

Findings of Fact and Statement of Overriding Considerations

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

2016 Campus Master Plan California State University San Bernardino, Palm Desert Campus



Final Environmental Impact Report
State Clearinghouse # 2017011059

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Findings of Fact

1.0 INTRODUCTION

1.1 Purpose

This statement of Findings of Fact addresses the environmental effects associated with the California State University, San Bernardino (CSU San Bernardino) 2016 Campus Master Plan (Master Plan) project located on the CSU San Bernardino Palm Desert Campus in Palm Desert, California. These Findings are made pursuant to the California Environmental Quality Act (CEQA) under Sections 21081 and 21081.6 of the Public Resources Code and Sections 15091 of the CEQA Guidelines, Title 14, Cal. Code Regs. 15000, et. seq. The potentially significant impacts were identified in both the Draft Environmental Impact Report (EIR) and the Final EIR, as well as additional facts found in the complete record of proceedings.

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

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

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

Section 15093 of the CEQA Guidelines states that:

- a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal,

social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

- b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the Final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the Final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.
- c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091. As required by CEQA, the Board of Trustees, in adopting these findings, also adopts a Mitigation Monitoring and Reporting Program for the project. The Board of Trustees finds that the Mitigation Monitoring and Reporting Program, which is incorporated by reference and made a part of these findings, meets the requirements of Section 21081.6 of the Public Resources Code by providing for the implementation and monitoring of measures intended to mitigate potentially significant effects of the project.

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

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

1.2. Organization and 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 discusses the CEQA finding of independent judgment. Section 3.0 identifies the impacts of the project that were studied in the EIR. Section 3.1 of these Findings identifies the significant impacts of the project that cannot be mitigated to a less than significant level, even though all feasible mitigation measures have been identified and incorporated into the project.

Section 3.2 identifies the potentially significant effects of the project that would be mitigated to a less than significant level with implementation of the identified mitigation measures. Section 3.3 identifies the project's potential environmental effects that were determined not to be significant and, therefore, do not require mitigation measures. Section 4.0 discusses the feasibility of project alternatives. Section 5.0 discusses findings with respect to mitigation of significant adverse impacts, and adoption of the Mitigation Monitoring Program (MMP).

1.3 Summary of Project Description

The project is the adoption and implementation of the California State University, San Bernardino (CSUSB or University), Palm Desert Campus (PDC) 2016 Campus Master Plan (Master Plan). The Palm Desert campus currently serves as an off-campus center for the California State University San Bernardino main campus and helps to reinforce the University's mission and its educational processes. The current Master Plan, adopted in 2000, provided for campus facilities accommodating up to 2,500 full-time equivalent (FTE) students. The 2016 Master Plan provides a framework for implementation of the University's goals and programs, by identifying needed facilities and improvements to accommodate a gradual growth in student enrollment projected to reach 8,000 FTEs by 2035.

To accommodate the projected future campus student enrollment within the new framework, the Master Plan provides for campus development with approximately 1.21 million gross square feet of needed new facilities and improvements over the next 20 years. The future development focuses on the facilities needed by the University's academic programs; campus life programs, including student housing, recreation, and facilities maintenance; and campus infrastructure, including parking.

Academic Facilities: To accommodate the projected future campus student enrollment, the Master Plan calls for the development of 8 to 10 new academic buildings of approximately 408,000 square feet over the next 20 years. The buildings will be strategically placed within the core campus area along a new pedestrian promenade to create a more dense walkable campus.

In addition to instructional buildings, the 2016 Master Plan provides for the following core facilities needed to create a fully functioning campus – in particular, a campus that fully supports and attracts students.

Library/Media Center with approximately 71,000 square feet of space made available to students and faculty. The library will be located near the Coyote Plaza and will provide study areas, computer lounges, information resources, food service, meeting rooms, faculty and student offices, and other instructional space for the University's academic programs.

Student Housing providing approximately 616 beds in new residence halls. In general, a basic residence hall unit will consist of a double bedroom but to provide greater flexibility, each residence hall pod or wing will also include single bedrooms for resident advisors. Each wing will also have its own study room and will share a lounge/ living room space with its associated adjacent wing. The new student housing will be supported with nearby dining halls, student support spaces, and other amenities. Since there is more than adequate land available for major campus facilities, student housing could be increased if demand warranted.

Student Union and Dining Commons with approximately 75,000 square feet will provide meeting space, food services, student meeting rooms, student lounge and club rooms, a bookstore, and other related student support functions.

Student Education and Wellness Center with approximately 105,000 square feet of physical education space located at the eastern end of the pedestrian promenade, to serve both physical education programs, such as Kinesiology and Gerontology, as well as student recreation needs. The center will include a physical education building with gymnasium, lockers, workout rooms, faculty offices and a Student Recreation/Wellness building with fitness rooms, weight rooms, dance, an outdoor pool and other exercise facilities that support student health and wellness.

Physical Education Facilities with playfields provided in two locations: two soccer fields and a future track/soccer field with bleachers near the Physical Education center; and in an area north of Berger Circle Drive that will include two additional soccer fields, regulation size baseball and softball fields, and tennis courts.

Administrative and Maintenance Facilities: Approximately 130,000 square feet of instructional, administrative and maintenance facilities are planned to serve the growing student population and the new facilities, including a new, approximately 26,500 square-foot physical plant on campus.

Parking: Approximately 4,000 new parking spaces are planned to be located to the north and south of the campus core, generally keeping vehicles to the periphery of the campus while allowing easy access into the pedestrian areas of the campus. The Master Plan provides for parking in surface lots and for parking structures to be constructed on those surface lots in the future.

Open Space and Landscape: The Master Plan identifies principal landscape zones that collectively contribute to the overall organization and open space structure of the campus providing some of the primary character-defining qualities of the campus. The landscape zones include primary and secondary gateways, streetscapes, plazas, pedestrian promenades, quads and corridors and athletic facilities. As a whole, the goal is to create a holistic and consistent open space environment that unifies, connects, and brands the student, faculty, staff, and visitor experience of the Palm Desert campus to create an attractive, distinctly memorable unique sense of place. This includes a centralized pedestrian promenade which connects the Cook Street entry to the eastern campus edge and athletic facilities.

Open space is planned with covered shading to provide shelter from heat and seasonal desert wind. Architectural design guidelines such as using dense land use strategies, group buildings, and providing pedestrian-oriented open space and integrated outdoor space are used to provide protection from intense heat. Strategies to improve outdoor thermal comfort include shade trees, wind breakers, evaporative cooling towers, and green surfaces in walls, floors, and roofs. The network of strategies will be organized so that they provide cooler areas in multiple locations along outdoor spaces by combining these strategies.

Infrastructure: The Master Plan provides for campus infrastructure that includes roadways, parking, and utilities. This includes pedestrian and bicycle networks that will serve as a unique organizing spine of the campus with a variety of pedestrian oriented amenities such as solar shade structures, sheltered study pavilions, enhanced landscape, periodic food carts or venues, shaded seated areas equipped with Wi-Fi which, together with the entry lobbies of new academic buildings, will create a vibrant active link through the campus core. The Master Plan also provides for modifications and augmentations of the campus utilities systems to serve the new facilities.

Connectivity: The Master Plan provides for a number of improvements to better connect the campus internally and with the surrounding neighborhood and community. Connectivity improvements include supporting the use of public transit by continuing to provide shuttle connections, bus stops and parking for University and regional transit vehicles; enhancing campus entries and roadways to improve the flow of on-campus traffic; adding parking facilities to better accommodate on-campus traffic; organizing a pedestrian pathway system to create a more integrated and aesthetically-pleasing campus; restructuring bicycle routes through the campus and identifying bicycle and pedestrian zones that increase safety and functionality; and improving signage and wayfinding to make it easier for visitors to navigate throughout the campus.

1.4. Project Objectives

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

The main objective of the Master Plan is to guide the development of the Palm Desert campus (PDC) over the next 20 years to accommodate gradual student enrollment growth to 8,000 (FTE) students while reinforcing the University's strengths and supporting the University's mandate to provide high-quality education to a larger student body. To do so, the Master Plan creates a physical campus environment that facilitates the University's ability to achieve the following objectives:

- Provide academic facilities and accommodate campus growth to a capacity of 8,000 FTE students
- Support students, faculty and staff with appropriate learning, research, recreation and administrative facilities
- Serve as a regional center for intellectual, cultural and life-long learning
- Reinforce the CSUSB's active learning focus by providing opportunities for interactions and collaborations among students, faculty, staff and the greater community
- Support the creation of a range of student learning/research/business incubator type spaces through public-private and public-public partnerships
- Continue to collaborate with local institutions to fully integrate the campus into the physical, social, economic fabric of the local community
- Attract international students to the PDC
- Reinforce positive intrinsic features of the PDC campus site including views to the Indio Hills to the northeast and views of the campus from the I-10 freeway and from off-campus neighborhoods
- Make efficient use of developable campus land and preserve a balance between built-up areas and open space
- Create a series of campus outdoor spaces framed by buildings and protected from extremes of sun and wind that facilitate student interaction, student learning and passive recreation
- Provide appropriate facilities for informal and organized recreation and intercollegiate athletics
- Provide facilities for campus-based and campus controlled student housing to support the campus life and learning experiences for the full range of university students
- Support the creation of residential learning communities on the campus; support the continued use of the campus by commuting students
- Serve as an accessible, safe and attractive campus for students, staff, faculty and the community
- Promote social and economic equity, provide for a range of ways for students and the community to access the campus and its facilities including public transportation and distance learning
- Conserve natural resources while creating and fostering an environmentally, socially and economically sustainable physical and operational campus
- Through a comprehensive approach to sustainability, deepen the stewardship of Palm Desert Campus landscape resources and the local natural environment

1.5. Environmental Review Process

Initial Study and Notice of Preparation: In accordance with the requirements of CEQA and the CEQA Guidelines, to determine the number, scope and extent of environmental issues, the Notice of Preparation (NOP) of the Draft Environmental Impact Report was circulated for public review for a period of 30 days, beginning on January 25, 2017 and ending on February 23, 2017. The University also held a public meeting on February 9, 2017 to receive comments on the Initial Study. No comments were received at the meeting.

Draft EIR: In accordance with the requirements of CEQA and the CEQA Guidelines, a Draft EIR was prepared to address the potential significant environmental effects associated with the 2016 Campus Master Plan project identified during the NOP process. Based on the NOP and Initial Study scoping process, the EIR addressed the following potential potentially significant environmental issues:

- Aesthetics
- Biological Resources
- Cultural Resources, including Tribal Cultural Resources
- Traffic and Circulation
- Air Quality and Greenhouse Gases (GHG)
- Noise
- Fire and Police Protection Services
- Utilities and Service Systems
- Construction Effects
- Long-term and Cumulative Effects

The Draft EIR was released for public and agency review 45-day period, from October 12, 2017 to November 27, 2017. The University also held a public meeting on November 15, 2017 to provide the public an opportunity to comment on the adequacy of the information presented in the Draft EIR. No comments were received at the meeting. During the Draft EIR public review period, the University received three comment letters, and a letter from the State Clearinghouse acknowledging compliance with its review requirements for draft environmental documents.

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

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

Pursuant to Section 15132 of the State CEQA Guidelines, the Final EIR consists of the following:

- (a) The revised Draft EIR, including all of its appendices.
- (b) A list of persons, organizations, and public agencies commenting on the Draft EIR.
- (c) Summaries of all oral comments received on the Draft EIR and responses to those comments.

- (d) Copies of all letters received by the University during the Draft EIR public review period and responses to the comments
- (e) Any other information added by the Lead Agency.

2.0 CEQA FINDING OF INDEPENDENT JUDGMENT

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

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

3.0. FINDINGS OF FACT

3.1 Environmental Effects of the Project which are Considered Unavoidable Significant Impacts

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

- Project-specific and cumulative traffic impact on I-10 freeway
- Project-specific and cumulative operational air quality impact
- Project-specific and cumulative traffic noise impact at two study roadway segments along Frank Sinatra Drive, between Portola Avenue and Cook Street and between Cook Street and Gerald Ford Drive
- Short-term and intermittent construction-related project-specific and cumulative air quality and noise impacts

Summary of Project-Specific and Cumulative Traffic Impact on I-10 freeway

An evaluation of the project-specific and cumulative impact on I-10 freeway associated with the project is found in Section 3.4, Traffic and Circulation, of the Final EIR.

Traffic associated with the Master Plan and future area-wide traffic growth will result in a significant impact at the following locations:

I-10 Westbound

- Washington Street On-Ramp to Cook Street Off-Ramp (AM and PM peak hours)
- Cook Street Off-Ramp (AM and PM peak hours)
- Cook Street Loop On-Ramp (PM peak hour)
- Cook Street Slip On-Ramp (PM peak hour)
- Cook Street Slip On-Ramp and Portola Avenue Off-Ramp (AM and PM peak hours)

I-10 Eastbound

- Portola Avenue On-Ramp to Cook Street Off-Ramp (AM and PM peak hours)
- Cook Street On-Ramp (AM and PM peak hours)
- Cook Street On-Ramp to Washington Street Off-Ramp (AM and PM peak hours)

Mitigation Measures

To mitigate the identified significant impacts to the freeway mainline segments would require a complete reconstruction of the I-10 freeway to add travel lanes and upgrade the deficient ramp locations. Since the freeways in the study area are interconnected systems, it would not be possible, nor effective, to provide isolated spot improvements of one segment of the freeway where deficient operations are observed.

An additional mixed-flow travel lane has been proposed in both directions along I-10 between Monterey Avenue and Dillon Road according to the 2012 SCAG Regional Transportation Plan (RTP), but is no longer proposed under the 2016 SCAG RTP. These lanes would improve traffic conditions along the corridor, but according to Caltrans methodology and impact thresholds the corridor operations would continue to be deficient. Therefore, this impact is considered to be significant.

Findings

The Board of Trustees finds that the project-specific and cumulative impact the I-10 freeway will remain significant and unavoidable. Pursuant to Section 21081(a)(3) of the Public Resources Code, as described in the Statement of Overriding Considerations, the Board of Trustees has determined that specific economic, legal, social, technological, or other benefits, make infeasible the alternatives identified in the EIR and the identified project-specific and cumulative impact on the I-10 freeway is thereby acceptable because of specific overriding considerations (see Statement of Overriding Considerations).

Summary of Project-Specific and Cumulative Impact on Air Quality

An evaluation of the project-specific impact on air quality associated with the project is found in Section 3.5, Air Quality and Greenhouse Gases (GHG), of the Final EIR. An evaluation of the cumulative impacts associated with the project is found in Section 4.0, Cumulative and Long-Term Effects, of the Final EIR.

The implementation of the Master Plan together with future growth within the surrounding areas and the region will result in additional vehicle trips and the resultant air pollutant emissions within the South Coast Air Basin. Operational emissions, primarily from vehicular trips associated with growth in student enrollment, will exceed the SCAQMD daily threshold amount for NOx.

Mitigation Measures

The Master Plan provides for continuing use of the campus for educational purposes to accommodate planned future area-wide growth in student population. The Master Plan will provide student housing on campus, which will work to reduce student commuter trips on the existing roadway networks. The Master Plan is consistent with SCAG's growth projections and land use policies, including the policies of focusing growth and development within urban areas, encouraging infill development, and encouraging sustainable development that contributes to reducing adverse air quality and GHG impacts. The University implements, and will continue to implement pursuant to the Master Plan numerous programs and policies to improve air quality in the region, including providing housing for more than 600 students on campus that reduce commute trips and

the associated air pollutant emissions, and minimizing energy use through project design, increased efficiencies equivalent to the LEED gold standard in new facilities, use of renewable energy sources, and improving walkability design and pedestrian network on campus. Therefore, the Master Plan is both supportive of the regional air quality management plan (AQMP) goals and objectives and consistent with the AQMP. In addition, the following measures will be implemented:

- Consider the use of electric leaf blowers
- Consider providing the appropriate infrastructure to facilitate sufficient electric charging for vehicles to plug-in by installing 240-Volt electrical outlets or Level 2 chargers in parking lots enabling charging of NEVs and/or battery powered vehicles

However, since the emissions of NO_x could exceed the SCAQMD daily threshold amounts, this impact is considered to be significant.

Findings

The Board of Trustees finds that while the project is supportive of and consistent with the regional AQMP, no additional direct feasible mitigation measures are available to reduce the project-specific and cumulative air quality impact below the SCAQMD daily threshold amounts and project-specific and cumulative impact on air quality will remain significant and unavoidable. Pursuant to Section 21081(a)(3) of the Public Resources Code, as described in the Statement of Overriding Considerations, the Board of Trustees has determined that specific economic, legal, social, technological, or other benefits, make infeasible the alternatives identified in the EIR and the identified project-specific and cumulative air quality impact is thereby acceptable because of specific overriding considerations (see Statement of Overriding Considerations).

Summary of Project-Specific and Cumulative Traffic Noise Impact along Frank Sinatra Drive, from Portola Avenue to Cook Street and from Cook Street to Gerald Ford Drive

An evaluation of the project-specific and cumulative traffic noise impact associated with the project is found in Section 3.6, Noise, of the Final EIR.

The implementation of the Master Plan together with future growth within the surrounding areas and the region will result in additional vehicle trips and overall increase in traffic noise levels. At buildout, the project's contribution to the noise level, together with the long-term regional growth, will result in a cumulative increase in noise levels ranging from 0.4 dBA to 4.9 dBA. The increase in noise levels will result in a significant cumulative noise impact at two study roadway segment along Frank Sinatra Drive, from Portola Avenue to Cook Street and from Cook Street to Gerald Ford Drive.

Mitigation Measures

No direct feasible mitigation measures are available to reduce the cumulative noise impact along Frank Sinatra Drive, from Portola Avenue to Cook Street and from Cook Street to Gerald Ford Drive, since most of the residential areas already have 6- to 8-foot noise barriers in place to help reduce traffic noise. Therefore, the project-specific and cumulative noise impact is considered significant.

Findings

The Board of Trustees finds that no direct feasible mitigation measures are available to reduce the cumulative

traffic noise impact along Frank Sinatra Drive, from Portola Avenue to Cook Street and from Cook Street to Gerald Ford Drive, and this impact will remain significant and unavoidable. Pursuant to Section 21081(a)(3) of the Public Resources Code, as described in the Statement of Overriding Considerations, the Board of Trustees has determined that specific economic, legal, social, technological, or other benefits, make infeasible the alternatives identified in the EIR and the identified cumulative traffic noise impact along Frank Sinatra Drive, from Portola Avenue to Cook Street and from Cook Street to Gerald Ford Drive is thereby acceptable because of specific overriding considerations (see Statement of Overriding Considerations).

Summary of Short-term and Intermittent Construction-related (Project-Specific and Cumulative) Air Quality Impact and Noise Impact

An evaluation of the construction effects associated with the project is found in Section 3.9, Construction Effects, of the Final EIR.

Short-term and intermittent construction-related project-specific and cumulative air quality

The Master Plan involves phased construction of structures, grading, and other site preparation activities. All construction activities will proceed in compliance with the South Coast Air Quality Management District (SCAQMD) rules and regulations, including Rule 403 – Fugitive Dust and Rule 403.1 – Supplemental Fugitive Dust Control Requirements for Coachella Valley Sources. The short-term peak day construction emissions associated with construction of future campus facilities and improvements will be above the SCAQMD threshold amount for ROG. If construction of major campus facilities and/or improvements should substantially overlap with construction of some of the future off-campus development projects, the peak day cumulative construction emissions may also be above SCAQMD threshold amounts for other pollutants as well. Mitigation measures have been identified to reduce this impact.

Short-term and intermittent construction-related project specific noise

Construction activities will result in a temporary increase in ambient noise levels in the vicinity of each individual construction site. These temporary noise levels will not be continuous but will vary as equipment is used for varying lengths of time throughout the construction period. While high levels of construction noise usually are limited to the immediate vicinity of construction activities, since construction of some new facilities and improvements could be audible at the nearby at the nearby campus facilities or other campus sensitive uses, mitigation measures have been identified to reduce this impact.

Mitigation Measures

Air Quality and GHG

All construction activities will proceed in compliance with the SCAQMD Rule 403 – Fugitive Dust and Rule 403.1 – Supplemental Fugitive Dust Control Requirements for Coachella Valley Sources, which includes preparation of a Fugitive Dust Control Plan. Following the SCAQMD approval, the Plan will be implemented throughout the construction period. The Plan will specify the Best Management Practices and control measures that will be used during construction, such as watering exposed surfaces; applying soil stabilizers to disturbed inactive areas; quickly replacing ground cover in inactive areas; covering all stockpiles with tarps or plastic sheeting; watering all unpaved haul roads; reducing speed on unpaved to below 15 miles per hour; and ceasing grading and other high-dust activities during high wind conditions, among many others.

In addition, the University will implement the following mitigation measures to reduce identified significant impacts by imposing conditions on the construction contractor.

1. Diesel particulate filters are installed on diesel equipment and trucks.
2. All construction equipment will be properly tuned.
3. To reduce emissions from idling, the contractor will ensure that all equipment and vehicles not in use for more than 5 minutes are turned off, whenever feasible.
4. Architectural coatings with no more than 50 grams/liter of VOC that are in compliance with SCAQMD Rule 1113 – Architectural Coatings, will be utilized.
5. Construction of new facilities will utilize materials that do not require painting or will utilize pre-painted construction materials to the extent feasible.
6. Low VOC-content asphalt and concrete will be utilized to the extent possible.
7. The University will continue to comply with SCAQMD Rule 1403 (Asbestos Emissions from Renovation/Demolition Activities) and other pertinent regulations when working on structures containing asbestos, lead, or other toxic materials.

The University will implement the following measures to protect students present at campus.

8. As appropriate, outdoor activities at the campus will be limited during high-dust and other heavy construction activities, including painting.
9. Throughout the construction period of individual facilities and improvements in close proximity to student residence halls, campus academic facilities, health and wellness facilities, and/or other sensitive uses on campus, ventilation systems in those facilities will be tested more frequently to provide for the maintenance schedule that ensures proper ventilation.

Noise

1. Construction hours will be consistent with City of Palm Desert regulations, which prohibit construction activities on weekdays from 5:30 PM to 7:00 AM from October to April, and from 7:00 PM to 6:00 AM from May to September. Construction is prohibited from 5:00 PM to 8:00 AM on Saturdays, and is not allowed on Sundays and government holidays.
2. Muffled heavy construction equipment will be used.
3. Construction staging areas will be located as far as possible from student residence halls, campus academic facilities, health and wellness facilities, and other places where students gather.
4. The contractor will ensure that each piece of operating equipment is in good working condition and that noise suppression features, such as engine mufflers and enclosures, are working and fitted properly.
5. The contractor will locate noisy construction equipment as far as possible from nearby sensitive uses.

Findings

The Board of Trustees finds that even with the incorporation of the identified mitigation measures short-term and intermittent, construction-related (project-specific and cumulative) air quality impact and project-specific noise impact will remain significant and unavoidable. Pursuant to Section 21081(a)(3) of the Public Resources Code, as described in the Statement of Overriding Considerations, the Board of Trustees has determined that specific economic, legal, social, technological, or other benefits, make infeasible the alternatives identified in the EIR and the identified short-term, intermittent, construction-related project-specific and cumulative air quality impact, and project-specific noise impact are thereby acceptable because of specific overriding considerations (see Statement of Overriding Considerations).

3.2 Environmental Effects Evaluated in the Final EIR Which Can Be Avoided or Substantially Lessened to Less Than Significant Levels with Implementation of the Identified Mitigation Measures

This section identifies significant adverse impacts of the project that require findings to be made pursuant to Section 21081 of the Public Resources Code and Section 15091 of the CEQA Guidelines. Based on information in the Final EIR, the Board of Trustees finds that, based upon substantial evidence in the record, adoption and implementation of the mitigation measures set forth below will reduce the identified significant impacts to less than significant levels. Based on the analysis contained in the Final EIR, the following impacts have been determined to be impacts that can be reduced to less than significant levels with implementation of the mitigation measures set forth below:

- Impact on potentially inadvertently discovered paleontological and archaeological resources and Native American and/or tribal cultural resources
- Project-specific and cumulative traffic impact on Cook Street and University Park Drive/Berger Drive
- Construction-related impact on solid waste facilities and hazardous waste
- Short-term and intermittent construction-related traffic effects

Impact on potentially inadvertently discovered archaeological resources

An evaluation of impacts on archaeological resources associated with the project is found in Section 3.3, Cultural Resources, of the Final EIR.

The California Historical Resources Information Systems (CHRIS) records search identified 7 previously recorded cultural resources within a 0.5-mile radius of the project area with none of these resources located within the project area. The CHRIS records search also identified two cultural resource studies conducted within the project area. Both studies were archaeological survey results reports: one was conducted in 1994 for the Cook Street improvement project, and the other was conducted in 1997 for the CSU San Bernardino Coachella Valley Campus original campus' Master Plan. Resources identified in these archeological surveys area appear to be ineligible for the CRHR and they do not represent unique archaeological resources. In addition to record searches, an intensive-level pedestrian survey of the Master Plan planning area was conducted which included examination of the ground surface for the presence of prehistoric artifacts. The survey identified two archaeological sites, five isolate resources, and one built resource. The archaeological sites consisted of historic refuse dumps containing exclusively residential refuse; the isolate resources consisted exclusively of historic metal cans; and the built resource consisted of a derelict irrigation pipe system. All these sites do not meet the minimum criteria to be considered eligible for the CRHR, and they do not represent unique archaeological resources.

As none of the resources identified within the project area are eligible for the CRHR, the campus development pursuant to the Master Plan will not impact known archaeological resource. However, mitigation measures are identified to minimize any potential impact associated with previously unknown archaeological resources.

Mitigation Measures

1. If previously unknown archaeological resources are encountered during any phase of construction of the future planned facilities and improvements, the following measures will be implemented:

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

Findings

The Board of Trustees finds that the above mitigation measures are feasible, are adopted, and will reduce the potential impact on archaeological resources, including potentially inadvertently discovered resources, to less than significant levels. Accordingly, the Board of Trustees finds that, pursuant to Section 21081(a)(1) of the Public Resources Code and Section 15091(a)(1) of the CEQA Guidelines, changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the potentially significant impact on potentially inadvertently discovered resources as identified in the Final EIR.

Impact on potentially inadvertently discovered Native American and/or Tribal Cultural Resources

An evaluation of the Native American and tribal cultural resources impacts associated with the project is found in Section 3.3, Cultural Resources, of the Final EIR.

A Native American Heritage Commission (NAHC) Sacred Lands Files search did not identify the presence of Native American cultural resources within the project area. However, since the Native American contact program resulted in information that the project area could have a high sensitivity for tribal cultural resources, mitigation measures have been identified to ensure that future campus development pursuant to the Master Plan will not significantly affect the previously unknown Native American and /or tribal cultural resources.

Mitigation Measures

2. If previously unknown Native American cultural resources or tribal cultural resources are encountered during any phase of construction of the future planned facilities and improvements, the following measures will be implemented:
 - 2.1 All work in the immediate vicinity of the find (within a 60-foot buffer) will cease and (1) a qualified archaeologist meeting the Secretary of Interior (SOI) standards will assess the find, and (2) Agua Caliente Band of Cahuilla Indians will be contacted and provided information about the find and invited to perform a site visit when the archeologist makes the assessment to provide Tribal input.
 - 2.2 If significant Native American resource is discovered and avoidance cannot be ensured, an SOI-

qualified archeologist will be retained to develop a cultural resources Treatment Plan, as well as a Discovery and Monitoring Plan, which will be provided to the Agua Caliente Band of Cahuilla Indians for review and comment.

2.3 All in-field investigations, assessments, and/or data recovery enacted pursuant to the final Treatment Plan will be monitored by the Agua Caliente Band of Cahuilla Indians Tribal Participant(s).

2.4 The University will consult in good faith with Agua Caliente Band of Cahuilla Indians on the dispositions and treatment of any artifacts or cultural resources encountered during any phase of construction of the future planned facilities and improvements.

2.5 If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and Public Resources Code Section 5097.98 and that code enforced for the duration of the project.

Findings

The Board of Trustees finds that the above mitigation measures are feasible, are adopted, and will reduce the potential impact on potentially inadvertently discovered Native American and tribal cultural resources to less than significant levels. Accordingly, the Board of Trustees finds that, pursuant to Section 21081(a)(1) of the Public Resources Code and Section 15091(a)(1) of the CEQA Guidelines, changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the potentially significant impact on potentially inadvertently discovered Native American and tribal cultural resources as identified in the Final EIR.

Impact on potentially inadvertently discovered paleontological resources

An evaluation of the paleontological resources impacts associated with the project is found in Section 3.3, Cultural Resources, of the Final EIR.

A paleontological records search obtained from the LACM did not find any documented fossil localities within the campus project area. The closest fossil locality, a specimen of a horse, was found in somewhat similar deposits approximately 10 miles away from the project area, on the northwest side of Edom Hill near Seven Palms Valley. Because of the established record of fossil perseveration, the older Pleistocene sediments that may be present in the subsurface of the project area, have high paleontological sensitivity. This means that there is a possibility that scientifically significant fossil specimens could be uncovered by construction activity in the project area. Therefore, mitigation measures have been identified to ensure that future campus development pursuant to the Master Plan will not significantly affect previously unknown paleontological resources.

Mitigation Measures

3. No mitigation measures are recommended for areas mapped as Holocene alluvium (Qa) or wind-blown deposits (Qs) for shallow excavations, less than 5 feet deep. Paleontological monitoring is recommended at locations where construction excavation in these deposits will exceed a depth of 5 feet deep and might

impact underlying sediments with high paleontological sensitivity. As construction proceeds at any given location within the project area, the Project Paleontologist may re-evaluate the sensitivity of the subsurface and the level of monitoring required (for example, after 25% of the excavation work has been completed). Without the presence of certain fossil taxa, it is generally infeasible to determine the age of sediments (Holocene versus Pleistocene) in the field with any degree of accuracy. Therefore, decisions concerning the depth at which paleontological monitoring is warranted are necessarily based on geologic observations, inference, and the possible paleontological sensitivity in relation to depth.

- 3.1 A professional paleontologist will be retained by the University to develop a Paleontological Mitigation and Monitoring Plan for the project.
- 3.2 Based on the results of this analysis, there are no fossils on the ground surface within the project area, and only a low likelihood that fossils are present in the shallow subsurface. Construction activities that exceed a depth of 5 feet will have a higher likelihood of adversely impacting scientifically significant paleontological resources. Therefore, excavations that exceed 5 feet in depth throughout the project area will be monitored for paleontological resources by a qualified paleontologist, in accordance with the professional standards of the SVP (2010). Should the monitoring results of initial project work (i.e., after 25% of excavation work is completed at any given location within the project area) indicate that the paleontological sensitivity of the subsurface sediments within that portion of the project area is lower than anticipated, the monitoring level of effort will be decreased accordingly, as determined by the Project Paleontologist. If the monitoring results indicate that the paleontological sensitivity of the subsurface sediments within portions of the project area are higher than anticipated, the monitoring level of effort will continue or increase accordingly.
- 3.3 If any subsurface fossils are encountered during construction and a paleontological monitor is not present, a qualified paleontologist will be notified immediately, and work in the immediate area (within 50 feet) of the discovery will cease until the significance of the discovery can be evaluated.

Findings

The Board of Trustees finds that the above mitigation measures are feasible, are adopted, and will reduce the potential impact on potentially inadvertently discovered paleontological resources to less than significant levels. Accordingly, the Board of Trustees finds that, pursuant to Section 21081(a)(1) of the Public Resources Code and Section 15091(a)(1) of the CEQA Guidelines, changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the potentially significant impact on potentially inadvertently discovered paleontological resources as identified in the Final EIR.

Short-term and intermittent Construction-related Traffic and Solid Waste Impacts

An evaluation of the construction related impacts associated with the project is found in Section 3.9, Construction Effects, of the Final EIR.

Traffic: Construction activity will add trucks and construction equipment to streets in the area. Haul trucks and heavy equipment usually travel more slowly than other traffic on the street network and require more time to enter and exit traffic flows. When heavy equipment enters or exits a construction site, it may interrupt vehicular or pedestrian traffic. Construction activities on campus will involve the use of trucks, usually for short periods of time, to haul away demolition and construction debris and deliver construction materials. These trucks and equipment may cause localized congestion at some locations in the surrounding area, which

is a potentially significant impact if not properly mitigated.

Due to the pedestrian character of the campus with students walking from one building to another throughout the day, construction activity for specific facilities could adversely affect pedestrian flows in some areas of the campus. Construction activities may also temporarily affect bus and bicycle circulation routes on campus.

Solid Waste: Construction of new facilities and associated infrastructure improvements will generate construction materials waste. Even though the construction of individual campus facilities and infrastructure improvements will be phased over the 20-year span of the Campus Master Plan - thus representing relatively small amount of construction at any given time which do not involve massive construction activities that could generate significant amounts of solid waste, mitigation measures have been identified to reduce this potential impact. As future campus development pursuant to the Master Plan will not affect existing buildings on campus, there will be no disposal of demolition materials that may contain hazardous substances.

Mitigation Measures

Traffic

1. A flag person will be employed as needed to direct traffic when heavy construction vehicles enter the campus
2. Construction trucks will avoid travel on residential areas to access campus and use the City of Palm Desert designated truck routes to travel to and from campus.
3. Construction-related truck traffic will be scheduled to avoid peak travel time on the I-10 freeway as feasible.
4. If major pedestrian or bicycle routes on campus are temporarily blocked by construction activities, alternate routes around construction areas will be provided, to the extent feasible. These alternate routes will be posted on campus for the duration of construction.
5. If any bus stop on campus is obstructed by construction activity, the University, in cooperation with the transit service providers, will temporarily relocate such transit facility on campus as appropriate.

Solid Waste

1. Demolition and construction inert materials, including vegetative matter, asphalt, concrete, and other recyclable materials will be recycled to the extent feasible.

Findings

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

Impact on Traffic (project-specific and cumulative)

An evaluation of the project-specific and cumulative traffic impact is found in Section 3.4, Traffic and Circulation, of the Final EIR.

At project buildout, when the University enrollment reaches 8,000 FTE students, the project's contribution to traffic will result in significant cumulative traffic and circulation impact at 1 study intersection. With implementation of the identified mitigation measure, impact may be reduced to a less than significant level at all this intersection.

Mitigation Measures

Cook Street & University Park Drive/Berger Drive: A fair-share contribution will be made to the City of Palm Desert toward the following improvement at the time conditions warrant the improvement.

- Optimize signal timing to accommodate the increased traffic flow

With this improvement, the operations at the intersection will improve to LOS C in the AM peak hour, and the impact will be reduced to a less than significant level.

Findings

The Board of Trustees finds that the above mitigation measure is feasible, is adopted, and will reduce the potential traffic impact on the study intersection (project-specific and cumulative) to less than significant levels. Accordingly, the Board of Trustees finds that, pursuant to Section 21081(a)(1) of the Public Resources Code and Section 15091(a)(1) of the CEQA Guidelines, changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the potentially significant impact on the traffic impact on study intersections (project-specific and cumulative) as identified in the Final EIR.

3.3 Environmental Effects Found to Be Less Than Significant

This section identifies impacts of the project that are less than significant and do not require mitigation measures. Based on information in the Final EIR, the Board of Trustees finds that based upon substantial evidence in the record, the following impacts have been determined to be less than significant:

- Biological resources
- Historic resources
- Police and fire protection services
- Utilities and service systems
- Cumulative effects on fire and police protection services, public utility and service systems, biological resources, cultural resources, and aesthetics
- Short-term construction-related impact on water quality
- Growth-inducing and significant irreversible effects

Impact on Biological Resources

An evaluation of project's impacts on biological resources is found in Section 3.2, Biological Resources, of the Final EIR.

The project area is not located within any USFWS-designated critical habitat or any habitat conservation plan. There are no wetlands, riparian habitats, or established native resident or migratory wildlife corridors within the project area. Due to the developed and highly disturbed nature of the project area, and its location within a greater urbanized area, none of special-status plant or animal species, including the Coachella Valley fringed-

toed lizard, were found or are expected to be found within the project area due to the lack of suitable habitat.

Findings

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

Impact on Fire and Police Protection Services

An evaluation of project's impacts on fire and police protection services is found in Section 3.7, Fire and Police Protection Services, of the Final EIR.

Fire safety will be incorporated in the design and construction of all project facilities, and will include consultations with the Fire Marshal and University fire officials to ensure that all requirements are met. All required fire safety features, including smoke detectors and full sprinkler systems, fire lines and hydrants with appropriate fire flows, and unobstructed fire emergency access will also be provided. All fire equipment will be maintained in accordance with State and local regulations, and will be inspected on a regular schedule and re-charged, repaired, or replaced as needed. Enhanced operating procedures, incorporation of required fire suppression and safety features, the continued emergency response training and the construction of a new fire station adjacent to the campus will provide additional fire protection coverage and will help minimize increased demand for fire protection services.

The gradual growth in student enrollment on campus will result in an incremental increase in demand for police protection services. This increase in demand will be minimized through provision of a new University Police and Transportation Office on campus pursuant to the Master Plan, the implementation of new enhanced operating procedures, continued campus safety training, and appropriate staffing of the University Police. All new campus facilities, including access and internal site circulation plans, will be reviewed with regards to security objectives and police mobilization purposes to ensure adequate ingress/egress for emergency vehicles. New buildings and other facilities will be incorporated into the University's security and emergency response plans to ensure appropriate access for police and emergency response. New campus facilities may include passive and/or active security systems, and/or other measures, to minimize the need for new security personnel. With these features, impact on fire and police services will be minimized.

Findings

The Board of Trustees finds that, based upon substantial evidence in the record, the potential project impact on fire and police protection services is less than significant and no mitigation measures are required.

Impact on Utilities and Service Systems

An evaluation of the project's impacts on public utilities and service system is found in Section 3.8, Utilities and Service Systems of the Final EIR.

The project includes provision of all necessary utility infrastructure connecting to the campus' existing water, sewer, and drainage utility grid which has the capacity to accommodate the project. A Water Supply Assessment (WSA) was prepared for the Campus Master Plan that determined that there will be sufficient water supplies to meet the project demand, as well as the demand of other future development within the

Coachella Valley Water District service area. Furthermore, the Master Plan's Water Sustainability component includes a wide range of water conservation programs and measures, with high water efficiency in indoor building design and in landscape design. Water saving strategies include using no potable water for non-potable uses, using recycled and reclaimed water for irrigation (on drought tolerant landscaping), and using high water conserving plumbing fixtures. The University will also continue to implement comprehensive waste reduction, diversion, and recycling programs that will significantly reduce the amount of waste disposed. With these components and payment of all legally required capital facilities fees, connections fees, and service fees impact on public utilities and service systems will be minimized.

Findings

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

Short-term Construction effects on water quality

An evaluation of the short-term construction effects on water quality associated with the project is found in Section 3.9, Construction Effects, of the Final EIR.

Construction operations can impact water quality in several ways. First, to comply with SCAQMD guidelines, most construction sites are required to be watered to reduce emissions of PM₁₀. This water can result in runoff from the site laden with construction debris (including trash, cleaning solvents, cement wash, asphalt and car fluids like motor oil, grease, and fuel) and sediment, potentially affecting local waterways. Second, during rain storms, stormwater runoff from construction sites can carry construction debris and sediment into local waterways. Third, construction activities, although not anticipated, can result in dewatering, which can carry contaminants into nearby waterways. For construction in areas of 1 acre or more in size, current regulations require design and implementation of a Storm Water Pollution Prevention Plan (SWPPP), which focuses on the implementation of Best Management Practices (BMPs). SWPPPs may include the following BMPs to reduce impacts on water quality:

- Schedule excavation and grading work for dry weather
- Use as little water as possible for dust control
- Never hose down dirty pavement of impermeable surfaces where fluids have spilled
- Utilize re-vegetation, if feasible, for erosion control after clearing, grading, or excavating
- Avoid excavation and grading activities during wet weather
- Construct diversion dikes to channel runoff around the site, and line channels with grass or roughened pavement to reduce runoff velocity
- Cover stockpiles and excavated soil with wraps or plastic sheeting
- Remove existing vegetation only when absolutely necessary
- Consider planting temporary vegetation for erosion control on slopes where construction is not immediately planned

With implementation of these BMPs impact will be less than significant, and no additional mitigation measures beyond compliance with existing regulations are required.

Findings

The Board of Trustees finds that, based upon substantial evidence in the record, the potential project short-term construction effects on water quality are less than significant and no mitigation measures are required.

Cumulative Effects on fire and police protection services, public utilities and systems, biological resources, cultural resources, and aesthetics

An evaluation of cumulative and long-term effects associated with the project is found in Section 4.0, Cumulative Effects, of the Final EIR.

Cumulative future growth will incrementally increase demand for fire and police protection services. The University, City of Palm Desert, Riverside County, and surrounding cities review fire protection issues regularly to ensure adequate levels of service. In addition to incorporating fire safety features in design and operations of its campus facilities, the University will continue to educate students, faculty, and staff to increase awareness about fire prevention and emergency preparedness, and will continue to cooperate with the Riverside County Fire Department to minimize demand for service. Furthermore, the City of Palm Desert plans to construct a new fire station adjacent to the Palm Desert campus to provide additional fire protection coverage for the foreseeable future development in the vicinity, including development of the campus. Currently, the Riverside County Sheriff's Department, under contract with the Palm Desert Police Department Police polices the campus. Pursuant to the Master Plan, a new University Police and Transportation Office will be established on campus that will provide increased police protection services minimizing the gradual increase in demand. The University Police and Transportation Office will review police protection needs and resources regularly to ensure appropriate levels of service. In addition to incorporating safety features in the design and operation of campus facilities, the continued oversight of fire and police protection services - including the provision of resources for the University police, in addition to cooperation in mutual aid agreements with the City of Palm Desert Police Department and Riverside County Sheriff's Department, will ensure a less than significant cumulative impact.

A Water Supply Assessment (WSA) was prepared for the Master Plan. The Coachella Valley Water District approved the WSA and determined that there will be sufficient water supplies to meet the Master Plan demand, as well as the demand of other future development within the CVWD service area. Therefore, cumulative impact on water supply will be less than significant. With provision of required water, sewer, and drainage infrastructure; implementation of the Master Plan's sustainable features and measures that reduce water use and generation of sewage, stormwater, and waste; and mandatory compliance with existing regulations which include payment of all legally required capital facilities fees, including connection fees and user fees, and the mandatory compliance with existing regulations by all future off campus development within the surrounding area as required by the City of Palm Desert and the County of Riverside will reduce cumulative impact on the public utility systems and infrastructure to a less than significant level.

The Master Plan provides a strategic approach to the long-term campus development which utilizes the vacant campus land east of the existing campus facilities to provide all needed facilities within a compact, approximately 85-acre area and preserving the remaining land within the approximately 169-acre campus area in its existing condition of natural desert setting. Based on biological surveys of the campus, there are no special-status species or habitats on campus, and no significant cumulative impact on biological resources will occur as a result of the Master Plan.

Campus development pursuant to the Master will not affect any historic resources. However, there is a potential for inadvertent discovery of previously unknown archaeological, paleontological, and Native American and/or tribal resources. Mitigation measures have been identified which reduce these potential impacts to a less than significant level. Similarly, if there are such resources identified within the sites of off-campus future development in the City of Palm Desert or County of Riverside, those future projects will implement similar mitigation measures in compliance with existing laws and regulations, including the City requirements, to ensure potential impact is reduced to a less than significant level. With these measures the potential cumulative impact will be reduced to a less than significant level.

All campus future facilities and improvements, developed in accordance with the Master Plan's design guidelines and landscape guidelines, will result in the overall substantial enhancement of the visual and aesthetic character and quality of the campus. The Master Plan Design and Landscape Guidelines include extensive requirements and recommendations (including form, mass, scale, color, landscape forms, plant palette, etc.) that ensure aesthetic quality, and compatibility with both the existing campus facilities and with the greater Sonoran desert environment. Lighting of new campus facilities will be energy-efficient, shielded, focused away from the surrounding areas, and will be contained within the campus land area with no spillover effects. Overall, the Master Plan will enhance the visual and aesthetic character and quality of the campus. The City of Palm Desert noted that it will need to make sure it appropriately plans for enough land in the vicinity of the universities (PCD and UCR Palm Desert) to accommodate new students, faculty, and university supportive businesses. Additionally, it will be very important for the City to ensure that all new development in the area is interconnected so as to form a cohesive university area. Furthermore, all future development within the City in the off campus surrounding area will comply with the City's planning and zoning regulations, including design and lighting, ensuring no significant cumulative aesthetic impact.

Findings

The Board of Trustees finds that, based upon substantial evidence in the record, the potential cumulative effects of the project on fire and police protection services, public utilities and service systems, biological and cultural resources, and aesthetics are less than significant and no mitigation measures are required.

Growth-inducing and Irreversible Effects

An evaluation of growth-inducing and irreversible effects associated with the project is found in Section 4.0, Cumulative and Long-Term Effects, of the Final EIR.

Growth-Inducing Effects

The Master Plan provides for additional academic and administrative support facilities, new student housing facilities, athletic and recreation enhancements, and increased parking within the California State University, San Bernardino campus. The student housing facilities will provide 3,320 new student beds, as well as associated dining commons and landscaped courtyards.

In compliance with the State Legislative mandate expressed in the State Master Plan for Education, the CSU system is obligated to continue to accommodate all fully eligible graduates from California high schools and community college transfer students. To do so, CSU San Bernardino, Palm Desert campus is responsible to accommodate the 8,000 FTE student enrollment in response to future demand for higher education within California. The Master Plan is designed to accommodate additional students generated by growth within the

Coachella Valley region and beyond, and thus by itself will not induce population growth in the region. Thus, the Master Plan will not foster economic or population growth beyond the growth already anticipated in the region.

Significant Irreversible Effects

Implementation of the Master Plan will commit non-renewable resources during construction and operation. During construction, the use of building materials (e.g., aggregate, sand, cement, steel, glass, etc.) and energy resources (e.g., gasoline, diesel fuel, electricity) largely would be irreversible and irretrievable. Energy would be consumed in processing building materials and for transporting these materials and construction workers to the individual facility sites.

The new buildings at the campus provided pursuant to the Master Plan can be expected to have a life span of approximately 50 to 70 years. Resources consumed during buildout of the Master Plan, (such as fuel, building materials, water, etc.) will be used in quantities proportional to similar development in Southern California. While title 24 (Part 6 of the California Building Standards Code) energy conservation standards are mandatory and will be applied to the construction and operation of all campus facilities, with implementation of the Master Plan's comprehensive sustainability features and programs is anticipated to exceed these standards to a considerable degree. Students, faculty, and employees will consume motor fuel and water; however, these activities are part of normal operations and are not considered a wasteful use of resources. With the Master Plan's comprehensive sustainability features and programs, the use of nonrenewable resources will be substantially reduced, and the consumption of these resources will likely be smaller than, or comparable to, the use of resources for other major universities and colleges throughout the region and the country.

Findings

The Board of Trustees finds that, based upon substantial evidence in the record, the potential growth-inducing and irreversible effects of the project are less than significant and no mitigation measures are required.

3.3.2 Environmental Effects Determined Not to be Significant in the NOP Scoping Process and Not Discussed in the EIR

Section 15128 of the CEQA Guidelines requires an EIR to contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were, therefore, not discussed in detail in the EIR. The Summary and Appendix A of the Final EIR addresses the potential environmental effects that have been found not to be significant as a result of the Initial Study analysis completed as part of the Notice of Preparation (NOP) process, the NOP public review process, and the responses to the NOP. Based on the NOP process, the project was determined to result in either no impact, or a less than significant impact without the implementation of mitigation measures on the following resources, and were therefore, not discussed in detail in the EIR:

- Agriculture and forestry resources
- Geology and soils
- Hazards and hazardous materials
- Hydrology
- Land use and planning
- Mineral resources

- Population and housing
- Recreation

3.4 Environmental Impacts Found to be Beneficial

The Final EIR identifies the following project-specific and cumulative effects of the Master Plan project that are beneficial:

- **Creating a more sustainable and resilient campus:** The Master Plan builds upon the University’s sustainability policies and initiatives by providing the framework, specific recommendations, and future goals for the campus’ stormwater runoff and waste management, energy and water conservation, reduction of greenhouse gases emissions, and aligning the University’s new buildings with LEED Gold-equivalent criteria. Full implementation of the comprehensive sustainability guidelines over the life of the Master Plan could result in a 46% reduction in energy use, 42% reduction in water use, and in 77% of campus’ energy being derived from renewable solar power.
- **Enhancing aesthetics and visual character of the campus:** The Master Plan will result in enhancing the visual and aesthetic campus character and quality. With the Master Plan’s Design Guidelines, Landscape Guidelines, and Sustainability Guidelines, the new facilities, landscaping, open space, signage, and other elements will create visual appearance of the campus that is both distinct, cohesive and integrated with the natural local desert setting.
- **Reducing per-person vehicle miles travelled (VMTs):** By providing additional on-campus housing for students, faculty, and staff, the Campus Master Plan will result in reducing overall VMT per FTE student rate from the existing 45.24 VMT to 42.45 VMT.
- **Improving campus’ pedestrian and bicycle connections and circulation:** The Master Plan will he Master Plan will result in expanded pedestrian and bicycle networks on campus that will improve walkability and connectivity.

Findings

The Board of Trustees finds that, based upon substantial evidence in the record, the potential project-specific and cumulative effects of the 2016 Campus Master Plan on creating a more sustainable and resilient campus; enhancing aesthetics and visual character of the campus; reducing per-person vehicle miles travelled (VMTs); and improving campus’ pedestrian and bicycle connections and circulation are beneficial and no mitigation measures are required.

4.0 Findings Regarding Considerations That Make Alternatives Analyzed In the Final EIR Infeasible

The analysis of alternatives to the project is found in Section 5.0 of the Final EIR. Based on the analysis and the entire record, the Board of Trustees finds as follows:

Alternative 1: No Project – Continuation of Current Campus Master Plan

The “No Project” alternative, required to be evaluated in the EIR, considers “existing conditions...as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services” [CEQA Guidelines Section 15126.6(e)(2)].

Campus Development: Pursuant to this alternative, development according to the current Master Plan adopted in 2000, would continue, with student enrollment level at the campus capped at 2,500 FTE students. As most of the current Master Plan facilities have already been developed, this alternative would basically retain the existing conditions on campus, i.e. the campus developed with four academic facilities and surface parking within a small area east of Cook Street and south of Berger Circle Drive. Some athletic facilities consisting of tennis courts and baseball/softball diamond could be developed north of Berger Circle Drive, along the campus’ eastern boundary pursuant to the current Master Plan. Most of the approximately 169-acre campus land would remain undeveloped under this alternative. No student housing, or new academic and support facilities would be provided, and the campus would remain as a small, commuter satellite location for the CSU San Bernardino main campus.

Also, no infrastructure improvements, enhanced open space and landscaping, stormwater management system, enhanced pedestrian and bicycle circulation, comprehensive sustainability features and programs, and other improvements provided for in the 2016 Campus Master Plan would be provided pursuant to this alternative.

Environmental Effects: This alternative would eliminate new vehicle trips associated with the growth in student enrollment, and the related exhaust emissions, vehicular trips, and vehicular noise. However, since the No Project alternative would not include student housing, new academic and support facilities and other appropriate learning, research recreation and administrative facilities, no potential would be realized for accommodating future enrollment growth and providing facilities for informal and organized learning and recreation activities.

In accordance with the State Master Plan for Higher Education, the CSU system mission is to provide access to fully eligible California schools graduates and community college transfer students. Therefore, if no student enrollment growth is accommodated at the CSU San Bernardino Palm Desert campus, 5,500 additional FTE students projected to seek enrollment would have to be accommodated at other universities elsewhere in Southern California. As a result, this alternative would relocate the environmental effects associated with accommodating those students elsewhere, including vehicular trips and the associated traffic impacts, exhaust emissions and the resultant air quality impacts, and traffic noise, as well as demand for fire and police protection services, water and other public utilities, and others. Overall, these indirect effects of accommodating the students at another locations together with accommodating fewer students at the CSU San Bernardino Palm Desert campus would likely result in either similar or greater overall environmental impacts than those associated with the 2016 Campus Master Plan.

Relation to Campus Master Plan Objectives: The No Project alternative would not achieve the principal objective of the 2016 Master Plan to provide academic facilities and accommodate campus growth to a capacity of 8,000 FTE students through strategic development to the eastwards of the existing campus facilities while allowing flexibility for future adjustments. This alternative would not achieve any of the other major Master Plan objectives, including to support students, faculty and staff with appropriate teaching, research, and administrative facilities; serve as a regional center for intellectual, cultural, and life-long learning; make efficient use of developable campus land and preserve a balance between built-up areas and open space; serve as an accessible, safe and attractive campus for students, staff, faculty and the community; support the creation

of a range of student learning/research/business incubator type spaces through public-private and public-public partnerships; attract international students to the PDC; support the creation of residential learning communities on the campus; and conserve natural resources while creating and fostering an environmentally, socially, and economically sustainable physical and operational campus, among others. With this alternative, no design guidelines, sustainability guidelines, or landscape and open space features and programs would be implemented to provide frameworks and tools needed to achieve the project objectives.

Most of all, the continuation of the current Master Plan is not feasible because it does not provide for the facilities and programs needed to support projected student enrollment that the CSU San Bernardino Palm Desert campus is responsible to continue to accommodate. To adequately support future student enrollment requires providing facilities, improvements, and programs beyond those considered in the current Master Plan.

Alternative 2: Smaller Facility Development

This alternative considers the provision of fewer facilities and improvements on campus to avoid or reduce the identified significant air quality and other impacts.

Campus Development: A smaller project could potentially avoid or substantially reduce some environmental impacts. Reducing unavoidable significant impact on air quality below SCAQMD significance thresholds would require reducing mobile source emissions of criteria pollutants by roughly 65%. To do so, a commensurate reduction in vehicular trips would be required. To achieve this reduction, the University would have to limit growth in student enrollment to approximately 2,400 new FTE students over the current enrollment level, resulting in a total future enrollment level of approximately 3,600 FTE students on campus. Pursuant to this alternative, new facilities would also be reduced to less than 350,000 square feet. As with the project, the Master Plan's design guidelines, sustainability guidelines, and landscape and open space features would be implemented.

Environmental Effects: This alternative would reduce long-term emissions of criteria pollutants to below the SCAQMD's daily threshold amounts, resulting in a less than significant impact under the SCAQMD criteria. This alternative would also reduce the peak day construction-related air quality impact to a less than significant level. Even though vehicular trips would be significantly reduced under this alternative, the reduction of 35% in student enrollment level would likely not be sufficient to avoid significant impacts on I-10 freeway, since the freeway is projected to operate at LOS D or below due to ambient traffic growth and traffic generated by other future development in the area. With substantially fewer trips, a significant project-related vehicular noise impact at the Frank Sinatra Drive study segment would most likely be avoided.

Demand for police or fire protection services would be proportionately reduced, and as with the project, impacts would be less than significant. Demand for utilities and service systems would also be proportionally reduced under this alternative, and would continue to be less than significant.

However, as with the No Project Alternative, if 4,400 fewer FTE students are accommodated at the CSU San Bernardino Palm Desert campus, those students would have to be accommodated at other universities elsewhere in Southern California because in compliance with the State Legislative mandate expressed in the State Master Plan for Education, the CSU system mission is to provide access to fully eligible California

schools graduates and community college transfer students. As a result, this alternative would relocate the environmental effects associated with accommodating 4,400 FTE students elsewhere, including vehicular trips and the associated traffic impacts; exhaust emissions and the resultant air quality impacts; demand for fire and police protection services; noise; water and other public utilities, and others. Overall, these indirect effects of accommodating more students at another locations together with accommodating fewer students at the CSU San Bernardino Palm Desert campus would likely result in either similar or greater overall environmental impacts than those associated with the Master Plan.

Relation to Master Plan Objectives: This alternative would not achieve major Master Plan objectives of accommodating the future growth in student enrollment within the Coachella Valley region and beyond; serving as a regional center for intellectual, cultural, and life-long learning; attracting international students to the PDC, support the creation of residential learning communities on the campus, or making efficient use of developable campus land and preserving a balance between built-up areas and open space. Therefore, this alternative would fall short of working to fulfill the State Legislature’s commitment to accommodating higher education needs of California residents, as well as the University’s aims to achieve greater distinction as regional center for intellectual, cultural, and life-long learning, and for campus life and the environment.

Alternative 3: More Student Housing

Under this alternative, more development would be provided on campus for students, staff, and faculty academic facilities and student housing. As with the Master Plan, the campus enrollment level would reach 8,000 FTE students pursuant to this alternative.

Campus Development: Pursuant to this alternative, student housing with approximately 2,000 new student beds, about tripling the number of student beds provided for by the Master Plan. Other components provided for in the Master Plan would remain the same pursuant to this alternative, including new academic, administrative, athletic, support and other facilities, as well as the implementation of design guidelines, and sustainability and landscape features and programs.

Environmental Effects: Currently, there is no student housing on campus, and all PDC students commute to campus from their places of residence. The provision of on-campus housing would reduce resulting from reduction in vehicular trips generated by 2,000 students who would otherwise live off campus and commute to and from campus. The full build-out of the Master Plan would generate an estimated 15,734 net new daily trips. With 2,000 students housed on campus, this alternative would reduce the net new trips by approximately 10%, to approximately 14,116 net new trips. To further reduce trips, extensive student life amenities would need to be provided on campus to fully support student residential community, so students would not need to drive off campus to grocery stores, restaurants, convenience stores, and for other daily needs. With 2,000 students housed on campus, this alternative would reduce the magnitude of project-specific traffic on I-10 freeway. However, due to the projected future poor operating conditions and/or the share of campus-generated trips at the I-10 freeway segments, this alternative would not avoid significant impacts at the freeway study locations. Even with the reduced share of peak hour traffic, this alternative would not measurably reduce the unavoidable significant impact on the I-10 freeway.

Even though vehicular trips would be reduced under this alternative, this reduction in daily trips would not be sufficient to avoid the significant long term air quality impact, and this impact would remain significant and

unavoidable. Similarly, this reduction in daily trips would not be sufficient to avoid or substantially reduce the cumulative significant traffic noise impact at Portola Avenue to Cook Street and at Cook Street to Gerald Ford Drive study locations. The beneficial impact of reducing commute trips and vehicle miles travelled (VMTs) would be greater under this alternative in comparison with the Master Plan.

Pursuant to this alternative, with more student housing on campus, the demand for fire protection services would increase but as with the Master Plan, impact would be less than significant. Demand for police services would increase in greater proportion but demand would be met with the appropriate staffing and a provision of new on-campus University Police and Transportation Office, pursuant to the Master Plan. Demand for utilities and service systems would increase as well, but with sustainability features, compliance with existing requirements, and payment of all legally required capital facilities, the impact would be less than significant.

With tripling of new student housing facilities on campus, the magnitude of the significant unavoidable construction-related air quality impact would be greater pursuant to this alternative. This alternative would also likely result in development of additional campus land to located student housing facilities, beyond the compact 85-acre portion of the campus land planned for development pursuant to the Master Plan. Other impacts would be similar to those associated with the Master Plan.

Relation to Master Plan Objectives: This alternative would achieve all Master Plan’s objectives, including serving as a regional center for intellectual, cultural and life-long learning, achieving the creation of residential learning communities on the campus, and attracting international students to PDC to a greater extent than with the Master Plan.

Findings

The Board of Trustees finds that, based upon substantial evidence in the record, among the alternatives considered, the More Student Housing on Campus Alternative could be considered environmentally superior to the project because it would reduce the magnitude of significant unavoidable traffic, long-term air quality, and traffic noise impacts, and would increase the beneficial effect of reducing student commute trips and associated vehicle miles travelled. However, since funding for tripling the amount of student housing on campus over the life of the Master Plan is not in place, this alternative may not be fiscally viable at this time.

5.0 Findings With Respect to Mitigation of Significant Adverse Impacts, and Adoption of Mitigation Monitoring Program

Based on the entire record before the Board of Trustees, and having considered the unavoidable significant impacts of the project, the Board of Trustees hereby determines that all feasible mitigation within the responsibility and jurisdiction of the University has been adopted to reduce or avoid the potentially significant impacts identified in the Final EIR, and that no additional feasible mitigation is available to further reduce significant impacts. The feasible mitigation measures are discussed in Section 3.1 and 3.2, above, and are set forth in the Mitigation Monitoring Program.

Section 21081.6 of the Public Resources Code requires the Board of Trustees to adopt a monitoring or compliance program regarding the changes in the project and mitigation measures imposed to lessen or avoid significant effects on the environment. The Mitigation Monitoring Program for the CSU San Bernardino 2016 Campus Master Plan project is hereby adopted by the Board of Trustees because it fulfills the CEQA mitigation monitoring requirements:

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

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 the 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" (CEQA Guidelines 15093(a)). CEQA requires the agency to state, in writing, the specific reasons for considering a project acceptable when significant impacts are not avoided or substantially lessened. Those reasons must be based on substantial evidence in the Final EIR or elsewhere in the administrative record (CEQA Guidelines 15093(b)).

In accordance with the requirements of CEQA and the CEQA Guidelines, the Board of Trustees finds that the mitigation measures identified in the Final EIR and the Mitigation Monitoring Program, when implemented, will avoid or substantially lessen many of the significant effects identified in the Final EIR for the California State University San Bernardino Palm Desert 2016 Campus Master Plan project. However, certain significant impacts of the project are unavoidable even after incorporation of all feasible mitigation measures. These significant unavoidable impacts are project-specific and cumulative traffic impact on I-215 freeway; project-specific and cumulative air quality impact; cumulative traffic noise impact along University Parkway from I-215 to Kendall Boulevard; short-term and intermittent construction-related project-specific and cumulative air quality impact and project-specific noise impact. The Final EIR provides detailed information regarding these impacts.

The Board of Trustees finds that all feasible mitigation measures identified in the Final EIR 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:

- Providing academic facilities and accommodate Palm Desert Campus growth to a capacity of 8,000 FTE students
- Supporting students, faculty and staff with appropriate learning, research recreation and administrative facilities
- Serving as a regional center for intellectual, cultural and life-long learning
- Reinforcing the CSUSB's active learning focus by providing opportunities for interactions and collaborations among students, faculty, staff and the greater community
- Supporting the creation of a range of student learning/research/business incubator type spaces through public-private and public-public partnerships
- Continuing to collaborate with local institutions to fully integrate the campus into the physical, social, economic fabric of the local community
- Attracting international students to the PDC
- Reinforcing positive intrinsic features of the CSUSB PDC site including views to the Indio Hills to the northeast and views of the campus from the I-10 freeway and from off-campus neighborhoods
- Making efficient use of developable campus land and preserve a balance between built-up areas and open space
- Creating a series of campus outdoor spaces framed by buildings and protected from extremes of sun and wind that facilitate student interaction, student learning and passive recreation
- Providing appropriate facilities for informal and organized recreation and intercollegiate athletics
- Providing facilities for campus-based and campus controlled student housing to support the campus life and learning experiences for the full range of university students

- Supporting the creation of residential learning communities on the campus; support the continued use of the campus by commuting students
- Serving as an accessible, safe and attractive campus for students, staff, faculty and the community
- Promoting social and economic equity, provide for a range of ways for students and the community to access the campus and its facilities including public transportation and distance learning
- Conserving natural resources while creating and fostering an environmentally, socially and economically sustainable physical and operational campus
- Through a comprehensive approach to sustainability, deepening the stewardship of Palm Desert Campus landscape resources and the local natural environment
- Creating a more sustainable and resilient campus
- Enhancing aesthetics and visual character of the campus
- Reducing per-person vehicle miles travelled (VMTs)
- Improving campus' pedestrian and bicycle connections and circulation

Considering all factors, the Board of Trustees finds that there are specific economic, legal, social, technological and other considerations associated with the project that outweigh the project's significant unavoidable effects, and these adverse effects are therefore considered acceptable.