNICAL/SOILS

4.4.1 Less Than Significant Impacts

The Project will result in less-than-significant impacts attributable to landslides because there are no known or suspected landslides in the Project area; additionally, the geologic formations underlying the Project site generally are not known to be attributable to landslides. The geologic formations also are excavatable with suitable construction equipment. Potential impacts associated with flood inundation, liquefaction, fault rupture, tsunami, seiche, and mudflows (once the Project is operational) also will not be significant.

4.4.2 Mitigation Measures

Consistent with State CEQA Guidelines section 15126.4(a)(3), mitigation measures are not required for effects which are not found to be significant.

4.4.3 Findings

The Board of Trustees finds that the Project will have a less-than-significant impact with respect to the above-referenced geotechnical/soils concerns; therefore, no mitigation is required.

4.5 HAZARDS AND HAZARDOUS MATERIALS

4.5.1 Less Than Significant Impacts

In light of the contemplated land uses, the Project will not create a significant hazard to the public or environment through the routine transport, use or disposal of hazardous materials. Also, because the closest airport is located approximately five miles away, the Project will not result in a safety hazard for people residing or working in the area. Finally, as the Project is not adjacent to or intermixed with wildlands, the Project will not expose people or structures to a significant risk of loss, injury or death involving wildland fires.

4.5.2 Mitigation Measures

Consistent with State CEQA Guidelines section 15126.4(a)(3), mitigation measures are not required for effects which are not found to be significant.

4.5.3 Findings

The Board of Trustees finds that the Project will have a less-than-significant impact with respect to the above-referenced hazards and hazardous materials concerns; therefore, no mitigation is required.

4.6 HYDROLOGY AND WATER QUALITY

4.6.1 Less Than Significant Impacts

Given the existing and proposed developed nature of the Project site, coupled with the fact that the Project will not result in the introduction of new wells, the Project will not substantially deplete groundwater supplies or interfere substantially with groundwater recharge. The Project also will not result in substantial on- or off-site erosion and siltation because the Project will not result in or require any modifications to the natural drainage courses to accommodate runoff.

The Project will not place structures within a designated flood area, and will not impede or redirect water flows. Finally, the Project will not be at risk of inundation by seiche, tsunami or mudflow, or at risk of flooding as a result of dam or levee failure.

4.6.2 Mitigation Measures

Consistent with State CEQA Guidelines section 15126.4(a)(3), mitigation measures are not required for effects which are not found to be significant.

4.6.3 Findings

The Board of Trustees finds that the Project will have a less-than-significant impact with respect to the above-referenced hydrology and water quality concerns; therefore, no mitigation is required.

4.7 LAND USE AND PLANNING

4.7.1 Less Than Significant Impacts

While CSU/SDSU is not subject to local government planning, the Project generally will be consistent with the City of San Diego General Plan; College Area Community Plan; City of San Diego Land Development Code; City of San Diego Transit-Oriented Design Guidelines; San Diego Multiple Species Conservation Program; College Community Redevelopment Plan; College Community Redevelopment Project - Master Project Plan; College Community Redevelopment Project - Core Subarea Design Manual; College Community Redevelopment Project Area - Third Five-Year Implementation Plan; College Area - Public Facilities Financing Plan; and, City of San Diego Bicycle Master Plan. Also, the Project will not divide an established community, and will further the preservation of the established residential neighborhoods in the vicinity by providing additional on-campus student housing.

4.7.2 Mitigation Measures

Consistent with State CEQA Guidelines section 15126.4(a)(3), mitigation measures are not required for effects which are not found to be significant.

4.7.3 Findings

The Board of Trustees finds that the Project will have a less-than-significant impact with respect to land use and planning; therefore, no mitigation is required.

4.8 NOISE

4.8.1 Less Than Significant Impacts

The Project will not expose persons to or generate excessive groundborne vibration or noise levels. The Project also will not expose people residing or working in the Project area to excessive noise levels attributable to aircraft as the Project site is located approximately three miles away from the closest airport.

Additionally, neither the near-term or long-term increases in traffic levels resulting from the Project will lead to a substantial permanent increase in ambient noise levels existing without the Project. Specifically, the Project's near-term traffic, in combination with cumulative traffic, will increase the noise along adjacent roadways by one dB CNEL or less. With Project-related traffic, the long-term increase in CNEL levels over existing conditions will be essentially the same as without the Project.

4.8.2 Mitigation Measures

Consistent with State CEQA Guidelines section 15126.4(a)(3), mitigation measures are not required for effects which are not found to be significant.

4.8.3 Findings

The Board of Trustees finds that the Project will have a less-than-significant impact with respect to the above-referenced noise concerns; therefore, no mitigation is required.

4.9 POPULATION AND HOUSING

4.9.1 Less Than Significant Impacts

The Project will not result in the displacement of substantial numbers of existing housing or people, and will not necessitate the construction of replacement housing elsewhere. Similarly, the Project will not induce population growth; rather, the Project will accommodate the population growth anticipated in the regional forecasts used to prepare housing elements, policies, land use designations, and regulatory processes. Relatedly, the Project is an infill, redevelopment project that will tie into existing infrastructure already serving the Project area.

Also, while the Project will increase the amount of commercial space on the Project site, the influx of additional employees to the area will not be significant because such growth already has been anticipated within the region.

4.9.2 Mitigation Measures

The mitigation measure below, while not required to mitigate any potentially significant impact, is nevertheless recommended as part of the Project approval to ensure that impacts associated with regional growth forecasts remain less-than-significant:

PH-1 Following approval of the Proposed Project, CSU/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 next update to the 2030 Regional Growth Forecast:

The Plaza Linda Verde Project would add 390 housing units (1,632 beds) to the existing SDSU housing inventory, thereby resulting in a net increase of 360 housing units (1,525 beds). (Thirty housing units currently existing on the Project site would be reconstructed under the Proposed Project.)

The Plaza Linda Verde Project would add approximately 90,000 gross square feet of retail space in varying sizes that would be available for commercial retail lease, thereby resulting in a net increase of 45,800 gross square feet of commercial space. (44,200 gross square feet of commercial space currently existing on the Project site would be reconstructed under the Proposed Project.)

4.9.3 Findings

The Board of Trustees finds that the above mitigation measure is feasible, is adopted, and will ensure that the Project's population and housing impacts, as identified in the Final EIR, remain at less-than-significant levels.

4.10 PUBLIC UTILITIES AND SERVICE SYSTEMS

4.10.1 Less Than Significant Impacts

Because the Project will result in a limited number of additional calls for fire and police service, and because the Project will not result in the need for new or physically altered fire and police facilities, the Project will result in less-than-significant impacts to fire and police protection. The Project also will not significantly impact school service ratios because the student housing component of the Project will not generate additional demand for elementary or secondary schooling, and schools in the Project area generally have adequate capacity to accommodate any additional students associated with the increased retail square footage.

The Project will result in a less-than-significant impact relative to the maintenance of acceptable park/recreation and library service ratios through the provision of on-campus recreational and library options. Relatedly, non-SDSU community patrons of the Project's retail component are not expected to utilize College Area parks/recreational facilities and libraries due to the temporary nature of their visits.

The Project will not significantly impact emergency medical facilities as the Project is not expected to significantly increase the annual percentage of Capulli Center patients or those requiring hospital transport. Additionally, while Project-related traffic may impact the movement of emergency vehicles, this impact will not be significant because emergency vehicles are equipped with sirens that help increase maneuverability and adequate right-of-way exists in the vicinity of Alvarado Hospital.

As the Project will comply with the wastewater treatment requirements of the Regional Water Quality Control Board, the Project will not exceed applicable wastewater treatment requirements. Additionally, the Project will not increase the demand for regional water treatment facilities, which currently are sized to accommodate the densities envisioned by City of San Diego planning documents and planned as part of the Project. The Project also will not significantly impact the use or distribution of recycled water as (i) recycled water is not available in the Project area, and (ii) the City of San Diego currently does not have plans to extend recycled water infrastructure to the College Area. With adoption of Mitigation Measures HWQ-4 and HWQ-6 (see **Section 3.4.2**), the Project will not require or result in the construction of new or expanded stormwater drainage facilities.

Based on the Urban Water Management Plans prepared by the City and County of San Diego, and the Project's consistency with forecasted growth patterns for the Project area, adequate water supplies are available to serve the Project. Relatedly, CSU's policies on energy conservation and utilities management, as well as SDSU's commitment to secure a LEED Silver rating for the Project, ensure that the Project will be water efficient and will not utilize an excessive amount of natural gas or electricity.

The Project will not result in a determination by the local wastewater treatment provider that it does not have adequate capacity to serve Project demand because the Project is consistent with the intensification of uses planned for in the region and accommodated by the local provider. Finally, the Project will comply with all applicable federal, state and local statutes and regulations related to solid waste.

4.10.2 Mitigation Measures

Consistent with State CEQA Guidelines section 15126.4(a)(3), mitigation measures are not required for effects which are not found to be significant.

4.10.3 Findings

The Board of Trustees finds that the Project will have a less-than-significant impact with respect to the above-referenced public utilities and service systems concerns; therefore, no mitigation is required.

4.11 TRANSPORTATION/CIRCULATION AND PARKING

4.11.1 Less Than Significant Impacts

The increase in volume/capacity attributable to the Project for any LOS E or worse operating freeway segment will not exceed the minimum allowable increase; therefore, the Project will not result in significant impacts under the Congestion Management Program administered by SANDAG.

Additionally, the Project will result in a less-than-significant impact relating to construction truck trips, and impacts to parking supply and demand will be less-than-significant due to the provision of approximately 500-560 new, off-street parking spaces. The Project also will not significantly impact transit facilities -- trolley or bus -- as the Project will not cause a decrease in the performance or safety levels of such facilities.

The Project will be consistent with the City of San Diego's alternative transportation plans, as established in the General Plan's Mobility Element. Relatedly, the Project will not increase, either directly or indirectly, traffic and safety hazards to pedestrians or bicyclists. No significant impacts to emergency vehicle access will result from Project implementation.

The roadway closures/street vacations identified for Montezuma Place, Hardy Avenue, and the Lindo Paseo/Alley east of College Avenue will not significantly impact traffic circulation in the Project area.

4.11.2 Mitigation Measures

Consistent with State CEQA Guidelines section 15126.4(a)(3), mitigation measures are not required for effects which are not found to be significant.

4.11.3 Findings

The Board of Trustees finds that the Project will have a less-than-significant impact with respect to the above-referenced transportation/circulation and parking concerns; therefore, no mitigation is required.

4.12 NO POTENTIAL IMPACT

The Board of Trustees finds that, based upon substantial evidence in the record, including the NOP/IS, the Project will result in no impact to the following environmental impact categories:

Agricultural Resources	• No conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance; • No conflict with existing zoning for agricultural use, or a Williamson Act contract; and • No change in the existing environment that could result in the conversion of farmland to non-agricultural use.
Biological Resources	• No substantial adverse effect on any protected species identified by the California Department of Fish and Game or U.S. Fish and Wildlife Service; • No substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service; • No substantial adverse effect on federally protected wetlands; • No substantial interference with the movement of any native resident or migratory fish or wildlife species, including wildlife corridors; • No conflict with any local policies or ordinances protecting biological resources; and • No conflict with the provisions of an adopted/approved local, regional, or state habitat conservation plan.
Mineral Resources	• No loss of availability of a known mineral resource that would be of value to the region and the residents of the state; and • No loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan.
Irreversible Commitment of Resources	• No unreasonable commitment of nonrenewable resources; • No unreasonable commitment of nonrenewable energy resources; and

- No significant potential for irreversible damage caused by an environmental accident.

5.0 FEASIBILITY OF PROJECT ALTERNATIVES

5.1 PROJECT ALTERNATIVES

The alternatives section of the Final EIR contains an analysis of alternatives to the Project, including the "No Project" alternative. (For a detailed discussion of these alternatives, please see **Section 5.0,** Alternatives, of the Final EIR.) Based on the analysis, the Board of Trustees finds as follows:

(a) The No Project Alternative

The No Project alternative, which is required by CEQA, would result in the continued occupation of the Project site by the existing land uses; in other words, the Project would not be built.

This alternative generally would avoid the Project's potentially significant impacts. However, the existing inconsistencies with the College Area Community Plan, City of San Diego General Plan, and other relevant planning documents, all of which have designated the site as a prime area for a high intensity, mixed-use redevelopment project, would remain. Additionally, elimination of the student housing component would eliminate the provision of additional on-campus housing, thereby adversely affecting efforts to meet existing and future student housing demands.

This alternative is not feasible or desirable as it would not attain any of the basic objectives of the Project, as defined in **Section 1.4**, above.

(b) The Reduced Density Alternative

Under this alternative, both the housing and retail components of the Project would be reduced by approximately 50 percent. Specifically, this alternative would include approximately 195 housing units; 38,605 net square feet of retail space; and 251-281 parking spaces.

This alternative would result in similar impacts in most impact areas when compared to the Project. However, this alternative would result in proportionally reduced impacts to transportation/circulation and parking, air quality, and public services and utilities.

This alternative is not feasible or desirable because it would not attain the basic Project objective to increase on-campus student housing options by providing new housing for approximately 1,600 additional students, and while the alternative would attain the other objectives, as defined in **Section 1.4**, above, it would do so on a substantially reduced scale.

(c) **The Former Paseo Project Alternative**

Under this alternative, the Project site would be developed as the former Paseo Project. Therefore, this alternative also would serve as the "Increased Density Alternative" because the Paseo Project proposed 470 housing units; 153,500 square feet of retail space; and, 110,000 square feet of office space.

This alternative is not feasible or desirable because it would result in proportionately greater impacts than the Project in some impact areas, including significant and unavoidable air quality impacts and increased traffic impacts, due to the increased development/density. Additionally, to the extent this alternative would not expand the Campus Master Plan boundary to facilitate comprehensive long-range planning for the campus, this alternative would not attain one of the basic objectives of the Project, as defined in **Section 1.4**, above.

(d) **University-Serving Retail Alternative**

Under this alternative, the retail component of the Project would focus exclusively on the University community rather than both the University and local community. The demographic for University-serving retail uses would include faculty/staff and students living on campus or already on campus attending or teaching classes, working, using the library, etc. University-serving retail uses would be smaller, independent businesses catering to the University community.

Because the retail component would be focused on the University, no parking facilities would be required beyond those already included in the SDSU parking inventory. Additionally, without community-serving retail uses, the alternative would generate substantially less vehicle traffic than the Project because it would be serving a segment of the public that is already on campus. As a result, this alternative would result in fewer traffic-related impacts than the Project and correspondingly fewer air emissions. As to most other impact areas, this alternative would result in impacts similar to those of the Project. However, the alternative would result in slightly reduced impacts to geotechnical/soils, water quality/hydrology, and archaeological/paleontological resources as a result of the removal of parking infrastructure.

This alternative would not attain the basic objective of the Project, as defined in **Section 1.4**, above, that the retail uses serve both the SDSU community and the surrounding College Area community at large and, therefore, this alternative is neither feasible nor desirable.

(e) **Redevelopment Agency Private Sector Alternative**

Under this alternative, a student housing and commercial/retail project would be carried out on the Project site by the private sector, rather than CSU/SDSU, in partnership with the City of San Diego Redevelopment Agency. This alternative is neither feasible nor desirable as it would be planned, approved, and developed by private and public entities other than CSU/SDSU, and it would not attain one of the basic objectives of the Project, to expand the Campus Master Plan boundary to facilitate comprehensive long-range planning for the campus, as defined in **Section 1.4**, above.

(f) **Plan Consistency Alternative**

Under this alternative, a student housing and commercial/retail project would be designed fully consistent with the goals, objectives, and policies of the City of San Diego College Area Redevelopment Plan, City of San Diego General Plan, and all other applicable local planning documents and regulations.

In order to be consistent with the City's Land Development Code, this alternative would consist of several two-story mixed-use buildings and would accommodate approximately 25 percent of the residential units included in the Project. Consistency with the City's Land Development Code, however, results in an inconsistency with the College Area Community Plan, College Community Redevelopment Plan, City of San Diego General Plan, and various other local planning documents. As a result, this alternative could be designed to be consistent with the goals, objectives, and policies of all applicable planning documents and regulations, with the exception of the Land Development Code.

To the extent this alternative would result in deviations from the Project relative to the number of student housing units and commercial/retail space to be developed, and because this alternative would not include expansion of the Campus Master Plan boundary to facilitate comprehensive long-range planning for the campus, this alternative would not attain all of the basic Project objectives, as defined in **Section 1.4**, above, and, therefore, this alternative is neither feasible nor desirable.

(g) Reduced Campus Boundary Adjustment Alternative

Under this alternative, it is assumed that the Project would be built; however, the Campus Master Plan boundary adjustment would include only the proposed development sites, rather than the larger boundary adjustment.

Potential environmental impacts under this alternative would be comparable to those of the Project. SDSU is not currently proposing any development within the proposed campus boundary adjustment area, nor does it have plans to do so in the near future. As a result, revising the proposed campus boundary adjustment to include only the development portion of the Project site would not alter the potential environmental impacts nor the significance of any impacts.

This alternative is neither feasible nor desirable as it would not include one of the fundamental components of the project, which is expansion of the Campus Master Plan boundary beyond the area of the proposed development, and, therefore, this alternative would not meet the basic Project objective to facilitate comprehensive long-range planning for the campus, as defined in **Section 1.4**, above.

5.2 ALTERNATIVES CONSIDERED BUT REJECTED: OFF-SITE ALTERNATIVES

CSU/SDSU considered four off-campus sites for potential acquisition and development as student housing/mixed-use retail.

West: This site is approximately 12.7 acres, and is located immediately adjacent to the core campus on Montezuma Road. Development of this site would require the displacement of an existing elementary school and 42 existing residential units. Additionally, a portion of the site is located in a canyon, which raises potential environmental concerns. Staff estimates the acquisition cost of this site at $20 million, plus the cost of the elementary school and relocate relocation/rebuilding costs.

South: This site is approximately 8.5 acres, and is located immediately adjacent to University Towers along Montezuma Road and extends south to Dorothy Drive between 55th Street and Campanile Drive. Development of this site would displace 65 existing single-family residences and nine apartment buildings. Displacement of the apartment buildings would remove from the market housing available for students and, therefore, would be contrary to the Project

objectives. Staff estimates the cost of acquisition of the site at $30 million plus relocation costs for the single-family residences only.

Southeast: This site is approximately 5 acres, and is located immediately adjacent to existing campus housing at the corner of College Avenue and Montezuma Road. Development of the site would displace 45 homes/fraternities. Staff estimates the cost of acquisition of the site, at $32 million.

East: This site is approximately 56.5 acres, and is located east of College Avenue, north of Montezuma Road. Development of the site would displace approximately 276 residential homes. Staff estimates the cost of acquisition of this site at $124 million plus relocation costs.

CEQA Guidelines section 15126.6 states that an EIR should consider alternate locations to the Project if an alternate location would avoid or substantially lessen the Project's significant environmental effects. In this case, relocation of the Project to another area merely would have the effect of shifting the impacts to another location, rather than avoiding or lessening potential significant impacts.

6.0 STATEMENT OF OVERRIDING CONSIDERATIONS

CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological or other benefits of the project against its unavoidable environmental risks when determining whether to approve a project. If the specific economic, legal, social, technological or other benefits of the project outweigh the unavoidable adverse environmental effects, those effects may be considered "acceptable." (State CEQA Guidelines §15093, subdivision (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. (State CEQA Guidelines §15093, subdivision (b).)

In accordance with the requirements of CEQA and the State CEQA Guidelines, the Board of Trustees finds that the mitigation measures identified in the Final EIR and the MMRP, when implemented, will avoid or substantially lessen virtually all of the significant effects identified in the Final EIR for the Plaza Linda Verde Project. However, certain significant impacts of the Project are unavoidable even after incorporation of all feasible mitigation measures. These

significant unavoidable impacts are cumulative impacts to the transportation and circulation system. (See **Section 2.0,** Findings On Significant Unavoidable Adverse Impacts Of The Project.)

The Board of Trustees finds that all feasible mitigation measures identified in the Final EIR that are within the purview of the University will be implemented with 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:

(a) CSU has identified the need to serve the higher education needs of the historically under-represented populations and cultures of the State of California, and, the Project will enable SDSU to meet projected increases in student demand for higher education by providing additional on-campus student housing and preliminarily identifying the boundary required to facilitate comprehensive long-range planning for the campus.

(b) The Project provides additional on-campus student housing, thereby reducing the demand for student housing in off-campus areas and furthering smart development principles by placing students in close proximity to academic uses.

(c) The Project creates economic growth, furthers redevelopment efforts, creates jobs, and attracts new private businesses to the College Area, thereby enhancing the existing relationship between CSU/SDSU and the local community.

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

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

(f) The Project improves overall campus design, architectural character, accessibility, image and identity by creating a high-intensity, mixed-use development designed to accommodate both campus and community users.

(g) The Project is a dense, infill development that furthers smart growth principles by avoiding sprawl, connecting to existing infrastructure, and locating compatible uses in close proximity to one another.

(h) The Project helps CSU/SDSU accommodate the demand for campus-sponsored, affordable student housing options in close proximity to the campus.

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

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