

CEQA Findings of Fact and Statement of Overriding Considerations

Housing Expansion Phase 1 – Housing Administration and Commons Building Project



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1. FINDINGS OF FACT

1.1. INTRODUCTION

1.1.1. Purpose

This statement of Findings of Fact (Findings) and Statement of Overriding Considerations addresses the environmental effects associated with implementation of the Housing Expansion Phase 1 – Housing Administration and Common Building Project (proposed project) on the California State University, Long Beach (CSULB) campus. These Findings are made pursuant to the California Environmental Quality Act (CEQA) under Sections 21081, 21081.5, and 21081.6 of the Public Resources Code and Sections 15091 and 15093 of the CEQA Guidelines, Title 14, Cal. Code Regs. 15000, et seq (CEQA Guidelines). The potentially significant impacts were identified in both the Draft Supplemental Environmental Impact Report (EIR) and the Final Supplemental EIR, as well as additional facts found in the complete record of proceedings.

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

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

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

Section 15093 of the CEQA Guidelines state that:

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

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

The Final Supplemental EIR for the proposed 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 CSU Board of Trustees adopts these Findings as part of its certification of the Final Supplemental EIR for the proposed project. Pursuant to Section 21082.1(c)(3) of the Public Resources Code, the CSU Board of Trustees also finds that the Final Supplemental EIR reflects the Board's independent judgment as the approving governing body for the project. As required by CEQA, the CSU Board of Trustees, in adopting these Findings, also adopts a Mitigation Monitoring Program (MMP) for the proposed project. The CSU Board of Trustees finds that the MMP, which is incorporated by reference and made a part of these Findings, meets the requirements of Section 21081.6 of the Public Resources Code by providing for the implementation and monitoring of measures intended to mitigate potentially significant effects of the project.

1.1.2. Organization and Format of Findings

Section 1.1, Introduction, contains the purpose of this Findings and Statement of Overriding Considerations, organization of this document, and a summary description of the proposed project and background facts relative to the environmental review process.

Section 1.2 discusses the CEQA findings of independent judgment. Section 1.2.1 identifies the proposed project's potential environmental effects that were determined not to be significant and, therefore, do not require mitigation measures. Section 1.2.2 describes the environmental effects determined to be less than significant and therefore, do not require mitigation measures. Section 1.2.3 identifies the potentially significant effects of the proposed project that would be mitigated to a less than significant level with implementation of the identified mitigation measures. Section 1.2.4 of these Findings identifies the significant impacts of the proposed 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 1.3 identifies the feasibility of the proposed project Alternatives that were studied in the Supplemental EIR.

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

Section 1.5 describes the certification of the Final Supplemental EIR.

Section 2 contains the Statement of Overriding Considerations providing the CSU Board of Trustees' views on the balance between the project's significant environmental effects and the merits and objectives of the proposed project.

1.1.3. Summary of Project Description

The Supplemental EIR analyzes the potential environmental impacts associated with the implementation of the proposed project. The existing Hillside Office/Commons building within the Hillside College residence hall complex was proposed for demolition and replacement in the Campus Master Plan and Campus Master Plan Update EIR (State Clearinghouse #2007061092), certified by the CSU Board of Trustees in May 2008 (2008 EIR). CSULB now proposes to implement this project with minor modifications compared to its original description in the 2008 Campus Master Plan

The 2008 Campus Master Plan proposed demolition of the existing Hillside Office/Commons building and, in its place, the construction of a new dining hall in a building that would also include a coffee house, convenience store, and new, expanded commons area, in the Hillside College residential complex on the campus. Since Master Plan approval, other new facilities have been constructed elsewhere on campus that now house some of the uses originally contemplated for the Hillside College dining hall building in the approved Campus Master Plan, eliminating the need for a dining hall as originally described and evaluated in the 2008 Campus Master Plan Update EIR. As a result of these projects, a new dining hall within the Hillside complex is no longer necessary. However, the campus still has the need for a new HRL office building to replace the Parkside complex housing administration building which was recently demolished, as well as to expand the commons area and associated space for support services for Hillside College residents.

The project proposes to demolish the existing 5,700-square foot (SF) Hillside Office/Commons building and construction of two new buildings in its place: a two-story, 8,000-SF commons building and a single-story, 4,500-SF Housing and Residential Life (HRL) office building. The two buildings would flank a canopy-covered central courtyard that would serve both, and the main entrances to the two buildings would face each other across the courtyard. The proposed commons building would replace the commons area in the existing Hillside Office/Commons building and would serve a similar purpose, providing study and recreational areas for students. Five one- and two-bedroom apartments and an outdoor terrace would be provided on the second floor of the proposed commons building to replace two one-bedroom apartments that would be lost to demolition of the existing Hillside Office/Commons building. The proposed commons building would be ADA-accessible and include an elevator in the northeastern portion of the building as well as two staircases on the east and west sides of the building.

The proposed buildings would incorporate energy efficient, sustainable, water and waste efficient, and resilient features to achieve United States Green Building Council's Leadership in Energy and Environmental Design (LEED) Platinum Rating, Net Zero Energy (NZE) Rating, and Full Living Building Challenge Certification. A total of approximately 400 solar photovoltaic (PV) panels would be installed on the roofs of the two buildings and the central courtyard canopy to generate approximately 89 kilowatts of energy. Existing building-serving utilities, including storm drain, electrical, and, water and wastewater, would be removed and replaced to appropriately serve the new buildings.

Up to 55 landscape trees would be removed with the project to allow for construction. New landscaping would also be installed as part of the project. CSULB's "Campus Forest" initiative aims to replace trees on at least a one-for-one basis either within the project site or elsewhere on campus, and therefore up to 55 new trees would be planted as part of the project.

Concrete in pathways surrounding the existing Hillside Office/Commons building would be removed and replaced to appropriately serve the proposed buildings. The median on Earl Warren Drive in front of the existing Hillside Office/Commons building would be removed to accommodate the proposed building footprints. Additionally, the existing northern and southern medians would be shortened for the section of road along the project site where the curb is shifted. Changes to parking would not occur and project operation is not expected to generate additional vehicle trips since the buildings would serve existing students.

Following construction, the proposed project would generally serve the same functions as the existing Hillside Office/Commons building, providing office space and a location for students to study and lounge. It is anticipated that the new HRL office building and new commons building would be open to students on a 24-hour basis, 7 days a week. The proposed buildings would be designed to be sustainable and achieve an NZE rating, and are expected to generate less energy and water demand than the existing Hillside Office/Commons building. Accordingly, the proposed project would be consistent with the CSU's Commitment to Sustainability and the CSULB President's Climate Commitment.

1.1.4. Project Objectives

The overall purpose of the proposed project is to provide the space needed for student support services, including a housing and residential life office and a commons space in a central, accessible location within the Hillside College complex. Specific objectives of the proposed project are as follows:

- Replace existing residential support facilities that are too outdated and undersized to support the full range of needed support services.
- Site the proposed HRL office building and proposed commons building in the same location as the existing, original Hillside Office/Commons building, to maintain the historic spatial relationship to the existing Hillside College Complex residential buildings, hardscape, and landscape that comprise the historic district, as well as to maintain the building's presence and accessibility along Earl Warren Drive.
- Site the proposed HRL office building and commons building within the Hillside College Complex in a way that best utilizes existing parking that is convenient and accessible for campus students, employees and visitors.
- Provide a centralized and accessible HRL office building and commons building for students in the Hillside and Parkside College Complexes, to provide a safe and comfortable living environment for students.
- Provide high-quality programming services for students that includes adequate space for commons, administration, and HRL staff.
- Provide open space for students to recreate and socialize.
- Be consistent with campus-wide sustainability policies supporting the achievement of net-zero/net-positive energy consumption goals.
- Ensure that the new HRL office building and commons building are consistent with the 2008 Master Plan's site and architectural guidelines.

1.1.5. Environmental Review Process

Draft Supplemental EIR

As stated above, a Supplemental EIR to the 2008 EIR was prepared to implement the proposed project with minor modifications compared to its original description in the 2008 Campus Master Plan. The purpose of a Supplemental EIR is to provide the additional information necessary to make the previously certified EIR adequate for the project as modified. Accordingly, pursuant to Section 15163 of the CEQA Guidelines, the Supplemental EIR need contain only the information necessary to analyze the project modifications, changed circumstances, or new information that triggered the need for additional environmental review.

An analysis was conducted to compare the proposed project with the project analyzed in the 2008 EIR to assess the proposed project's consistency with the project analyzed in the 2008 EIR and determine which environmental topics warranted further analysis in the Supplemental EIR. The following environmental resource areas were evaluated in the Supplemental EIR in which the proposed project was determined to have the potential for new or substantially more severe significant direct, indirect, and /or cumulative environmental effects:

- **Cultural Resources:** At the time the 2008 Campus Master Plan was prepared, the existing Hillside Office/Commons building did not meet the age threshold for a potential historical resource. The building, which is proposed to be demolished, is now 50 years old and was therefore evaluated in terms of potential historical significance. The Hillside College residence hall complex (excluding Los Cerritos Hall, Los Alamitos Hall, and the International House) was found potentially eligible for inclusion in the National Register of Historic Places (NRHP) and California Register of Historical Resources (CRHR), and therefore is considered a historical resource that requires evaluation pursuant to CEQA. In addition, potential impacts on known significant archaeological sites located in the vicinity of the proposed project were evaluated.
- **Energy:** At the time the 2008 Campus Master Plan was prepared, specific details related to energy use were not available and environmental impacts were evaluated in the 2008 EIR to the extent possible given the level of project information available at the time. The 2008 Campus Master Plan's potential impacts related to energy were not previously analyzed in detail in the 2008 EIR. Therefore, the Supplemental EIR addressed the projected energy consumption related to construction and operation of the proposed project.
- **GHG Emissions:** The 2008 EIR did not address potential impacts to GHG emissions because it was prepared prior to the 2010 amendment to the State CEQA Guidelines pertaining to GHG emissions. Therefore, the Supplemental EIR addressed potential impacts related to GHG emissions.
- **Tribal Cultural Resources:** The 2008 EIR did not address potential impacts to tribal cultural resources because it was prepared prior to the 2016 amendment to the State CEQA Guidelines pertaining to tribal cultural resources. Therefore, the Supplemental EIR analysis addressed potential project-level and cumulative impacts on tribal cultural resources.

CSULB published the Draft Supplemental EIR for public and agency review on May 6, 2020 for a 45-day public review period that ended on June 19, 2020. During the public review period, a narrated video presentation was prepared and made available online as CSULB could not host a public meeting due to the circumstances associated with COVID-19. The video presentation provided an overview of the CEQA process, proposed project, identified environmental impacts, required mitigation measures, and alternatives to the project that were evaluated. The Draft Supplemental EIR was accessible online at <https://www.csulb.edu/beach-building-services/supplemental-eir-2020>, and a limited number of flash drives containing the Draft Supplemental EIR and hardcopies of the Draft Supplemental EIR were available to persons unable to access the online version.

During the Draft Supplemental EIR public review period, CSULB received six comment letters from Caltrans, the Los Angeles County Sanitation Districts, the City of Long Beach, the Juaneño Band of Mission Indians, Acjachemen Nation, the Los Angeles Conservancy, and Long Beach Heritage. All comment letters received in response to the Draft Supplemental EIR were reviewed and included in the Final Supplemental EIR, and responses to these comments relevant to CEQA were addressed in the Final EIR in compliance with the CEQA Guidelines (Sections 15088, 15132). In its comment letter, the Los Angeles Conservancy requested a meeting that included representatives of Los Angeles Conservancy, CSULB, and Long Beach Heritage. CSULB convened a telephonic meeting which took place on June 29, 2020 to discuss the shared concerns of the organizations.

Final Supplemental EIR

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

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

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

The Final Supplemental EIR was released on July 10, 2020 and was made available for review by commenting agencies, in accordance with CEQA requirements. The Final EIR was also made available to the public online at <https://www.csulb.edu/beach-building-services/supplemental-eir-2020>.

1.2. CEQA FINDINGS OF INDEPENDENT JUDGMENT

1.2.1. Effects Determined Not to Be Significant

Section 15128 of the State 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. An analysis was conducted to compare the proposed project with the project analyzed in the 2008 EIR in order to assess the proposed project's consistency with the project analyzed in the 2008 EIR and determine which environmental topics warranted further analysis in this Supplemental EIR. The following environmental issues were determined to not have new or substantially more severe significant direct, indirect, and/or cumulative environments effects as the result of implementation of the proposed project. Therefore, further detailed evaluation of these environmental issue areas was not warranted in the Supplemental EIR. Chapter 4, "Other CEQA Topics", of the Final EIR includes a brief discussion of the following impacts that were found not to be significant:

- Aesthetics
- Agriculture and Forestry Resources
- Biological Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services

- Transportation
- Utilities and Service Systems
- Wildfire

Additionally, an evaluation of the project's energy impacts found in Section 3.2, "Energy," of the Final Supplemental EIR determined that implementation of the proposed project was determined to result in no potentially significant impacts related to conflict with or obstruction of a state or local plan for renewable energy or energy efficiency (**Impact ENERGY-2**).

1.2.2. Less Than Significant Impacts

The Board of Trustees finds that, based upon substantial evidence in the record, including information in the Final EIR, the following impacts have been determined to be less than significant and no mitigation is required pursuant to Public Resources Code section 21081(a) and CEQA Guidelines section 15091(a):

Energy

An evaluation of the project's energy impacts is found in Section 3.2, "Energy," of the Final Supplemental EIR. Implementation of the proposed project is not projected to result in any significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation (**Impact ENERGY-1**).

Finding

The CSU Board of Trustees finds that, based upon substantial evidence in the record, the potential impact related to the proposed project's effects from wasteful, inefficient, or unnecessary consumption of energy is less than significant, and no mitigation measures are required.

Greenhouse Gas Emissions

An evaluation of the project's impacts on GHG emissions is found in Section 3.3, "Greenhouse Gas Emissions," of the Final Supplemental EIR. Implementation of the proposed project is not projected to result in any significant impacts related to generating GHG emissions, either directly or indirectly, that may have a significant impact on the environment (**Impact GHG-1**) or conflicts with an applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of GHG (**Impact GHG-2**).

Finding

The CSU Board of Trustees finds that, based upon substantial evidence in the record, the potential impact related to the proposed project's effects from generating GHG emissions, either directly or indirectly, that may have a significant impact on the environment; or conflict with an applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of GHG is less than significant, and no mitigation measures are required.

Tribal Cultural Resources (Listed in California Register of Historical Resources or Local Register)

An evaluation of the project's impacts to tribal cultural resources is found in Section 3.4, "Tribal Cultural Resources," of the Final Supplemental EIR. Implementation of the proposed project is not projected to result in any significant impact related to substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the CRHR, or in a local register of historical resources (**Impact TCR-1**).

Finding

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

1.2.3. Potentially Significant Impacts That Can Be Mitigated Below A Level of Significance

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

Cultural Resources (Archaeological Resources and Human Remains)

An evaluation of the proposed project's impacts related to cultural resources is found in Section 3.1, "Cultural Resources," of the Final Supplemental EIR. As it is presently mapped, prehistoric archaeological site CA-LAN-235 (P-19-000235) overlaps the western boundary of the project area. The site is a contributor to the Puvunga Indian Village Historic District, a complex of three archaeological sites in the area that is listed in the NRHP and thus, automatically listed in the CRHR. Extended Phase I archaeological testing found no intact cultural deposits in the section of the Puvunga Indian Village Historic District (site CA-LAN-235) that overlaps the project area. Project improvements would be restricted to the portion of the site that is already developed, within and east of Earl Warren Drive. The proposed project is not anticipated to impact the eligibility of site CA-LAN-235 or the Puvunga Indian Village Historic District, under any of the four CRHR or NRHP criteria, nor is it anticipated to have a lasting impact on the district's historic integrity. Although unlikely, relict intact portions of site CA-LAN-235 may exist within the project area, and any such intact archaeological deposits are likely to be significant. Project excavation has the potential to contact or expose, and thereby affect, previously unidentified archaeological resources, and could cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5 (**Impact CR-2**). Mitigation Measures CR-1 through CR-5 and CR-8 through CR-10 would be implemented to reduce the environmental effects of the proposed project on archaeological resources as identified below.

In 1972, a human burial was uncovered at CA-LAN-235, south of today's Parking Lot G2 (formerly Parking Lot 20) and directly west of Earl Warren Drive from Building A, within 20 meters of the southwest corner of the project site. Although not anticipated, project-related excavation activities may have the potential to disturb human remains (**Impact CR-3**). Mitigation Measure CR-5 would be implemented to reduce the environmental effects of the proposed project on human remains as identified below.

Mitigation Measure CR-1: All earth moving construction activity will be monitored by a professional archaeologist and Native American monitor. The archaeological monitor will conduct on-site cultural resources sensitivity training (crew education) as outlined below. If subsurface cultural materials are uncovered, construction work in the immediate vicinity will be halted and the emergency discovery procedures described below will be implemented.

Mitigation Measure CR-2: Prior to the beginning of the earth moving construction activities (including initial grading of vegetation removal), the construction crew shall be informed of the cultural resources values involved and of the regulatory protections afforded those resources. The crew shall also be informed of procedures relating to the discovery of unanticipated cultural resources (as outlined below). The crew shall be cautioned not to collect artifacts, and asked to inform a construction supervisor and the onsite archaeological monitor in the event that cultural

remains are discovered during the course of construction. The onsite archaeological and Native American monitor shall administer supplement briefing to all new construction personnel, prior to their commencement of earth moving construction activities.

Mitigation Measure CR-3: In the event an archaeological resource is unearthed during excavation activities associated with the project, work shall be stopped immediately and the discovery shall be evaluated by a qualified archaeologist, pursuant to the procedures set forth at CEQA Guidelines Section 15064.5.

Mitigation Measure CR-4: In an event that a previously unknown archaeological resource is discovered and disturbance to such a resource cannot be avoided, a Phase-III, or “data recovery,” phase of investigation will be required, pursuant to CEQA Guidelines Section 15064.5. The Phase-III study will generally consist of a limited scale program of archaeological excavation, radiocarbon dating of organic materials -such as shell midden and faunal remains, laboratory analysis, and report writing designed to assess the importance of the resource in question. Any resources recovered will be properly curated, as appropriate. The Phase III or data recovery plan shall be prepared in consultation with SHPO.

Mitigation Measure CR-5: If human skeletal remains are found at the project site during earth moving activities such as grading or trenching, work shall be suspended and the Los Angeles County Coroner’s Office shall be notified. Standard guidelines set by California law provides for the treatment of skeletal material of Native American origin (California Public Resources Code, Sections 5097.98 et seq.; Health and Safety Code, Section 7050.5 and others). Procedures to be employed in the treatment of human remains are found in, “A Professional Guide for the Preservation and Protection of Native American Remains and Associated Grave Goods,” published by the California Native American Heritage Commission.

Mitigation Measure CR-8: A project-specific cultural resources monitoring and discovery plan (CRMDP) shall be prepared, which shall specify monitoring methods, personnel, and procedures to be followed in the event of a discovery. The monitoring plan shall identify what activities require monitoring, describe monitoring procedures, and outline the protocol to be followed in the event of a find. Criteria shall be outlined, and triggers identified when further consultation is required for the treatment of a find. Key staff shall be identified, and the process of notification and consultation shall be specified within the CRMDP. A curation plan shall also be outlined within the CRMDP. All work shall be conducted under the direction of a qualified archaeological Principal Investigator who meets the Secretary of the Interior’s standards for archaeology.

Mitigation Measure CR-9: Archaeological monitoring shall be conducted by a qualified archaeological monitor who is working under the guidance of an archaeologist who meets the SOI Professional Qualification Standards for Archaeology (48 Federal Register 44738). Native American monitoring shall be conducted by a qualified Native American monitor representing the tribe or tribes traditionally and culturally affiliated with the geographic area of the proposed project. It is recommended that the tribal cultural monitor maintain logs of all activities monitored, and that this documentation be made available to all consulting Native American parties. Ground-disturbing activities include, but are not limited to, geotechnical boring, boring, trenching, grading, excavating, and the demolition of building foundations. The archaeological monitor shall observe ground-disturbing activities in all areas with potential to contain significant cultural deposits. If discoveries are made during ground disturbing activities, additional work may be required in accordance with the terms specified in the CRMDP.

Mitigation Measure CR-10: After demolition of the existing facilities and prior to construction of the proposed facilities, a limited geoarchaeological trenching program shall be prepared and implemented in order to verify the stratigraphy conclusions of the Extended Phase I study (that

the project area is situated on an uplifted Pleistocene marine landform with substantial soil development at the surface; this landform is capped with imported fill and disturbed/redeposited native sediments of variable depths, but generally between 30 and 100 cm deep; this disturbed fill includes shell and a small quantity of out-of-context historic and prehistoric artifacts). If intact archaeological deposits are encountered during the geoarchaeological testing, additional work may be required in accordance with the terms specified in the CRMDP.

Finding

The CSU Board of Trustees finds that the above mitigation measures are feasible, will reduce the potential archaeological resources-related impacts of the proposed project to less-than-significant levels, and are adopted by the CSU Board of Trustees. Accordingly, the CSU Board of Trustees finds, that pursuant to PRC Section 21081(a)(1), and the CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed project, which avoid or substantially lessen the significant environmental effect as identified in the Final Supplemental EIR.

Rationale

Mitigation measures would require archaeological and Native American monitoring during earth-moving construction activities; construction crew training; a stop-work order if an inadvertent discovery of archaeological resource occurs; Phase III data recovery, if required; and stop work and notification of the Los Angeles County Coroner's Office if any human skeletal remains are found. Additionally, due to the sensitivity of the project area and project site overlapping with a NRHP-listed archaeological site, the mitigation measure would require development of a project-specific cultural resources monitoring and discovery plan in consultation with SHPO; and a limited geoarchaeological trenching program. This limited geoarchaeological trenching program would be implemented after the demolition of the existing buildings and hardscaping, but before construction of the new proposed facilities, to (1) confirm that no archaeological deposits are present within the existing building footprints where testing was not possible; and (2) create a master stratigraphy of the project area to verify the stratigraphic conclusions drawn in this report, regarding the redeposition of shell-bearing sediments and emplacement over a culturally sterile Pleistocene landform.

Tribal Cultural Resources (Lead Agency)

An evaluation of the proposed project's impacts related to tribal cultural resources is found in Section 3.4, "Tribal Cultural Resources," of the Final Supplemental EIR. A portion of the Puvunga Indian Village Historic District to the west of Earl Warren Drive, known as the 22 acres, is actively used for ceremonies by Native American groups. The unpaved and undeveloped part of CA-LAN-235 would not be paved, built-upon, or otherwise temporarily or permanently modified by the proposed project. Nonetheless, due to the proximity of the proposed project site to the 22 acres, and through government-to-government consultation with tribal representative pursuant to Assembly Bill 52, impacts related to the 22 acres could be potentially significant (**Impact TCR-2**). Mitigation Measures CR-1 through CR-5, CR-8 and CR-9 identified above, and Mitigation Measure TCR-1 identified below would be implemented to reduce the environmental effects of the proposed project on tribal cultural resources.

Mitigation Measure TCR-1: In order to identify and treat tribal cultural resources inadvertently uncovered during the course of construction-related excavations, a project-specific CRMDP shall be developed. The monitoring plan will identify what activities require archaeological and Native American monitoring, describe monitoring procedures, and outline the protocol to be followed in the event of a find. Criteria thresholds will be outlined, and triggers identified for when further consultation is required for the treatment of a find. Key staff and tribal contacts will be identified,

and the process of notification and consultation will be specified within the CRMDP. A plan for the final disposition of artifacts will also be outlined within the CRMDP.

Finding

The CSU Board of Trustees finds that the above mitigation measures are feasible, will reduce the potential impacts of the proposed project related to tribal cultural resources to a less-than-significant level, and are adopted by the CSU Board of Trustees. Accordingly, the CSU Board of Trustees finds, that pursuant to PRC Section 21081(a)(1), and the CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed project, which avoid or substantially lessen the significant environmental effect as identified in the Final Supplemental EIR.

Rationale

Mitigation measures would require development of a project-specific CRMDP; monitoring of all project-related earth-moving construction activity by a professional archaeologist and Native American monitor; define procedures to be followed when informing the construction crew of protocols to be followed in the event of the discovery of unanticipated cultural resources; outline protocols for construction work stoppage in the event of such discovery; define data recovery and curation procedures in the event of discovery; and define the procedures to be followed in the event of the discovery of human remains. In addition, the unpaved and undeveloped part of CA-LAN-235 would not be paved, built-upon, or otherwise temporarily or permanently modified by the proposed project. Construction would be limited to the already-developed portion of the site as Earl Warren Drive would not be widened. Any soils excavated during project construction would be stockpiled in the designated staging and laydown areas. Ceremonial features that exist at the site, such as, but not limited to, fire pits, ancestor poles, and decorated trees, would not be impacted. Additionally, the tribes' ability to access the property and conduct ceremonies likewise would not be infringed by the project during construction or operation.

1.2.4. Potentially Significant Impacts That Cannot Be Mitigated Below A Level of Significance

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

Cultural Resources (Built Historical Resource)

An evaluation of the proposed project's impacts on cultural resources is found in Section 3.1, "Cultural Resources," of the Final EIR. The proposed project would result in demolition of the existing 5,700-SF Hillside Office/Commons building and removal of original hardscape including concrete paths immediately adjacent to the Hillside Office/Commons buildings. Based on the findings of the Historical Resource Assessment prepared for the proposed project, the Hillside College Residence Hall Complex Historic District (excluding Los Cerritos and Los Alamitos Halls) is eligible for listing in the NRHP and the CRHR under Criterion C/3 at the local level of significance. A resource is considered significant under Criterion C/3 if it embodies the distinctive characteristics of a type, period, or method of construction, or that represents the work of a master, or that possesses high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction. Demolition of a single contributor in a historic district does not necessarily constitute a significant and unavoidable impact to a historical resource. A district may contain non-contributing features and elements and still convey its significance, as long as the integrity of the district as a whole is uncompromised. However, in this instance, the demolition of the Hillside Office/Commons building represents the removal of a unique and

prominent contributor to the district that is essential in conveying its significance. The Hillside Office/Commons building is centrally and prominently located at the front of the district, facing Earl Warren Drive, and in this way serves as the face of the complex. Demolition of the existing Hillside Office/Commons building would diminish the integrity of the historic district in such a way that the district would no longer be eligible for listing in the NRHP or CRHR. The historic district would no longer retain its overall integrity of design, setting, feeling, or association, thus causing material impairment to the significance of the historic district. Mitigation Measures CR-6 and CR-7 would be implemented to reduce the environmental effects of the proposed project on historical resources as identified below. Nonetheless, demolition of the Hillside Office/ Commons building would result in a significant unavoidable impact to a historical resource as defined in Section 15064.5 of the CEQA Guidelines (**Impact CR-1**).

Mitigation Measure CR-6: Prior to project commencement and the demolition of any buildings or site features within the eligible historic district, CSULB shall ensure that documentation of the property is completed in the form of a documentation that shall comply with the Secretary of the Interior's Standards for Architectural and Engineering Documentation (NPS 1990). The documentation shall generally follow the HABS Level III requirements and include digital photographic recordation of the Hillside College Residence Hall Complex, a detailed historic narrative report, and compilation of historic research. As part of this process, the as-built plans and associated documents that remain on the property shall be scanned digitally and incorporated into the final documentation package.

Photographic documentation shall include:

- General views of the site and landscape as a whole
- Photographs of each exterior elevation of all eight buildings in the complex
- Photographs of the interior of the building to be demolished (existing Hillside Office/Commons)

The documentation shall be completed by a qualified architectural historian or historian who meets the Secretary of the Interior's Professional Qualification Standards for History and/or Architectural History (NPS 1983). The original archival-quality documentation shall be offered as donated material to the following entities: Library of Congress, South Central Coastal Information Center at CSU Fullerton, CSULB Special Collections and University Archives, University of California, Santa Barbara Special Collections, Long Beach Heritage, and the Los Angeles Conservancy. Completion of this mitigation measure shall be monitored and enforced by the lead agency.

Mitigation Measure CR-7: CSULB shall prepare and implement an interpretive program for the Hillside College Historic District. The interpretive program shall focus on the historic district's architectural and developmental legacy, and shall feature interpretative/commemorative materials:

- On-site display of historic photographs, historic architectural plans and drawings, historic narrative, and other interpretive materials as available and deemed appropriate. These materials will be installed in a publicly-accessible space in the new HRL office or commons building.
- Online display of historic photographs, historic architectural plans and drawings, historic narrative, and other interpretive materials as available and deemed appropriate. These materials will be publicly accessible on the CSULB website, on an existing page dedicated to the history of the University.

- Incorporation of commemorative materials and historical information into regular on-campus orientation and tours for educational purposes.

Completion of this mitigation measure shall be overseen by a qualified architectural historian or historian who meets the Secretary of the Interior's Professional Qualification Standards for History and/or Architectural History (NPS 1983), and monitored and enforcement by the lead agency.

Finding

The CSU Board of Trustees finds that implementation of the identified mitigation measures will reduce impacts on historical resources attributable to the proposed project. Pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed project which will mitigate, in part, this significant impact to built historical resources attributable to the project, as identified in the Final Supplemental EIR. However, there are no feasible mitigation measures that will reduce the impact of the proposed project to less than significant. Therefore, this impact would remain significant and unavoidable. However, pursuant to Public Resources Code Section 21081(b), see Statement of Overriding Considerations, for specific overriding economic, legal, social, technological, and other benefits of the proposed project that outweighs this significant and unavoidable impact.

Rationale

Above-mentioned mitigation measures include archival documentation and digital photographic recordation consistent with the standards of the National Park Service's Historic American Building Survey documentation as well as preparation and implementation of an interpretive programs for the Hillside College Historic District. Implementation of Mitigation Measures CR-6 and CR-7 would reduce potentially significant impacts on historical resources because actions would be taken to record, evaluate, avoid (including through preservation that retains the historically significant component(s)), or otherwise treat the resource appropriately, in accordance with pertinent laws and regulations, including the Secretary of Interior's Standards for the Treatment of Historic Properties. However, CEQA Guidelines Section 15126.4(b)(2) notes that in some circumstances, documentation of a historical resource shall not mitigate the effects of demolition of that resource to a less-than-significant level because the historic resources would no longer exist. Therefore, because the potential for permanent loss of a historic resource or its integrity cannot be precluded, the proposed project's impacts on historic resources is concluded to be significant and unavoidable.

1.3. FINDINGS REGARDING ALTERNATIVES

Section 15126.6(a) of the CEQA Guidelines requires the discussion of "a reasonable range of alternatives to a project, or the location of a project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives." The Final Supplemental EIR identified and considered the following reasonable range of feasible alternatives to the proposed project which would be capable, to varying degrees, of reducing identified impacts:

- No Project Alternative
- Renovation of Existing Building Alternative
- New Building at Corner Site Alternative
- New Building at Beach Drive Site with Renovation of Existing Building

These alternatives are evaluated for their ability to avoid or substantially lessen the impacts of the proposed project identified in the Final Supplemental EIR, as well as consideration of their ability to meet the basic objectives of the proposed project as described in the Final Supplemental EIR.

1.3.1. No Project Alternative

Description

CEQA Guidelines Section 15126.6(e)(1) requires that the “no project” alternative be described and analyzed “to allow decision makers to compare the impacts of approving the project with the impacts of not approving the project.” The no project analysis is required to discuss “the existing conditions at the time the notice of preparation is published...as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services” (Section 15126.6(e)(2)). “If the project is...a development project on identifiable property, the no project alternative is the circumstance under which the project does not proceed. Here the discussion would compare the environmental effects of the property remaining in its existing state against environmental effects which would occur if the project is approved. If disapproval of the project under consideration would result in predictable actions by others, such as the proposal of some other project, this ‘no project’ consequence should be discussed. In certain instances, the no project alternative means ‘no build’ wherein the existing environmental setting is maintained. However, where failure to proceed with the project will not result in preservation of existing environmental conditions, the analysis should identify the practical result of the project’s non-approval and not create and analyze a set of artificial assumptions that would be required to preserve the existing physical environment” (Section 15126(e)(3)(B)).

Under the No Project Alternative, the existing Hillside Office/Commons building would not be demolished and would remain on the site in its existing condition, and the new commons building and new HRL office building would not be constructed. Additionally, Earl Warren Drive would remain in its existing configuration, and no new pedestrian pathways would be constructed at the project site under the No Project Alternative. Operation under the No Project Alternative would be the same as under existing conditions. The existing building would continue to operate as a Central Customer Services Office and limited common space for Hillside College residents. The office currently provides limited services including mail distribution, checkout of games, vacuums, and recreational equipment, and contains a study area for use by residents during regular office hours. The Hillside Office/Commons also has two single apartments for HRL staff. Under the No Project Alternative, no additional space would be provided to support the desired programming and no new common spaces would be provided either indoors or outdoors. The HRL office uses would not be relocated to the site, and adequate space for commons, administration, and HRL staff would not be provided. Additional apartments for HRL staff would not be provided under the No Project Alternative.

Implementation of this alternative would avoid all project-related impacts to cultural resources and tribal cultural resources. Impacts related to energy usage and greenhouse gas emissions under the No Project Alternative would be greater than the proposed project.

Finding

The CSU Board of Trustees rejects the No Project Alternative as undesirable due to the following: it fails the proposed project’s underlying purpose; does not meet any of the project objectives; and, because specific economic, legal, social, technological or other considerations make the alternative infeasible.

Rationale

The No Project Alternative would preserve the existing Hillside Office/Commons building at its current location and in its current condition. As the HRL office building would not be sited at the existing Hillside Office/Commons building under the No Project Alternative, this alternative would not meet the following project objectives:

- Site the proposed HRL office building and proposed commons building in the same location as the existing, original Hillside Office/Commons building, to maintain the historic spatial relationship to the existing Hillside College Complex residential buildings, hardscape, and landscape that comprise the historic district, as well as to maintain the building's presence and accessibility along Earl Warren Drive.
- Site the proposed HRL office building and commons building within the Hillside College Complex in a way that best utilizes existing parking that is convenient and accessible for campus students, employees and visitors.
- Provide a centralized and accessible HRL office building and commons building for students in the Hillside and Parkside College Complexes, to provide a safe and comfortable living environment for students.

As the No Project Alternative does not include any modifications or renovations to the existing Hillside Office/Commons building or site, the existing constraints on size, configuration, technology, and sustainability goals would persist under this alternative. Additionally, no new or updated open space opportunities would be provided under this alternative. As no improvements or renovations are occurring as part of the No Project Alternative, adherence to the 2008 Master Plan's site and architectural guidelines would not occur, including coordinating buildings with the open spaces of the campus, provide for enhanced pedestrian circulation patterns, and feature broad and welcoming entrances. For these reasons, the No Project Alternative would not meet the following project objectives:

- Replace existing residential support facilities that are too outdated and undersized to support the full range of needed support services.
- Provide high-quality programming services for students that includes adequate space for commons, administration, and HRL staff.
- Provide open space for students to recreate and socialize.
- Be consistent with campus-wide sustainability policies to achieve net-zero/net-positive goals.
- Ensure that the new HRL office building and commons building are consistent with the 2008 Master Plan's site and architectural guidelines.

The No Project Alternative would not provide the space necessary to accommodate the support services proposed for the project, including the HRL office services. Additionally, the No Project Alternative would not provide any additional common open space. The 2008 Master Plan identified the need to expand its residential offerings to serve their growing enrollment numbers, and the existing Hillside Office/Commons building does not provide adequate space to support the needed student support services in a central, accessible location within the Hillside College complex. Therefore, the No Project Alternative would not meet any of the proposed project's objectives. Furthermore, while the No Project Alternative would avoid all of the construction-related impacts associated with the proposed project primarily because no development would occur, the No Project Alternative does not meet NZE or LEED requirements and,

therefore, this alternative would result in increased impacts related to operational energy usage and GHG emissions.

1.3.2. Renovation of Existing Building Alternative

Description

Under the Renovation of Existing Building Alternative, the existing Hillside Office/Commons building would not be demolished but would remain on the proposed project site and undergo renovations to accommodate the desired programming. This alternative includes three options with varying square footages and space configurations. All three options would include the addition of a second floor to the existing single-story Hillside Office/Commons building. Earl Warren Drive would remain in its existing configuration, and no new pedestrian pathways would be constructed at the project site under this alternative. The three renovation options are described below.

- Option 1: Under option 1, the first floor would remain in its current configuration (office, common space, and two apartments) with renovations only to the existing restrooms. The new second floor would span the length of the existing Hillside Office/Commons building and would include approximately 4,400 SF of new space for offices, workstations, a break room, and two conference rooms.
- Option 2: Under option 2, the southern portion of the existing Hillside Office/Commons building would be reconfigured to include a break room, a conference room, and workstation space. Additional renovations on the first floor would include a new 2-bedroom apartment on the northern side of the building and renovation of the existing restrooms.
- The new second story would be constructed only over the southern portion of the building and would include one conference room and space for several offices. The renovations under option 2 would include approximately 5,340 SF of additional space.
- Option 3: Under option 3, the western-facing portion of the existing Hillside Office/Commons building facing Earl Warren Drive would be reconfigured to accommodate offices, conference rooms, and a break room. Additionally, the existing restrooms on the first floor would be renovated. A new second story would be constructed over the reconfigured western portion of the building and would include four new apartments. This option would include approximately 400 SF of renovations to the existing restrooms and approximately 7,000 SF of new construction associated with the reconfiguration of the first floor and the addition of the second floor.

Implementation of this alternative would result in reduced impacts to historical resources in comparison to the proposed project, similar impacts to archaeological and tribal cultural resources, and increased impacts related to operational energy usage and GHG emissions as the existing Hillside Office/Commons building does not meet NZE or LEED requirements.

Finding

The CSU Board of Trustees rejects the Renovation of Existing Building Alternative as undesirable due to the following: it fails the proposed project's underlying purpose; only partially meets three of the eight objectives of the proposed project; and, because specific economic, legal, social, technological or other considerations make the alternative infeasible.

Rationale

The Renovation of Existing Building Alternative would preserve the location of the existing Hillside Office/Commons building near existing parking facilities. Although the Renovation of Existing Building Alternative would not site the HRL office building at the existing Hillside Office/Commons building, it would partially meet the following objective of maintaining the historic spatial relationship to the existing Hillside College Complex, as well as to maintaining the building's presence and accessibility along Earl Warren Drive:

- Site the proposed HRL office building and proposed commons building in the same location as the existing, original Hillside Office/Commons building, to maintain the historic spatial relationship to the existing Hillside College Complex residential buildings, hardscape, and landscape that comprise the historic district, as well as to maintain the building's presence and accessibility along Earl Warren Drive.

Although the location of the existing Hillside Office/Commons building would be maintained under this alternative, the renovations required to support the desired programming would be extensive. Additionally, the existing Hillside Office/Commons building footprint would remain the same and would continue to constrain the use of the site. The Renovation of Existing Building Alternative would adhere to the 2008 Master Plan's site and architectural guidelines to a certain extent by meeting all current accessibility codes; however, certain guidelines would not be implemented, including coordinating the building with the open spaces of the campus, provide for enhanced pedestrian circulation patterns, and featuring broad and welcoming entrances. For these reasons, the Renovation of Existing Building Alternative would partially meet the following objective:

- Replace existing residential support facilities that are too outdated and undersized to support the full range of needed support services.
- Ensure that the new HRL office building and commons building are consistent with the 2008 Master Plan's site and architectural guidelines.

As the HRL office building and its services would not be sited at the existing Hillside Office/Commons building, and therefore not be centrally located, this alternative would not meet the following project objectives:

- Provide high-quality programming services for students that includes adequate space for commons, administration, and HRL staff.
- Site the proposed HRL office building and commons building within the Hillside College Complex in a way that best utilizes existing parking that is convenient and accessible for campus students, employees and visitors; and
- Provide a centralized and accessible HRL office building and commons building for students in the Hillside and Parkside College Complexes, to provide a safe and comfortable living environment for students.

This alternative would not provide new common open space areas and would continue the operation of the existing Hillside Office/Commons building, which does not include features that achieve LEED or NZE requirements. As such, the Renovation of Existing Building Alternative would not meet the following objectives:

- Provide open space for students to recreate and socialize.

- Be consistent with campus-wide sustainability policies to achieve net-zero/net-positive goals.

The Renovation of Existing Building Alternative would not provide the space necessary to site the HRL office services at the existing Hillside Office/Commons building. Additionally, the Renovation of Existing Building Alternative would not provide any additional common outdoor open space. The 2008 Master Plan identified the need to expand its residential offerings to serve their growing enrollment numbers, and while the Renovation of Existing Building Alternative does provide additional indoor common space for student use and would renovate the existing building, it would not provide adequate space to support the needed HRL student support services in a central, accessible location within the Hillside College complex. Therefore, the Renovation of Existing Building Alternative only partially meets three of the eight objectives of the proposed project. Furthermore, although this alternative would avoid the significant and unavoidable impact related to cultural resources in comparison to the proposed project., it would result in increased impacts related to operational energy usage and GHG emissions as the existing Hillside Office/Commons building does not meet NZE or LEED requirements.

1.3.3. New Building at Corner Site Alternative

Description

The New Building at Corner Site Alternative would involve construction of a new building on the Corner Site within the campus at the corner of Earl Warren Drive and Beach Drive. The new building would be two stories in height and total approximately 10,000 SF and would include the relocation of the HRL student services. The first floor would contain offices, workstations, a breakroom, and conference rooms. The second floor would have additional office and conference room space, as well as two apartments. Earl Warren Drive would remain in its existing configuration under this alternative. The existing Hillside Office/Commons building would remain intact in its existing configuration and would continue to serve as a limited indoor student commons. No renovations would occur to the Hillside Office/Commons building, and routine maintenance activities would continue as they do under existing conditions.

Implementation of this alternative would result in reduced impacts to historical resources in comparison to the proposed project, similar impacts to archaeological and tribal cultural resources, and greater impacts to GHG emissions and energy due to the need to develop a new site to accommodate parking. It would also result in additional impacts not identified for the proposed project (i.e., potential access and circulation impacts).

Finding

The CSU Board of Trustees rejects the New Building at Corner Site Alternative as undesirable due to the following: it fails the proposed project's underlying purpose; it only meets one of the project's objectives and partially meets two of the project's objectives; and, because specific economic, legal, social, technological or other considerations make the alternative infeasible.

Rationale

The New Building at Corner Site Alternative would provide a new expanded location for the HRL offices. Therefore, this alternative would meet the following objective:

- Replace existing residential support facilities that are too outdated and undersized to support the full range of needed support services.

Due to size constraints on the building and site configuration, the programming would be split between two physically separated locations, with the limited commons space in the existing Hillside

Office/Commons building remaining as the main commons area for the Hillside College complex students, and the HRL office building being located at the Corner Site. The commons space in the Hillside Office/Commons building does not adequately serve the existing and projected residential population of the Hillside College complex. Therefore, this alternative only partially meets the following objective:

- Provide high-quality programming services for students that includes adequate space for commons, administration, and HRL staff.

The New Building at Corner Site Alternative would adhere to the 2008 Master Plan's site and architectural guidelines to a certain extent by meeting all current accessibility codes; however, certain guidelines would not be implemented, including coordinating the building with the open spaces of the campus, provide for enhanced pedestrian circulation patterns, and featuring broad and welcoming entrances. For these reasons, the New Building at Corner Site Alternative would partially meet the following objective:

- Ensure that the new HRL office building and commons building are consistent with the 2008 Master Plan's site and architectural guidelines.

The New Building at Corner Site Alternative would replace existing residential support facilities with a new expanded location for the HRL offices and the existing Hillside Office/Commons building would remain at its existing location. However, the Corner Site location is not centrally located and is not easily accessible by students. Due to size constraints, the programming would be split between two physically separated locations, with the limited commons space in the existing Hillside Office/Commons building remaining as the main commons area for the Hillside College complex students. For these reasons, the New Building at Corner Site Alternative would not meet the following project objectives:

- Site the proposed HRL office building and proposed commons building in the same location as the existing, original Hillside Office/Commons building, to maintain the historic spatial relationship to the existing Hillside College Complex residential buildings, hardscape, and landscape that comprise the historic district, as well as to maintain the building's presence and accessibility along Earl Warren Drive; and
- Provide a centralized and accessible HRL office building and commons building for students in the Hillside and Parkside College Complexes to provide a safe and comfortable living environment for students

The New Building at Corner Site Alternative would result in the desired programming being split between two buildings and would necessitate the construction of additional parking facilities to serve the new building. In addition, it would not provide additional landscaped areas or new pedestrian pathways and would continue the operation of the existing Hillside Office/Commons building, which does not include features that achieve LEED or NZE requirements. For these reasons, the New Building at Corner Site Alternative would not meet the following objectives:

- Site the proposed HRL office building and commons building within the Hillside College Complex in a way that best utilized existing parking that is convenient and accessible for campus students, employees, and visitors;
- Provide open space for students to recreate and socialize; and
- Be consistent with campus-wide sustainability policies to achieve net-zero/net-positive goals.

Therefore, the New Building at Corner Site Alternative only meets one of the project's objectives and partially meets two of the project's objectives of the proposed project. Furthermore, this alternative would necessitate development of a new site to accommodate parking, which would result in increased

construction activities as compared to the proposed project. In addition, traffic conflicts may arise with the location of this alternative, as student vehicles are not currently permitted to park along Earl Warren Drive or Beach Drive in the vicinity of the Corner Site location. Although the New Building at Corner Site Alternative would avoid the significant and unavoidable impact to historical resources identified for the proposed project as no demolition of the existing Hillside Office/Commons building would occur, it would result in additional impacts not identified for the proposed project, would not meet five of the eight objectives of the proposed project, and would result in greater impacts to GHG and energy due to the need to develop a new site to accommodate parking.

1.3.4. New Building at Beach Drive Site with Renovation of Existing Building Alternative

Description

The New Building at Beach Drive Site with Renovation of Existing Building Alternative would include construction of a new building at the Beach Drive Site and renovation of the existing Hillside Office/Commons building. This alternative includes two options for the new building, both of which would include a landscaped quad area in front of the building. Earl Warren Drive would remain in its existing configuration under this alternative, and no new pedestrian pathways would be constructed near the existing Hillside Office/Commons building. The two options for the new building are as follows:

- Option 1: Under option 1, the new building at the Beach Drive Site would be two stories in height and total approximately 12,000 SF. The first floor of the new building would include office, workstation, and administrative areas, while the second floor would include new apartments. Under this option, the existing Hillside Office/Commons Building would be renovated as needed for future use within the existing footprint.
- Option 2: Under option 2, the new building at the Beach Drive Site would be one story in height and would contain approximately 6,000 SF of office, workstation, and administrative spaces. Renovation of the existing Hillside Office/Commons building would include the addition of approximately 6,000 SF of space to the western frontage of the building to accommodate new apartments. The additional space would be located in a single story on the left and right sides of the existing entrance in the existing lawn space in front of the building. The renovations under this option would extend the existing building westward to the parcel boundary at Earl Warren Drive.

Implementation of this alternative would result in reduced impacts to historical resources in comparison to the proposed project, similar impacts to archaeological and tribal cultural resources, and result in greater impacts to GHG and energy to construction occurring on three different sites (new building site, existing Hillside Office/Commons building, and the potential parking lot). It would also result in additional impacts not identified for the proposed project (i.e., eliminating an existing recreational open space area and causing potential access and circulation impacts).

Finding

The CSU Board of Trustees rejects the New Building at Beach Drive Site with Renovation of Existing Building Alternative as undesirable due to the following: it fails the proposed project's underlying purpose; it only meets two of the project's objectives and partially meets two of the project's objectives; and, because specific economic, legal, social, technological or other considerations make the alternative infeasible.

Rationale

The New Building at Beach Drive Site with Renovation of Existing Building Alternative would provide a new expanded location for the HRL offices and would provide a new landscaped quad area in front of the new building. Therefore, this alternative would meet the following objectives:

- Replace existing residential support facilities that are too outdated and undersized to support the full range of needed support services.
- Provide open space for students to recreate and socialize.

The New Building at Beach Drive Site with Renovation of Existing Building Alternative would replace existing residential support facilities and the existing Hillside Office/Commons building would remain at its existing location and would be renovated. However, due to size constraints, the programming would be split between two physically separated locations, and the limited commons area would remain at the existing Hillside Office/Commons building. For these reasons, the New Building at Beach Drive Site with Renovation of Existing Building Alternative would partially meet the following project objective:

- Provide high-quality programming services for students that includes adequate space for commons, administration, and HRL staff.

The New Building at Beach Drive Site with Renovation of Existing Building Alternative would adhere to the 2008 Master Plan's site and architectural guidelines to a certain extent by meeting all current accessibility codes; however, certain guidelines would not be implemented, such as providing for enhanced pedestrian circulation patterns. For these reasons, the New Building at Beach Drive Site with Renovation of Existing Building Alternative would partially meet the following objective:

- Ensure that the new HRL office building and commons building are consistent with the 2008 Master Plan's site and architectural guidelines.

The New Building at Beach Drive Site with Renovation of Existing Building Alternative would result in the desired programming being split between two buildings and would necessitate the construction of additional parking facilities to serve the new building. In addition, the alternative would continue the operation of the existing Hillside Office/Commons building, which does not meet include features that achieve LEED or NZE requirements. Therefore, the New Building at Beach Drive Site with Renovation of Existing Building Alternative would not meet the following objectives:

- Site the proposed HRL office building and proposed commons building in the same location as the existing, original Hillside Office/Commons building, to maintain the historic spatial relationship to the existing Hillside College Complex residential buildings, hardscape, and landscape that comprise the historic district, as well as to maintain the building's presence and accessibility along Earl Warren Drive;
- Site the proposed HRL office building and commons building within the Hillside College Complex in a way that best utilized existing parking that is convenient and accessible for campus students, employees, and visitors;
- Provide a centralized and accessible HRL office building and commons building for students in the Hillside and Parkside College Complexes to provide a safe and comfortable living environment for students; and
- Be consistent with campus-wide sustainability policies to achieve net-zero/net-positive goals.

Therefore, the New Building at Beach Drive Site only meets two project objectives and partially meets two project objectives of the proposed project. Furthermore, although the New Building at Beach Drive Site with Renovation of Existing Building Alternative would avoid the significant and unavoidable impact to historical resources identified for the proposed project due to preservation of the existing Hillside Office/Commons building, and result in greater impacts to GHG and energy due to construction occurring on three different sites (new building site, existing Hillside Office/Commons building, and the potential parking lot). Also, this alternative would result in the following additional impacts not identified for the proposed project: (1) it would develop a site currently used as an informal outdoor event area by students, thereby eliminating the use of that space as a recreational open space option; and (2) it would result in potential access and circulation impacts as a bus stop is currently located along Beach Drive adjacent to the Corner Site location that would be impacted by students temporarily parking along Beach Drive to access the HRL office building.

1.4. GENERAL CEQA FINDINGS

1.4.1. Environmental Mitigation Monitoring Program

Based on the entire record before the CSU Board of Trustees and having considered the unavoidable significant impacts of the project, the CSU Board of Trustees hereby determines that all feasible mitigation within the responsibility and jurisdiction of CSULB has been adopted to reduce or avoid the potentially significant impacts identified in the Final Supplemental EIR, and that no additional feasible mitigation is available to further reduce significant impacts. The feasible mitigation measures are discussed in Sections 1.2.3 and 1.2.4, above, and are set forth in the MMP.

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

- The MMP 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.

1.4.2. CEQA Guidelines Section 15091 and 15092 Findings

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

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

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

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

1.4.3. CSU Board of Trustees Independent Judgment

The Final Supplemental EIR for the proposed project reflects the CSU Board of Trustees' independent judgment. The CSU 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 Supplemental EIR, as well as reviewing, analyzing, and revising material prepared by the consultant.

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

1.4.4. Nature of Findings

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

1.4.5. Reliance on Record

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

Record of Proceedings

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

- The Draft Supplemental EIR for the project and all appendices;
- All comments submitted by agencies or members of the public during the comment period on the Draft Supplemental EIR;
- The Final Supplemental EIR for the project, including comments received on the Draft Supplemental EIR, responses to those comments, and appendices;
- Documents cited or referenced in the Draft Supplemental EIR and Final Supplemental EIR;
- The MMP for the project;
- All findings and resolutions adopted by the CSU Board of Trustees in connection with the project and all documents cited or referred to therein;

- All reports, studies, memoranda, maps, staff reports, or other planning documents relating to the project prepared in compliance with the requirements of CEQA and with respect to the CSU Board of Trustees' action on the project;
- All documents submitted by other public agencies or members of the public in connection with the project, up through the close of the final public hearing;
- Any minutes and/or verbatim transcripts of all information sessions, public meetings, and public hearings held in connection with the project;
- Any documentary or other evidence submitted at such information sessions, public meetings, and public hearings;
- Any and all resolutions adopted by the CSU regarding the project, and all staff reports, analyses, and summaries related to the adoption of those resolutions;
- Matters of common knowledge, including, but not limited to federal, state, and local laws and regulations;
- Any documents expressly cited in these findings and any documents incorporated by reference, in addition to those cited above;
- Any other written materials relevant to the CSU Board of Trustees' compliance with CEQA or its decision on the merits of the project, including any documents or portions thereof, that were released for public review, relied upon in the environmental documents prepared for the project, or included in the CSU Board of Trustees non-privileged retained files for the EIR or project;
- Any other materials required for the record of proceedings by PRC Section 21167.6(e); and
- The Notice of Determination.

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

Custodian of Records

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

California State University, Long Beach
Office of Design + Construction Services
1331 Palo Verde Avenue
Long Beach, California 90815

Recirculation Not Required

CEQA Guidelines Section 15088.5 provides the criteria that a lead agency is to consider when deciding whether it is required to recirculate an EIR. Recirculation is required when "significant new information" is added to the EIR after public notice of the availability of the Draft EIR is given, but before certification. (CEQA Guidelines, §15088.5(a).) "Significant new information," as defined in CEQA Guidelines Section

15088.5(a), means information added to an EIR that changes the EIR so as to deprive the public of a meaningful opportunity to comment on a “substantial adverse environmental effect” or a “feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement.”

An example of significant new information provided by the CEQA Guidelines is a disclosure showing that a “new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented;” that a “substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted to reduce the impact to a level of insignificance;” or that a “feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project’s proponents decline to adopt it” (CEQA Guidelines, §15088.5(a)(1)-(3)).

Recirculation is not required where “the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR” (CEQA Guidelines, §15088.5(b)). Recirculation also is not required simply because new information is added to the EIR — indeed, new information is oftentimes added given CEQA’s public/agency comment and response process and CEQA’s post-Draft EIR circulation requirement of proposed responses to comments submitted by public agencies. In short, recirculation is “intended to be an exception rather than the general rule” (Laurel Heights Improvement Assn. v. Regents of University of California (1993) 6 Cal⁴th 1112, 1132.).

In this legal context, the CSU Board of Trustees finds that recirculation of the Draft Supplemental EIR prior to certification is not required. In addition to providing responses to comments, the Final Supplemental EIR includes revisions to expand upon information presented in the Draft Supplemental EIR; explain or enhance the evidentiary basis for the Draft Supplemental EIR’s findings; update information; and to make clarifications, amplifications, updates, or helpful revisions to the Draft Supplemental EIR. The Final Supplemental EIR’s revisions, clarifications and/or updates do not result in any new significant impacts or increase the severity of a previously identified significant impact.

In sum, the Final Supplemental EIR demonstrates that the project will not result in any new significant impacts or increase the severity of a significant impact, as compared to the analysis presented in the Draft Supplemental EIR. The changes reflected in the Final Supplemental EIR also do not indicate that meaningful public review of the Draft Supplemental EIR was precluded in the first instance. Accordingly, recirculation of the EIR is not required as revisions to the EIR are not significant as defined in Section 15088.5 of the State CEQA Guidelines.

1.5. CERTIFICATION OF THE FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT

The CSU Board of Trustees certifies that the Final EIR, dated June 2020, has been completed in compliance with CEQA and the CEQA Guidelines, that the EIR was presented to the CSU Board of Trustees, and that the Board reviewed and considered the information contained therein before approving the proposed project, and that the EIR reflects the independent judgment and analysis of the Board. (CEQA Guidelines § 15090.)

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2. STATEMENT OF OVERRIDING CONSIDERATIONS

Pursuant to Public Resources Code Section 21081(b) and CEQA Guidelines section 15093(a) and (b), the CSU Board of Trustees is required to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological or other benefits of the project, including region-wide or statewide environmental benefits, outweigh the unavoidable adverse environmental effects, those effects may be considered “acceptable” (CEQA Guidelines, §15093 (a)). CEQA requires the agency to support, in writing, the specific reasons for considering a project acceptable when significant impacts are not avoided or substantially lessened. Those reasons must be based on substantial evidence in the Final Supplemental EIR or elsewhere in the administrative record (CEQA Guidelines, §15093(b)).

Courts have upheld overriding considerations that were based on a variety of policy considerations including, but not limited to, new jobs, stronger tax base, and implementation of an agency’s economic development goals, growth management policies, redevelopment plans, the need for housing and employment, conformity to community plan, and provision of construction jobs, See *Towards Responsibility in Planning v. City Council* (1988) 200 Cal App. 3d 671; *Dusek v. Redevelopment Agency* (1985) 173 Cal App. 3d 1029; *City of Poway v City of San Diego* (1984) 155 Cal App. 3d 1037; *Markley v. City Council* (1982) 131 Cal App.3d 656.

In accordance with the requirements of CEQA and the CEQA Guidelines, the CSU Board of Trustees finds that the mitigation measures identified in the Final Supplemental EIR and the MMP, when implemented, will avoid or substantially lessen many of the significant effects identified in the Final Supplemental EIR for the proposed project. However, certain significant impacts of the proposed project are unavoidable even after incorporation of all feasible mitigation measures. These significant unavoidable impacts are to cultural resources (built historical resources). The Final Supplemental EIR provides detailed information regarding these impacts (see Section 2.4, Potentially Significant Impacts that Cannot Be Mitigated Below A Level of Significance, of this document).

The CSU Board of Trustees finds that all feasible mitigation measures identified in the Final Supplemental EIR within the purview of the CSU will be implemented with implementation of the proposed 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 Supplemental EIR, and the record, as follows:

1. The CSU has identified the need to accommodate the demand for higher education by students in California, and the proposed project will enable CSULB to accommodate campus support services by providing a two-story, 8,000-SF commons building, a single-story, 4,500-SF HRL office building.
2. The proposed project will replace existing residential support facilities that are too outdated and undersized to support the full range of needed support services within the campus’s Hillside College residence hall complex.
3. The proposed project will replace existing, aged structures with buildings that incorporate energy-efficient, sustainable, water and waste efficient, and resilient features that achieve a LEED Platinum Rating, NZE Rating, and Full Living Building Challenge Certification.

4. The proposed buildings are designed to encourage student involvement while creating a unique indoor-outdoor experience. The canopy-covered central courtyard will transition outdoor to interior spaces and provide outdoor seating for individuals and groups in a variety of locations to encourage student use of the space.
5. The proposed project will replace existing facilities with new facilities that meet the design goals for the campus, as well as incorporate warmer tones that are considered reflective of modern facilities.
6. The proposed project supports students and staff with appropriate administrative and housing facilities.
7. The proposed project will provide for enhanced pedestrian circulation patterns.
8. The proposed project will encourage use of bicycles and support CSULB's goal of reducing single-commuter vehicular traffic on campus by providing bicycle racks in a location that accommodates preferred access to the buildings and a connection to the existing campus bicycle network.
9. The proposed project will support the student engagement and well-being goals of the CSU Graduation Initiative 2025 through the provision of expanded residential support services and facilities. Graduation Initiative 2025 is CSU's initiative to increase graduation rates for all CSU students while eliminating opportunity and achievement gaps.

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