



California State University Monterey Bay Stadium Expanded Use Project

CEQA Findings of Fact and Statement of Overriding Considerations

State Clearinghouse No. 2025021013

Prepared for the California State University, Board of Trustees and
California State University Monterey Bay

September 2026

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**CEQA FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS
FOR THE
CALIFORNIA STATE UNIVERSITY MONTEREY BAY STADIUM EXPANDED USE
PROJECT**

SCH No. 2025021013

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CHAPTER 1.0 FINDINGS OF FACT

1.1 INTRODUCTION

1.1.1 Purpose

This statement of Findings of Fact (Findings) and Statement of Overriding Considerations addresses the environmental effects associated with the proposed California State University Monterey Bay (CSUMB) Stadium Expanded Use Project (proposed project). The proposed project is located on CSUMB's campus in the City of Seaside, California. These Findings are made pursuant to the California Environmental Quality Act (CEQA) under Public Resources Code (PRC) Sections 21081, 21081.5, and 21081.6 and CEQA Guidelines Sections 15091 and 15093, Title 14, California Code of Regulations (CCR) 1500 et seq. Both the Draft Environmental Impact Report (EIR), Final EIR, and additional facts found in the complete record of proceedings identify the proposed project's potentially significant impacts.

PRC Section 21081 and CEQA Guidelines Section 15091 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 Board of Trustees (Board of Trustees) is the lead agency responsible for preparation of the EIR in compliance with the CEQA Guidelines. Section 15091 of the CEQA Guidelines states, in part, that:

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

In accordance with PRC Section 21081 and CEQA Guidelines Section 15093, whenever significant impacts cannot be mitigated to below a level of significance, the decision-making agency is required to balance, as applicable, the benefits of the 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.

CEQA Guidelines Section 15093 states:

- a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."
- b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the Final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.
- c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

The Final EIR identified potentially significant effects that could result from implementation of the proposed project. However, the Board of Trustees finds that the inclusion of certain mitigation measures as part of the proposed project's approval will reduce most, but not all, of those effects to less than significant levels. 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 the CEQA Guidelines, the Board of Trustees adopts these Findings as part of certification of the Final EIR. Pursuant to PRC Section 21092.1(c)(3), the Board of Trustees also finds that the Final EIR reflects the independent judgment of the Board of Trustees as the lead agency. As required by CEQA, the Board of Trustees, in adopting these Findings, also adopts a Mitigation Monitoring and Reporting Program (MMRP) for the proposed project. The Board of Trustees finds that the MMRP, incorporated by reference and made a part of these Findings, meets the requirements of PRC Section 21081.6 by providing for the implementation and monitoring of measures intended to mitigate potentially significant impacts of the proposed project.

1.1.2 Organization and Format of Findings

Section 1.1, Introduction, contains a summary description of the proposed project and background facts related to the environmental review process.

Section 1.2, CEQA Findings of Independent Judgement, provides a discussion of the environmental impacts associated with the proposed project. Specifically, **Section 1.2.1, Effects Determined Not to Be Significant**, describes the environmental effects determined not to be significant during the Notice of Preparation (NOP) scoping process and were therefore not discussed in detail in the EIR. **Section 1.2.2, Less Than Significant Impacts**, identifies the potential environmental effects determined not to be significant during preparation of the EIR and, therefore, do not require mitigation measures. **Section 1.2.3, Potentially Significant or Significant Impacts Mitigated Below a Level of Significance**, identifies the potentially significant impacts that would be mitigated to a less than significant level with implementation

of the identified mitigation measures. **Section 1.2.4, Significant and Unavoidable Impacts**, identifies the significant impacts that cannot be mitigated to a less than significant level, although all feasible mitigation measures have been identified and incorporated into the proposed project.

Section 1.3, Findings Regarding Alternatives, identifies the feasibility of the proposed project's Alternatives studied in the EIR.

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

Section 1.5, Certification of the Final Environmental Impact Report, describes the certification of the Final EIR.

Chapter 2, Statement of Overriding Considerations, provides the Board of Trustees' views on the balance between the identified significant environmental effects and the merits and objectives of the proposed project.

1.1.3 Project Purpose

The underlying purpose of the proposed project is to modernize and enhance the existing stadium to function as a flexible, multipurpose venue that better supports CSUMB's academic and athletic programs while accommodating expanded use, including partnerships with external organizations such as professional athletic entities (e.g., United Soccer League). By improving the functionality, capacity, and quality of the facility, the proposed project would increase its utility for intercollegiate athletics, campus events, and community-serving activities, thereby strengthening community partnerships and elevating CSUMB's regional presence. The renovated stadium would also expand opportunities for student learning and research, particularly within the College of Health Sciences and Human Services, and enhance support for student-athlete development.

1.1.4 Summary of Project Description

The proposed project would expand CSUMB and Monterey Bay Football Club's (MBFC) existing programming at the CSUMB Stadium and involve the construction and operation of two (2) new locker room facilities, two (2) new permanent restroom facilities, and a gated event storage and staging area just north of the stadium. The proposed project site is located on CSUMB's campus within the City of Seaside at 4113 2nd Avenue (Assessor's Parcel Number [APN] 031-101-044-000).

The expanded programming of CSUMB Stadium would allow CSUMB to host the men's and women's California Collegiate Athletic Association (CCAA) Championship tournaments and the National Collegiate Athletic Association (NCAA) Division II National Championships. CSUMB would also host the following non-athletic events: Latinx Affinity Ceremonies for graduating students; Monte's 5k and post-race event; new student fall convocation; Otter Cross Cultural Center (OC3) affinity celebration; fall welcome concert; a spring concert; the Relay for Life; and up to 25 other university-related events.

Additionally, the proposed project would allow the CSUMB Stadium to host three (3) new teams under the oversight of the MBFC (the existing professional team engaged in a 14-year Facilities Shared-Use Agreement with CSUMB): one (1) USL League Two (Men's Amateur), one (1) USL Super League (women's

Pro), and one (1) USL W League (Women's Amateur). The project would accommodate games associated with these teams, totaling 18 events over 18 days for the USL Super League and 12 events over 10 days each for the USL League Two and USL W League. The CSUMB Stadium would also host other MBFC events, including a 28-day Winter Festival and up to 20 weekend concerts annually, with a maximum of 6,000 attendees.

Proposed new facilities include the following:

1. Men's and Women's Locker Room and Shower Facility. Two (2) permanent 1,400-square-foot locker room facilities would be constructed. One (1) facility would replace the existing portable showers utilized by the men's teams and would be built at the stadium entrance northwest of the field house. Another facility would be constructed to accommodate the women's teams southwest of the field house.
2. Permanent Restroom Facilities. Two (2) permanent restroom buildings, each approximately 1,000 square feet, would be constructed within the existing beer garden area to replace the existing 36 portable facilities.
3. Storage and Staging Area. A new 1.25-acre dedicated storage and staging area would be established north of the stadium to support event operations, equipment storage, and logistical needs. No permanent construction of any structures besides fencing is planned for this site.

1.1.5 Project Objectives

The Board of Trustees identified the following objectives to support the underlying purpose of the proposed project, which is to modernize and enhance the existing stadium to function as a flexible, multipurpose venue that better supports CSUMB's academic and athletic programs while accommodating expanded use, including partnerships with external organizations such as professional athletic entities (e.g., USL).

1. Strengthen the stadium as a campus resource and shared community asset that can attract and support more intensive use and partnerships with external organizations, including professional athletic organizations, in a manner that aligns with CSUMB's academic mission.
2. Modernize and improve the usability, safety, and operational efficiency of the existing stadium through targeted physical improvements that extend its functional lifespan and better serve students, faculty, staff, and community.
3. Renovate and upgrade existing stadium facilities to address functional limitations of the current venue; including constraints related to space capacity, configuration, and athlete support infrastructure, and to better align with collegiate athletic program needs and applicable professional standards (e.g., USL facility requirements); while increasing visibility and awareness of athletics within the Monterey Bay region.
4. Renovate existing stadium facilities to support multiple programming needs including academic instruction, experiential learning, and applied research opportunities for students, including those related to health sciences, kinesiology, sports management, and community health, consistent

with CSUMB's role as a comprehensive public university. Improvements would include the provision of permanent restroom facilities to replace existing temporary portable units, thereby improving visitor capacity, accessibility, and overall user experience.

5. Site new development in the already developed campus core, which is served by existing infrastructure, to avoid unnecessary expansion into undeveloped land, consistent with smart growth principles and long-term campus planning goals.

1.1.6 Environmental Review Process

1.1.6.1 Notice of Preparation

Pursuant to PRC Section 21092 and the CEQA Guidelines Section 15082, the Board of Trustees and CSUMB circulated an NOP to local, state, and federal agencies and other interested parties from February 27, 2025, to March 31, 2025, for a 30-day review period. The Board of Trustees posted the NOP to the State Clearinghouse and on CSUMB's website. CSUMB, on behalf of the Board of Trustees, held a public scoping meeting on Wednesday, March 12, 2025, from 5:30 PM to 7:00 PM both in-person and on Zoom at the Otter Student Union, located at 3118 Inter-Garrison Rd, Seaside, California 93955.

1.1.6.2 Draft Environmental Impact Report

Pursuant to PRC Sections 21000 through 21177 and CEQA Guidelines Sections 15000 through 15387, the Board of Trustees and CSUMB prepared a Draft EIR to address the potential significant impacts associated with the proposed project. The Draft EIR addressed the following potentially significant environmental issues:

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

The Board of Trustees and CSUMB published the Draft EIR for public and agency review on May 15, 2026, for a 45-day public review period that ended on June 29, 2026. The Board of Trustees and CSUMB provided hard copies of the Draft EIR at the following locations:

- CSUMB Library (Reference Desk), on the CSUMB campus
- CSUMB Facilities Management Office, on the CSUMB campus

The Board of Trustees and CSUMB posted the Draft EIR on CSUMB's website, which remains publicly available at the following link: <https://csumb.edu/departments/facilities/planning/>

During the public review period, the Board of Trustees and CSUMB received eight (8) comment letters from state and, local agencies and organizations; and Native American Tribes. The Board of Trustees and CSUMB reviewed and included all comments received in response to the Draft EIR as part of the Final EIR in **Appendix H**. Responses to the comments relevant to the environmental analysis were provided in the Final EIR in compliance with CEQA Guidelines Sections 15088 and 15132.

1.1.6.3 Final Environmental Impact Report

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

The Final EIR assembles in one (1) document all the environmental information and analysis prepared for the proposed project, including comments on the Draft EIR and responses to those comments. In accordance with CEQA Guidelines Section 15132, the Final EIR for the proposed project consists of: 1) the Draft EIR and subsequent revisions; 2) comments received on the Draft EIR; 3) a list of the persons, organizations, and public agencies commenting on the Draft EIR; 4) written responses to significant environmental issues raised during the public review and comment period and related supporting materials; and, 5) other information contained in the EIR, including EIR appendices. The Board of Trustees and CSUMB released the Final EIR on September 4, 2026, and made it available for review by commenting agencies, in accordance with the CEQA Guidelines. The Board of Trustees and CSUMB also made the Final EIR available to the public online at: <https://csumb.edu/departments/facilities/planning/>.

1.2 CEQA FINDINGS OF INDEPENDENT JUDGEMENT

1.2.1 Effects Determined Not to Be Significant

CEQA Guidelines Section 15128 requires that an EIR 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. This information is addressed in **Chapter 4.0, Environmental Setting, Impacts, and Mitigation Measures**, in the Final EIR. Based on the discussions provided in the Final EIR, the Board of Trustees and CSUMB determined that implementation of the proposed project would not result in potentially significant impacts related to the following issues:

- **Agriculture and Forestry Resources:** The proposed project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use.
- **Agriculture and Forestry Resources:** The proposed project would not conflict with existing zoning for agricultural use or a Williamson Act contract.
- **Agriculture and Forestry Resources:** The proposed project would not conflict with existing zoning for, or cause rezoning of, forest land (as defined in PRC Section 12220(g)), timberland (as defined by PRC Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)).

- **Agriculture and Forestry Resources:** The proposed project would not result in a loss of forest land or conversion of forest land to non-forest use.
- **Agriculture and Forestry Resources:** The proposed project would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use.
- **Mineral Resources:** The proposed project would not result in the loss of availability of a known mineral resource that would be of value to the region and residents of the state.
- **Mineral Resources:** The proposed project would not result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan.
- **Wildfire:** The proposed project would not, due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.
- **Wildfire:** The proposed project would not require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.
- **Wildfire:** The proposed project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

Furthermore, during preparation and analysis of the individual resource topics presented in the Final EIR, the Board of Trustees and CSUMB identified additional environmental issues for which implementation of the proposed project would not result in a potentially significant impact. The Final EIR presents an evaluation of the following environmental issue areas before concluding that the proposed project would have no impact.

- **Biological Resources:** Based on substantial evidence in the record, the proposed project would have no impact with respect to having a substantial adverse effect on any riparian habitat or other sensitive natural community identified in a local or regional plan, policy, or regulation or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. No riparian habitat or other sensitive natural communities exist within the vicinity of the project site (**Impact BIO-2**).
- **Biological Resources:** Based on substantial evidence in the record, the proposed project would have no impact with respect to having a substantial adverse effect on state or federally protected wetlands through direct removal, filling, hydrological interruption, or other means. No state or federally protected wetlands exist within or in the vicinity of the project site (**Impact BIO-3**).
- **Cultural and Tribal Cultural Resources:** Based on substantial evidence in the record, the proposed project would have no impact with respect to causing a substantial adverse change in the significance of a historic resource. While CSUMB Stadium is older than 50 years, a 2021 historic

resource analysis associated with the Freeman Stadium Renovations Project (SCH #2021070153) determined that the stadium does not meet the California Register of Historic Resources or the National Register of Historic Places eligibility criteria. No other historic resources are present within the vicinity of the proposed project site (**Impact CTR-1**).

- **Geology, Soils, and Seismicity:** Based on substantial evidence in the record, the proposed project would have no impact with respect to having soils incapable of supporting the use of septic tanks or alternative wastewater disposal systems. The proposed project does not require the use of septic tanks or alternative wastewater disposal systems (**Impact GEO-5**).
- **Hazards and Hazardous Materials:** Based on substantial evidence in the record, the proposed project would have no impact with respect to resulting in a safety hazard or excessive noise for people residing or working in the project area due to being located within an airport land use plan or within two (2) miles of a public or private airport. The proposed project is not located within an airport land use plan or within two (2) miles of a public or private airport; the nearest airport is the Marina Municipal Airport located approximately 2.5 miles northeast of the project site (**Impact HAZ-3**).
- **Land Use and Planning:** Based on substantial evidence in the record, the proposed project would have no impact with respect to physically dividing an established community. Implementation of the proposed project would be confined to the existing CSUMB Stadium site and surrounding Athletics and Recreation District, and construction and operational activities would not include infrastructure that would divide an established community (e.g., road or bridge) (**Impact LUP-1**).
- **Land Use and Planning:** Based on substantial evidence in the record, the proposed project would have no impact with respect to causing a significant environmental impact due to a conflict with a land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating and environmental impact. Implementation of the proposed project is consistent with the land use plans, policies, and regulations identified for the project site as set forth in the 2022 CSUMB Master Plan Guidelines as well as City of Seaside's General Plan policies to the extent the City of Seaside's policies are applicable (**Impact LUP-2**).
- **Noise and Vibration:** Based on substantial evidence in the record, the proposed project would have no impact with respect to exposing people residing or working in the project area to excessive noise levels due to being located within an airport land use plan or within two (2) miles of a public or private airport. The proposed project is not located within an airport land use plan or within two (2) miles of a public or private airport; the nearest airport is the Marina Municipal Airport located approximately 2.5 miles northeast of the project site (**Impact NV-3**).
- **Population and Housing:** Based on substantial evidence in the record, the proposed project would have no impact with respect to displacing substantial numbers of existing people or housing. Implementation of the proposed project is constrained to the existing CSUMB Stadium site and surrounding Athletics and Recreation District. The proposed project would not require removal or displacement of people or housing (**Impact PH-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 would be less than significant and no mitigation is required pursuant to PRC section 21081(a) and CEQA Guidelines section 15091(a).

1.2.2.1 Aesthetics

OVERVIEW

The Final EIR provides an evaluation of Aesthetic impacts in **Section 4.1, Aesthetics**. Implementation of the proposed project would not result in significant impacts with respect to causing a substantial adverse effect on a scenic vista or damaging scenic resources within view of a State Scenic Highway (**Impact AES-1**), conflicting with applicable zoning and other regulations governing scenic quality (**Impact AES-2**), or creating a new source of substantial light or glare (**Impact AES-3**).

FINDING

The proposed project consists of expansion of use and physical improvements to an existing stadium site located in the Athletics and Recreation District of the campus. The project site is not visible from a public scenic vista or State Scenic Highway, nor would the project obstruct views of surrounding scenic resources from a scenic vista. The project site would be visually consistent with adjacent athletic facilities and all lighting fixtures would either be commensurate with existing conditions in the Athletics and Recreation District or would not be visible to nearby receptors. For these reasons, the Board of Trustees finds that, based upon substantial evidence in the record, the potential impacts of the proposed project related to causing a substantial adverse effect on a scenic vista or damaging scenic resources within view of a State Scenic Highway (**Impact AES-1**), conflicting with applicable zoning and other regulations governing scenic quality (**Impact AES-2**), or creating a new source of substantial light or glare (**Impact AES-3**) are less than significant and no mitigation measures are required.

1.2.2.2 Air Quality

OVERVIEW

The Final EIR provides an evaluation of Air Quality impacts in **Section 4.2, Air Quality**. Implementation of the proposed project would not result in significant impacts with respect to conflicting or obstructing implementation of applicable air quality plans (**Impact AQ-1**), having a cumulatively considerable net increase of criteria air pollutants for which the region is non-attainment (**Impact AQ-2**), exposing sensitive receptors to substantial pollutant concentrations (**Impact AQ-3**), or generating other emissions adversely affecting a substantial number of people (**Impact AQ-4**).

FINDING

The proposed project consists of the proposed expanded use of CSUMB Stadium and construction of proposed stadium improvements to support the expansion of the stadium. The proposed activities would not contribute significantly to regional growth and, therefore, would not be inconsistent with regional air quality plans; would not exceed the applicable air quality thresholds established by MBARD; and would

not contribute significantly to objectionable odors since proposed activities do not involve sources of continuous objectionable odors (e.g., landfills, refineries, wastewater treatment plants). For these reasons, the Board of Trustees finds that, based upon substantial evidence in the record, the potential impacts of the proposed project related to conflicting or obstructing implementation of applicable air quality plans (**Impact AQ-1**), having a cumulatively considerable net increase of criteria air pollutants for which the region is non-attainment (**Impact AQ-2**), exposing sensitive receptors to substantial pollutant concentrations (**Impact AQ-3**), or generating other emissions adversely affecting a substantial number of people (**Impact AQ-4**) are less than significant and no mitigation measures are required.

1.2.2.3 Biological Resources

OVERVIEW

The Final EIR provides an evaluation of Biological Resource impacts in **Section 4.3, Biological Resources**. Implementation of the proposed project would not result in significant impacts with respect to interfering with the movement of fish or wildlife species or impeding the use of native wildlife nursery sites (**Impact BIO-4**); having a conflict with local policies or ordinances protecting biological resources (**Impact BIO-5**); or having a conflict with an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local regional, or state habitat conservation plan (**Impact BIO-6**).

FINDING

The proposed expanded use of the stadium would occur within the existing footprint of CSUMB Stadium, which has been previously developed and does not constitute an established wildlife corridor or nursery. The proposed stadium improvements would occur either within the existing footprint of the stadium (i.e., the locker room and shower facilities and permanent restroom facilities) or within a previously disturbed site with ruderal/disturbed habitat (i.e., the gated event storage and staging area). The proposed gated event storage and staging area site contains minimal foraging resources for migratory wildlife and is not located within a nursery site. Additionally, the proposed project would implement required tree preservation and replanting policies from the 2022 CSUMB Master Plan Guidelines, and would be consistent with the Fort Ord Habitat Management Plan designations and policies. For these reasons, the Board of Trustees finds that, based upon substantial evidence in the record, the potential impacts of the proposed project related to interfering with the movement of fish or wildlife species or impeding the use of native wildlife nursery sites (**Impact BIO-4**); having a conflict with local policies or ordinances protecting biological resources (**Impact BIO-5**); or having a conflict with an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local regional, or state habitat conservation plan (**Impact BIO-6**) are less than significant and no mitigation measures are required.

1.2.2.4 Energy

OVERVIEW

The Final EIR provides an evaluation of Energy impacts in **Section 4.5, Energy**. Implementation of the proposed project would not result in significant impacts with respect to using energy resources in a wasteful, inefficient, or unnecessary manner (**Impact E-1**) or conflicting or obstructing a state or local plan for renewable energy or energy efficiency (**Impact E-2**).

FINDING

The proposed project would: 1) rely on the existing energy distribution infrastructure serving the campus; 2) be subject to campus policies for energy efficiency and conservation; and 3) design construction activities to minimize energy consumption. For these reasons, the Board of Trustees finds that, based upon substantial evidence in the record, the potential impacts of the proposed project related to using energy resources in a wasteful, inefficient, or unnecessary manner (**Impact E-1**) or conflicting or obstructing a state or local plan for renewable energy or energy efficiency (**Impact E-2**) are less than significant and no mitigation measures are required.

1.2.2.5 Geology, Soils, and Seismicity

OVERVIEW

The Final EIR provides an evaluation of Geology, Soils, and Seismicity impacts in **Section 4.6, Geology, Soils, and Seismicity**. Implementation of the proposed project would not result in significant impacts with respect to seismic hazards (i.e., fault rupture, strong seismic ground shaking, seismic-related ground failure, and landslides) (**Impact GEO-1**), soil erosion (**Impact GEO-2**), unstable soils (i.e., landslide, lateral spreading, subsidence, liquefaction, or collapse) (**Impact GEO-3**), expansive soils (**Impact GEO-4**), or paleontological resources (**Impact GEO-6**).

FINDING

The proposed project would: 1) comply with engineering and construction techniques required in the California Building Codes to minimize damage from seismic hazards; 2) is not located on a site susceptible to ground failure and liquefaction; 3) is located on a flat site with a low susceptibility to landslides; 4) would implement a Stormwater Pollution Prevention Plan and be subject to campus and state requirements to limit erosion; 5) is not located on expansive soils; and 6) is located in a previously developed area not known for paleontological assemblages. For these reasons, the Board of Trustees finds that, based upon substantial evidence in the record, the potential impacts of the proposed project related to seismic hazards (**Impact GEO-1**), soil erosion (**Impact GEO-2**), unstable soils (**Impact GEO-3**), expansive soils (**Impact GEO-4**), and paleontological resources (**Impact GEO-6**) are less than significant and no mitigation measures are required.

1.2.2.6 Hazards and Hazardous Materials

OVERVIEW

The Final EIR provides an evaluation of Hazards and Hazardous Materials impacts in **Section 4.8, Hazards and Hazardous Materials**. Implementation of the proposed project would not result in significant impacts with respect to the routine transport, use, or disposal of hazardous materials, the reasonable upset and accident conditions involving the release of hazardous materials, or emission or handling of hazardous materials within one-quarter mile of a school (**Impact HAZ-1**); being located on a hazardous materials sites pursuant to Government Code Section 65962.5 (**Impact HAZ-2**); or impairing implementation of an adopted emergency response plan or emergency evacuation plan (**Impact HAZ-4**).

FINDING

While the proposed project would use potentially hazardous materials during construction and operation (e.g., petroleum products and cleaning supplies), the transport, use, and disposal of these products in accordance with the manufacturers' specifications would not create a significant hazard to the public. Additionally, the project site is not located on a hazardous materials site pursuant to Government Code Section 65962.5, nor would the proposed project impair an adopted emergency response plan or evacuation plan as all activities would be contained to the Athletics and Recreation District of the campus (i.e., the existing stadium site, adjacent proposed 1.25-acre gated event storage and staging area, and adjacent parking lot). The Board of Trustees finds that, based upon substantial evidence in the record, the potential impacts of the proposed project related to the routine transport, use, or disposal of hazardous materials, the reasonable upset and accident conditions involving the release of hazardous materials, or emission or handling of hazardous materials within one-quarter mile of a school (**Impact HAZ-1**); being located on a hazardous materials sites pursuant to Government Code Section 65962.5 (**Impact HAZ-2**); or impairing implementation of an adopted emergency response plan or emergency evacuation plan (**Impact HAZ-4**) are less than significant and no mitigation measures are required.

1.2.2.7 Hydrology and Water QualityOVERVIEW

The Final EIR provides an evaluation of Hydrology and Water Quality impacts in **Section 4.9, Hydrology and Water Quality**. Implementation of the proposed project would not result in significant impacts with respect to violating water quality and waste discharge standards, degrading surface or groundwater quality, or altering the existing drainage pattern (**Impact HYD-1**); decreasing groundwater supplies or interference with groundwater recharge (**Impact HYD-2**); being located in a flood hazard, tsunami, or seiche zone risking release of pollutants due to inundation (**Impact HYD-3**); or conflicting or obstructing implementation of a water quality control plan or sustainable groundwater management plan (**Impact HYD-4**).

FINDING

The proposed project would: 1) rely on existing stormwater infrastructure present on the project site; 2) would implement a Stormwater Prevention and Pollution Program during construction to minimize erosion; 3) would comply with campus policies for on-site stormwater retention and LID water-quality treatment areas; 4) would not increase impervious surfaces on-site; 5) would not be located within a tsunami or seiche hazard zone; 6) would have a low risk of inundation being located in the 500-year floodplain; and 7) would not conflict with a water quality control plan or groundwater management plan as the proposed project would use water within the exiting allocation. For these reasons, the Board of Trustees finds that, based upon substantial evidence in the record, the potential impacts of the proposed project related to violating water quality and waste discharge standards, degrading surface or groundwater quality, or altering the existing drainage pattern (**Impact HYD-1**); decreasing groundwater supplies or interference with groundwater recharge (**Impact HYD-2**); being located in a flood hazard, tsunami, or seiche zone risking release of pollutants due to inundation (**Impact HYD-3**); or conflicting or obstructing implementation of a water quality control plan or sustainable groundwater management plan (**Impact HYD-4**) are less than significant and no mitigation measures are required.

1.2.2.8 Noise and Vibration

OVERVIEW

The Final EIR provides an evaluation of Noise and Vibration impacts in **Section 4.11, Noise and Vibration**. Implementation of the proposed project would not result in significant impacts with respect to excessive groundborne vibration and groundborne noise levels (**Impact NV-2**).

FINDING

The proposed project would not generate excessive groundborne vibrations in proximity to nearby structures or receptors. The proposed expanded use of the stadium would not substantially generate excessive vibration at the project site. Additionally, construction activities are estimated to generate vibration levels ranging from approximately 0.003 to 0.076 inches per second peak particle velocity at 25 feet, below the 0.2 inches-per-second peak particle velocity threshold where damage to structures would start to occur. The nearest off-site structures are approximately 216 feet from the project site. Therefore, the Board of Trustees finds that, based upon substantial evidence in the record, the potential impacts of the proposed project related to excessive groundborne vibration and groundborne noise levels (**Impact NV-2**) are less than significant and no mitigation measures are required.

1.2.2.9 Population and Housing

OVERVIEW

The Final EIR provides an evaluation of Population and Housing impacts in **Section 4.12, Population and Housing**. Implementation of the proposed project would not result in significant impacts with respect to directly or indirectly inducing substantial unplanned population growth (**Impact PH-1**).

FINDING

The proposed expanded use of the stadium would introduce a total of 85 new persons to Monterey County, consisting primarily of new players, coaches, and training staff associated with the proposed United Soccer League soccer teams. The addition of 85 new persons to Monterey County is not substantial when compared to the City of Seaside's employment forecast of 1,876 new jobs and is well below the regional growth forecast of 107,500 people from 2015 to 2045. Therefore, the Board of Trustees finds that, based upon substantial evidence in the record, the potential impacts of the proposed project related to directly or indirectly inducing substantial unplanned population growth (**Impact PH-1**) are less than significant and no mitigation measures are required.

1.2.2.10 Public Services and Recreation

OVERVIEW

The Final EIR provides an evaluation of Public Services and Recreation impacts in **Section 4.13, Public Services and Recreation**. Implementation of the proposed project would not result in significant impacts with respect to the provision of new or altered government facilities for fire protection, police protection, schools, parks, or other public facilities (**Impact PSR-1**); or the increased use of existing neighborhood and

regional parks such that substantial physical deterioration would occur or the construction of recreational facilities having adverse environmental effects (**Impact PSR-2**).

FINDING

The proposed project would not substantially increase the regional population beyond the regional growth forecast and does not include housing or other growth inducing improvements. Therefore, the proposed project would not expand the need for fire, police, school, recreation, or other public services whereby new or expanded facilities would be necessary. Therefore, the Board of Trustees finds that, based upon substantial evidence in the record, the potential impacts of the proposed project related to the provision of new or altered government facilities for fire protection, police protection, schools, parks, or other public facilities (**Impact PSR-1**); or the increased use of existing neighborhood and regional parks such that substantial physical deterioration would occur or the construction of recreational facilities having adverse environmental effects (**Impact PSR-2**) are less than significant and no mitigation measures are required.

1.2.2.11 Transportation

OVERVIEW

The Final EIR provides an evaluation of Transportation impacts in **Section 4.14, Transportation**. Implementation of the proposed project would not result in significant impacts with respect to geometric design hazards (**Impact TR-3**) and inadequate emergency access (**Impact TR-4**).

FINDING

The proposed project does not include improvements to the local roadways or ingress or egress points along the project boundary. All uses at the project site would be consistent with those prescribed to the Athletics and Recreation District of the campus in the 2022 CSUMB Master Plan Guidelines. Therefore, the proposed project would not create a geometric design hazard in the roadway, introduce inconsistent uses to the project site, or result in inadequate emergency access. Therefore, the Board of Trustees finds that, based upon substantial evidence in the record, the potential impacts of the proposed project related to geometric design hazards (**Impact TR-3**) and inadequate emergency access (**Impact TR-4**) are less than significant and no mitigation measures are required.

1.2.2.12 Utilities and Service Systems

OVERVIEW

The Final EIR provides an evaluation of Utilities and Service Systems impacts in **Section 4.15, Utilities and Service Systems**. Implementation of the proposed project would not result in significant impacts with respect to the construction of water, wastewater treatment, storm water drainage, electric power, natural gas, or telecommunications facilities (**Impact UTL-1**); the availability of sufficient water supplies (**Impact UTL-2**); the availability of adequate wastewater treatment capacity (**Impact UTL-3**); or the generation of solid waste in excess of local and state standards or compliance with statutes and regulations for solid waste (**Impact UTL-4**).

FINDING

The proposed project would: 1) use existing electricity, telecommunications, and natural gas infrastructure available at the campus; 2) would not introduce new impervious surfaces substantially impacting stormwater drainage at the project site; 3) would not substantially increase water demand or wastewater generation at the site inconsistent with CSUMB's existing water allocation or with respect to maximum daily capacity of the regional wastewater treatment plant; and 4) would not result in solid waste generation beyond the daily capacity of the regional land fill. Therefore, the Board of Trustees finds that, based upon substantial evidence in the record, the potential impacts of the proposed project related to the construction of water, wastewater treatment, storm water drainage, electric power, natural gas, or telecommunications facilities (**Impact UTL-1**); the availability of sufficient water supplies (**Impact UTL-2**); the availability of adequate wastewater treatment capacity (**Impact UTL-3**); or the generation of solid waste in excess of local and state standards or compliance with statutes and regulations for solid waste (**Impact UTL-4**) are less than significant and no mitigation measures are required.

1.2.3 Potentially Significant or Significant Impacts Mitigated Below a Level of Significance

Pursuant to PRC Section 21081(a) and CEQA Guidelines Section 15091(a)(1), the Board of Trustees finds that, for each of the following significant effects identified in the Final EIR, changes or alterations have been required in, or incorporated into, the proposed project, which mitigate or avoid the identified significant effects on the environment to less than significant levels. The following sections explain these findings below, and the record of proceedings support these findings with substantial evidence.

1.2.3.1 Biological Resources

OVERVIEW

The Final EIR provides an evaluation of Biological Resource impacts in **Section 4.3, Biological Resources**. Implementation of the proposed project, specifically the proposed stadium improvements, would result in potentially significant impacts during ground-disturbing construction activities for the gated event storage and staging area with respect to the loss of individual or seedbank stock and permanent habitat loss of Monterey spineflower (**Impact BIO-1**). Ground-disturbing construction activities associated with the proposed stadium improvements for the gated event storage and staging area would have a potentially significant impact on raptors and other protected avian species both within and in the vicinity of the project site (**Impact BIO-1**). The Board of Trustees and CSUMB shall implement **Mitigation Measures BIO-1, BIO-2, and BIO-3** to avoid or reduce potentially significant impacts related to biological resources.

Mitigation Measure BIO-1: Restoration Plan

The impacted area of Monterey spineflower shall be quantified during final design and Monterey spineflower will be replaced at a 1:1 ratio for the number of individual plants impacted, and a Restoration Plan shall be prepared by a qualified biologist and implemented. The plan shall include, but is not limited to, the following:

- A description of the baseline conditions of the habitats within the impacted area, including the presence of Monterey spineflower, its locations, and densities;
- A detailed description of on-site and/or off-site restoration areas, salvage of seed and/or soil bank and/or plant salvage, seeding and planting specifications, which may include but is not limited to, an increased planting ratio to ensure 1:1 ratio;
- Procedures to control and/or eliminate non-native invasive species within the restoration area;
- A monitoring program that describes annual monitoring efforts which incorporate success criteria and contingency plans if success criteria are not met.

Mitigation Measure BIO-2: Best Management Practices

The following best management practices will be implemented during all identified phases of construction (i.e., pre-, during, and post-) to reduce impacts to special-status plant species:

- A qualified biologist will conduct an Employee Education Program for the construction crew prior to the initiation of any construction activities. The qualified biologist will meet with the construction crew at the onset of construction at the project site to educate the construction crew on the following: 1) the appropriate access route(s) in and out of the construction area and review project boundaries; 2) how a biological monitor will examine the area and agree upon a method which will ensure the safety of the monitor during such activities, 3) the special-status species that may be present; 4) the specific mitigation measures that will be incorporated into the construction effort; 5) the general provisions and protections afforded by the USFWS and CDFW; and 6) the proper procedures if a special-status species is encountered within the project site.
- Protective fencing shall be placed prior to and during construction to keep construction equipment and personnel from impacting vegetation outside of work limits. A biological monitor shall supervise the installation of protective fencing and monitor at least once per week until construction is complete to ensure that the protective fencing remains intact.
- Trees and vegetation not planned for removal or trimming shall be protected prior to and during construction to the maximum extent possible through the use of exclusionary fencing, such as hay bales for herbaceous and shrubby vegetation, and protective wood barriers for trees. Only certified weed-free straw shall be used, to avoid the introduction of non-native, invasive species. A biological monitor shall supervise the installation of protective fencing and monitor at least once per week until construction is complete to ensure that the protective fencing remains intact.
- Grading, excavating, and other activities that involve substantial soil disturbance will be planned and implemented in consultation with a qualified hydrologist, engineer, or erosion control specialist, and will utilize standard erosion control techniques to minimize erosion and sedimentation to native vegetation adjacent to the project site (pre-, during, and postconstruction).
- Following construction, disturbed areas will be restored to pre-project contours to the maximum extent possible and revegetated using locally occurring native species and native erosion control seed mix, per the recommendations of a qualified biologist.

- To protect against spills and fluids leaking from equipment, the project proponent shall require that the construction contractor maintains an on-site spill plan and on-site spill containment measures that can be easily accessed.

Mitigation Measure BIO-3: Nesting Birds

Activities that may directly affect (e.g., tree removal) or indirectly affect (e.g., noise/ground disturbance) nesting raptors or other protected avian species shall be timed to avoid the breeding season. Specifically, any grading and excavation with heavy machinery and vegetation removal within 500 feet of suitable nesting habitat (i.e., trees within and adjacent to the project site) shall be scheduled during the nonbreeding season (September 16 through January 31).

If avoidance of the non-breeding season is not possible, a qualified biologist shall conduct a preconstruction survey for nesting raptors or other protected avian species within 500 feet of the proposed construction activities. The survey shall be conducted no more than 14 days prior to the initiation of construction and submitted to CSUMB's Facilities Management Department. If raptor or other protected bird nests are identified within or immediately adjacent to the project site during the pre-construction surveys, the qualified biologist shall notify the project proponent and/or contractor and an appropriate no-disturbance buffer shall be imposed within which no construction activities or disturbance shall take place (generally 500 feet in all directions for nesting raptors-and 250 feet in all directions for other nesting avian species) until the young of the year have fledged and are no longer reliant upon the nest or parental care for survival, as determined by a qualified biologist. The qualified biologist shall advise and support on any variance to the established no-disturbance buffers and notify CDFW in advance of implementing any variance.

FINDING

The proposed stadium improvements, particularly the gated event storage and staging area, would result in impacts to Monterey spineflower, and could disturb nesting raptors and other protected avian species as a result of tree removal. The proposed expanded use of the stadium would be confined to previously developed areas of the project site and would not have the potential to disturb special-status species. Therefore, the Board of Trustees finds that **Mitigation Measures BIO-1, BIO-2, and BIO-3** are feasible and will reduce the proposed project's potentially significant impacts with respect to biological resources to a less than significant level. The Board of Trustees adopts these mitigation measures, which require replacement of Monterey spineflower at a 1:1 ratio and development and implementation of a Restoration Plan for Monterey spineflower, implementation of required best management practices for avoiding or minimizing impacts to biological resources, and pre-construction surveys and avoidance measures for nesting bird species. Accordingly, the Board of Trustees finds that, pursuant to PRC 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 avoid or substantially lessen the potentially significant and significant environmental effects as identified in the Final EIR (**Impact BIO-1**).

1.2.3.2 Cultural and Tribal Cultural Resources

OVERVIEW

The Final EIR provides an evaluation of Cultural and Tribal Cultural Resource impacts in **Section 4.4, Cultural and Tribal Cultural Resources**. Implementation of the proposed project, specifically the proposed stadium improvements, would result in potentially significant impacts during ground-disturbing construction activities for the gated event storage and staging area with respect to the potential discovery of previously unknown archeological resources (**Impact CTR-2**), previously unknown human remains (**Impact CTR-3**), and previously unknown Tribal cultural resources (**Impact CTR-4**). The Board of Trustees and CSUMB shall implement **Mitigation Measures CTR-1, CTR-2, CTR-3, and CTR-4** to avoid or reduce potentially significant impacts related to cultural and Tribal cultural resources.

Mitigation Measure CTR-1: Sensitivity Training

CSUMB shall include a standard clause in every construction contract for the project that requires cultural resource sensitivity training by a qualified archaeologist for workers prior to conducting ground disturbance in the vicinity of a documented cultural resource-sensitive area, should one be identified in the future. Additionally, campus staff involved in ground-disturbing work in the vicinity of a documented resource sensitive area will also receive such training.

Mitigation Measure CTR-2: Inadvertent Discovery Evaluation and Recordation

CSUMB shall include a standard inadvertent discovery clause in every construction contract for the Project, which requires that in the event that an archaeological resource is discovered during construction (whether or not an archaeologist is present), all soil-disturbing work within 100 feet of the find shall cease until a qualified archaeologist can evaluate the find and make a recommendation for how to proceed. For an archaeological resource that is encountered during construction, the campus shall:

- Retain a qualified archaeologist to determine, in coordination with the Tribal Monitor (please refer to **Mitigation Measure CTR-3**), whether the resource has potential to qualify as a historical resource or a unique archaeological resource as outlined in the California Environmental Quality Act (CEQA) (Public Resources Code § 21083.2).
- If the resource has potential to be a historical resource or a unique archaeological resource, the qualified archaeologist, in consultation with the Tribal monitor and CSUMB, shall prepare a research design and archaeological evaluation plan to assess whether the resource should be considered significant under CEQA criteria.
- If the resource is determined significant, CSUMB shall provide for preservation in place, if feasible. If preservation in place is not feasible, in consultation with the Tribal monitor and CSUMB, a qualified archaeologist will prepare a data recovery plan for retrieving data that is specific to the site's geographic extent and the significance of any resources encountered. The data recovery plan shall be developed prior to site development and implemented prior to or during site development (with a 100-foot buffer around the resource). The archaeologist shall also perform appropriate technical analyses, prepare a full written report and file it with the Northwest Information Center, and provide for the permanent curation of recovered materials.

Mitigation Measure CTR-3: Qualified Cultural Tribal Monitor

To minimize potential impacts to previously unknown or subsurface cultural, Tribal, and archaeological resources, all ground-disturbing work shall be monitored by a qualified Tribal monitor. In the event a resource is identified, the proposed project would implement **Mitigation Measure CTR-2** above.

Mitigation CTR-4: Proper Handling of Human Remains

Procedures of conduct following the discovery of human remains have been mandated by Health and Safety Code Section 7050.5, PRC Section 5097398, and CEQA Guidelines Section 15064.5(e). According to the provisions of CEQA, should human remains be discovered at any time, work in the immediate vicinity of the discovery shall cease and necessary steps to ensure the integrity of the immediate area shall be taken. The Monterey County Coroner shall be notified immediately. The coroner shall then determine whether the remains are Native America. If the Coroner determines the remains are Native American, the Coroner shall notify the NAHC within 24 hours, who will, in turn, notify the person the NAHC identifies as the Most Likely Descendent (MLD) of any human remains. Further actions shall be determined, in part, by the desires of the MLD. The MLD has 48 hours to make recommendations regarding the disposition of the remains following notification from the NAHC of the discovery. If the MLD does not make recommendations within 48 hours, the owner shall, with appropriate dignity, reinter the remains in an area of the site secure from further disturbance. Alternatively, if the owner does not accept the MLD's recommendations, the owner of the descendant may request mediation by the NAHC. The Ohlone/Costanoan-Esselen Nation (OCEN) shall be notified of the discovery even if not assigned as Most Likely Descendant.

FINDING

While the project site has been previously disturbed in association with buildout of the Athletics and Recreation District, the Cultural Resources Report prepared for the EIR and consultation with regional Native American Tribes emphasized the possibility to encounter previously unknown and potentially significant cultural and Tribal cultural resources, particularly at the gated event storage and staging area site. Therefore, the Board of Trustees finds that **Mitigation Measures CTR-1, CTR-2, CTR-3, and CTR-4** are feasible and will reduce the proposed project's potentially significant impacts with respect to cultural and Tribal cultural resources to a less than significant level. The Board of Trustees adopts these mitigation measures, which require implementation of worker sensitivity training for cultural and Tribal cultural resources; identification, avoidance, recordation, and treatment of potential unknown resources; retention of a qualified Tribal monitor; and implementation of procedures if construction activities discover previously unknown human remains. Accordingly, the Board of Trustees finds that, pursuant to PRC 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 avoid or substantially lessen the potentially significant and significant environmental effects as identified in the Final EIR (**Impacts CTR-2, CTR-3, and CTR-4**).

1.2.3.2 Transportation

OVERVIEW

The Final EIR provides an evaluation of Transportation impacts in **Section 4.14, Transportation**. Implementation of the proposed project, specifically the proposed expanded use of the stadium, would

result in potentially significant impacts during operation with respect to interfering with existing plans and policies addressing the circulation system (i.e., transit, roadway, bicycle, and pedestrian facilities) (**Impact TR-1**). The Board of Trustees and CSUMB shall implement **Mitigation Measures TR-1, TR-2, TR-3, TR-4, TR-5, and TR-6** to avoid or reduce potentially significant impacts related to transportation.

Mitigation Measure TR-1: Transportation Management Plan

CSUMB shall continue to develop and implement its TMP with a TDM program component, prior to the commencement of and during events proposed as part of the project's expanded use. The TMP shall provide a management and operating plan for minimizing undesirable transportation-related effects at CSUMB Stadium and adjacent developments during events, while providing safe and convenient access for employees and spectators to the project. The TDM program shall provide a plan to reduce the amount of vehicle traffic generated by the MBFC and CSUMB special event activities by shifting employees, team personnel, match spectators, and CSUMB visitors from driving alone to using transit, carpooling, cycling, and walking modes.

Mitigation Measure TR-2: Transportation Management Plan Monitoring

CSUMB shall continue to monitor all CSUMB and MBFC athletic and non-athletic events to evaluate the effectiveness of the TDM program and the supporting performance measures of mode share, vehicle occupancy, and average vehicle distance traveled. These event-specific performance measures are necessary to determine the effectiveness of the TDM program and help identify additional VMT reduction measures. The TDM program shall continue to be implemented for the lifetime of the project; and CSUMB shall modify measures as needed during the life of the project to ensure the TDM achieves the overall vehicle miles traveled reduction objective.

Mitigation Measure TR-3: Transportation Management Plan Objectives

The TMP with the TDM program shall be updated to reflect the project's expanded use of the CSUMB Stadium. Specifically, the objectives should reflect the addition of CSUMB and MBFC athletic and nonathletic events as described in the EIR while reflecting:

- The reduction of overall automobile trips to and from the stadium to achieve fewer than 61,185 annual vehicle trips;
- Achieving a 75% vehicle mode share for MBFC event attendees;
- Achieving a 58% vehicle mode share for CSUMB Students attending the CSUMB events;
- Achieving a 77% vehicle mode share for community members attended CSUMB events; and,
- Achieving average vehicle occupancy of 3.91 persons per vehicle (or greater).

The event-specific supporting performance standard shall continue to be monitored and shall reflect less than 23.91 project generated VMT per service population, and achieve less than 872,715 annual project generated VMT.

Mitigation Measure TR-4: Transportation Demand Management Program

To the extent possible and effective, the TDM program shall continue to rely on the existing CSUMB TDM program to reduce CSUMB student, faculty, and staff vehicle travel. Prior to the operation of the expanded use of the CSUMB Stadium, the following measures shall be in place:

- Otter Cycle Center – on-campus bicycle repair shop that also offers bicycle rentals and other services to facilitate bicycle ridership.
- Bicycle Storage and Amenities – several hundred bicycle racks have been installed on campus outside of residence halls and popular academic, recreation and administrative buildings. Additionally, a secure bicycle bunker storage room has been installed, as well as three (3) ‘fix-it’ stations that provide 24/7 access to bicycle repair tools and air pumps. Bicycle registration is also available through the University Police Department to simplify that process. Three (3) skateboard storage racks also have been installed in the popular destinations on campus.
- Paid Parking – to discourage non-CSUMB related trips and parking on campus, as well as manage the vehicles allowed on campus, a fee structure is in place that is based upon user type. The fees have increased several times over the last two decades to more accurately match the true cost of providing managed parking.
- MST – the campus has entered into an annual agreement with MST that provides universal access on the MST bus network for all active CSUMB ID card holders, three (3) supplemental campus-serving and subsidized bus routes, and funding for a shared transit marketing student intern.
- Main Campus Shuttle – the campus has secured funding and has begun the procurement process to initiate a shuttle program provider to run frequent circulating shuttle service around the Main Campus, connecting all major parking areas to academic, administrative, and co-curricular campus destinations.
- Emergency Ride Home Program – campus community members can sign up for a program run by the Transportation Agency for Monterey County (TAMC) that reimburses taxi or ridesharing trips home in emergency situations for commuters who use alternative means of transportation.
- Carsharing and Ridesharing – CSUMB hosts four cars for carsharing. These are cars stationed on the campus available to be used by carshare members on the campus. CSUMB students, faculty and staff can use Go831, a regional ride share program. Additionally, CSUMB includes information for the Commute with Enterprise vanpool program on its website to facilitate information dissemination and encourage ridesharing to stadium events.
- Transportation Services Website – information for most of the TDM strategies are included on a campus website to facilitate information dissemination.
- Delivery Vehicle Limitations – to discourage delivery vehicle trips, frequent delivery services to campus, such as office supplies, have been instructed to reduce their deliveries to campus to no more than three (3) days per week.

- Bicyclist/Pedestrian Malls – to encourage pedestrian and bicycle use, a section of Divarty Street and a section of Sixth Avenue are closed to regular vehicular traffic and encourage pedestrians and bicyclists to use the entire roadway.
- Traffic Calming – to discourage auto use (and improve safety), speed humps and flashing beacon crosswalk devices have been installed on several campus roadways to encourage lower vehicle speeds, particularly near high traffic pedestrian crosswalks.
- E-Scooter Share – The campus has entered into a multi-year agreement with an electric scooter share program provider. Students, faculty, staff, and campus visitors can use the app-based program to ride a scooter across campus instead of driving or walking.

Mitigation Measure TR-5: Transportation Demand Management Program Monitoring

During the first year of operations, each CSUMB and MBFC athletic and non-athletic event shall be monitored by CSUMB to identify how the activities meet the anticipated primary performance standard (project-generated VMT per service population), annual travel supporting performance standards (annual project generated VMT, and annual vehicle trips) and event specific supporting performance standards (mode share, average vehicle occupancy). An annual monitoring memorandum shall be submitted to CSUMB's Director of Campus Planning & Development. If the CSUMB and MBFC athletic and non-athletic events are found not to meet the anticipated performance standards, then additional travel reducing measures from the TMP and TDM program will be implemented to aim to achieve the performance standard. CSUMB may propose new strategies that develop over time to further reduce annual project generated VMT per service population if substantial evidence is provided to support the efficacy of the strategy.

Mitigation Measure TR-6: Alternative Monitoring Approach

CSUMB may develop a regionwide VMT monitoring program to allow global monitoring of the stadium VMT, which may provide cost efficiencies and be a more effective way to track VMT generation for each event. This monitoring program may make use of emerging technologies including location-based services on cell phones and in vehicles to track trip lengths, along with traditional technologies such as driveway traffic counts. If such a program is developed, CSUMB shall ensure the project is monitored and achieves the required performance with respect to the project's VMT target.

FINDING

The proposed project, particularly the proposed expanded use, would increase the number and frequency of events at CSUMB stadium, thereby increasing vehicle traffic on local and regional roadways. An increase in the number and frequency of annual events would increase traffic in a manner that could conflict with a program, plan, ordinance, or policy addressing the circulation system. Construction of the proposed stadium improvements would not generate substantial traffic affecting the circulation system, and all construction activities would be confined to CSUMB Stadium and adjacent parking lots. Therefore, the Board of Trustees finds that **Mitigation Measures TR-1 through TR-6** are feasible and will reduce the proposed project's potentially significant impacts with respect to transportation to a less than significant level. The Board of Trustees adopts these mitigation measures, which require continued implementation of the TMP and TDM program, continued monitoring to understand the effectiveness of the TDM program, inclusion of the proposed events into the existing TMP and TDM program, implementation of

programs for alternative modes of transportation to the stadium, preparation of annual monitoring memoranda evaluating the effectiveness of the TDM program, and implementation of alternative monitoring approach as necessary. Accordingly, the Board of Trustees finds that, pursuant to PRC 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 avoid or substantially lessen the potentially significant and significant environmental effects as identified in the Final EIR (**Impact TR-1**).

1.2.4 Significant and Unavoidable Impacts

This section identifies the proposed project's significant and unavoidable impacts that require the Board of Trustees to issue a statement of overriding considerations, pursuant to Section 15093 of the CEQA Guidelines if the Board of Trustees approves the proposed project. Based on the analysis contained in the Final EIR, the following impacts have been determined to be significant and unavoidable.

1.2.4.1 Greenhouse Gas Emissions

OVERVIEW

The Final EIR provides an evaluation of Greenhouse Gas Emissions impacts in **Section 4.7, Greenhouse Gas Emissions**, and an evaluation of cumulative impacts in **Section 6.2, Cumulative Impacts**. The proposed project would generate greenhouse gas emissions both during construction through use of construction vehicles and equipment and through operational activities through use of the stadium's existing and proposed infrastructure and vehicular transportation to and from CSUMB Stadium. The Final EIR evaluated greenhouse gas emissions against the Sacramento Metropolitan Air Quality Management District's (SMAQMD) construction and operational threshold of 1,100 metric tons of carbon dioxide equivalent per year (MTCO₂e/year). Greenhouse gas emissions modeling for the proposed project determined that construction emissions would result in 204.2 MTCO₂e/year, below the threshold of 1,100 MTCO₂e/year. However, greenhouse gas emissions modeling determined that the proposed project would generate approximately 2,204.7 MTCO₂e/year during operation of the proposed project largely from transportation sources. Additionally, the proposed project's exceedance of the identified threshold of 1,100 MTCO₂e/year during operation would conflict with the CSUMB Climate Action Plan, 2022 CSUMB Master Plan Guidelines objectives for greenhouse gas emissions reductions, and with the overall CSU Sustainability Policy. As discussed below in **Section 1.2.4.3, Transportation**, feasible mitigation measures would be unable to reduce transportation impacts. Since the majority of greenhouse gas emissions would result from transportation sources, greenhouse gas emissions impacts related to operation of the stadium would remain significant and unavoidable (**Impacts GHG-1 and GHG-2**).

Greenhouse gas impacts are, by definition, cumulative impacts. Cumulative development throughout the North Central Coast Air Basin region would generate greenhouse emissions that could have a significant impact on the environment. Given the significant adverse environmental effects associated with anthropogenic climate change, increased greenhouse gas emissions have the potential to result in cumulatively considerable impacts. Therefore, the assessment of significance is based on a determination of whether the greenhouse gas emissions from the proposed project represent a cumulatively considerable contribution to the global atmosphere. Since the proposed project would exceed the identified threshold of 1,100 MTCO₂e/year during operation, the proposed project would result in cumulatively considerable significant and unavoidable greenhouse gas emissions impacts.

Even where impacts cannot be reduced to a less than significant level, CEQA Guidelines Section 15021 requires public agencies to minimize environmental damage where feasible. Accordingly, **Mitigation Measures TR-1** through **TR-6** would lessen the proposed project's impacts related to greenhouse gas emissions to the greatest extent feasible (please refer to **Section 1.2.3, Potentially Significant or Significant Impacts Mitigated Below a Level of Significance**, for the full text of each mitigation measure).

FINDING

The Board of Trustees finds that implementation of **Mitigation Measures TR-1** through **TR-6** would reduce the proposed project's significant and unavoidable impacts and cumulatively considerable significant and unavoidable impacts with respect to greenhouse gas emissions. Specifically, the identified mitigation measures would require implementation of the TMP and TDM program, continued monitoring to understand the effectiveness of the TDM program, inclusion of the proposed events into the existing TMP and TDM program, implementation of programs for alternative modes of transportation to the stadium, preparation of annual monitoring memoranda evaluating the effectiveness of the TDM program, and implementation of alternative monitoring approach as necessary. However, these measures will not mitigate greenhouse gas emissions below a less than significant level for the following reasons: 1) existing stadium operations exceed applicable VMT thresholds and further expansion of operations beyond existing conditions would further exacerbate VMT impacts; 2) CSUMB and MBFC have limited methods for substantially reducing VMT while achieving the fundamental objectives of the proposed project; 3) CSUMB and MBFC cannot directly control the mode of transportation for projected attendees; and 4) because most operational greenhouse gas emissions would come from transportation sources, greenhouse gas impacts would remain significant unless the proposed project can reduce transportation impacts to a less than significant level. Therefore, despite implementation of all feasible mitigation measures, implementation of the proposed project would result in both project-level and cumulatively considerable significant and unavoidable greenhouse gas emissions impacts (**Impacts GHG-1** and **GHG-2**).

Pursuant to PRC Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project, which will mitigate, in part, these significant and cumulatively significant greenhouse gas emissions impacts, as identified in the Final EIR. However, there are no feasible mitigation measures that will reduce the contribution of the proposed project to a less than cumulatively considerable level. Therefore, this cumulative impact would remain significant and unavoidable.

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

1.2.4.2 Noise and Vibration

OVERVIEW

The Final EIR provides an evaluation of Noise and Vibration impacts in **Section 4.11, Noise and Vibration**, and an evaluation of cumulative impacts in **Section 6.2, Cumulative Impacts**. Noise generated from the use of construction equipment and operation of events at CSUMB Stadium would remain below applicable local noise thresholds at the property lines of nearby receptors. The Final EIR concluded that transportation-related noise impacts would exceed local noise thresholds as traffic associated with large events (i.e., weekend concerts and the Winter Festival) could generate approximately 4,000 or more daily

vehicle trips. Doubling of roadway traffic results in a three (3) decibel increase in transportation-related noise. As discussed in the Final EIR, a doubling of roadway traffic would result in transportation-generated noise levels ranging from 71.4 dBA to 80.8 dBA, exceeding the maximum exterior noise levels for residential land uses in the City of Seaside and City of Marina set at 65 dBA and 70 dBA, respectively. As discussed below in **Section 1.2.4.3, Transportation**, feasible mitigation measures would be unable to reduce transportation impacts. Since the proposed project's significant noise levels would result from transportation sources, noise impacts related to traffic would remain significant and unavoidable (**Impact NV-1**).

The geographic context for cumulative noise impacts is limited to the areas within 0.5 miles of the project site. As discussed in the Final EIR, the Campus Town Specific Plan, The Dunes on Monterey Bay, The Projects at Main Gate, and New Fort Ord Courthouse projects are within 0.5 miles from the proposed project site. Since operational transportation-generated noise would result in a significant and unavoidable impact, the proposed project would result in cumulatively considerable significant and unavoidable transportation-generated noise impacts when combined with noise generated from nearby projects.

Even where impacts cannot be reduced to a less than significant level, CEQA Guidelines Section 15021 requires public agencies to minimize environmental damage where feasible. Accordingly, **Mitigation Measures TR-1** through **TR-6** would lessen the proposed project's impacts related to noise to the greatest extent feasible (please refer to **Section 1.2.3, Potentially Significant or Significant Impacts Mitigated Below a Level of Significance**, for the full text of each mitigation measure).

FINDING

The Board of Trustees finds that implementation of **Mitigation Measures TR-1** through **TR-6** would reduce the proposed project's significant and unavoidable impacts and cumulatively considerable significant and unavoidable impacts with respect to transportation-generated noise. Specifically, the identified mitigation measures would require implementation of the TMP and TDM program, continued monitoring to understand the effectiveness of the TDM program, inclusion of the proposed events into the existing TMP and TDM program, implementation of programs for alternative modes of transportation to the stadium, preparation of annual monitoring memoranda evaluating the effectiveness of the TDM program, and implementation of alternative monitoring approach as necessary. However, these measures will not mitigate transportation-generated noise below a less than significant level for the following reasons: 1) existing stadium operations exceed applicable VMT thresholds and further expansion of operations beyond existing conditions would further exacerbate VMT impacts; 2) CSUMB and MBFC have limited methods for substantially reducing VMT while achieving the fundamental objectives of the proposed project; 3) CSUMB and MBFC cannot directly control the mode of transportation for projected attendees; and 4) because operational transportation would generate noise levels in excess of local standards, transportation-generated noise would remain significant unless the proposed project can reduce transportation impacts to a less than significant level. Therefore, despite implementation of all feasible mitigation measures, implementation of the proposed project would result in both project-level and cumulatively considerable significant and unavoidable transportation-generated noise impacts (**Impact NV-1**).

Pursuant to PRC Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project, which will mitigate, in part, these significant and cumulatively significant noise impacts, as identified in the Final EIR. However, there are no feasible

mitigation measures that will reduce the contribution of the proposed project to a less than cumulatively considerable level. Therefore, this cumulative impact would remain significant and unavoidable.

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

1.2.4.3 Transportation

OVERVIEW

The Final EIR provides an evaluation of Transportation impacts in **Section 4.14, Transportation**, and an evaluation of cumulative impacts in **Section 6.0, Cumulative Impacts**. While construction of the proposed project would not exceed the 110 vehicle trips per day vehicle miles traveled (VMT) screening criteria, operation of the proposed project would result in approximately 5,961,317 annual vehicle trips, or 16,326 vehicle trips per day when averaged across 365 days. A significant impact would occur if the proposed project exceeds the existing VMT per service population threshold of 23.91, 15 percent below the existing VMT per service population of 28.12. The Final EIR identified that the proposed project would result in a VMT per service population of 69.47, resulting in a significant impact. Implementation of all feasible mitigation measures would be unable to reduce transportation impacts. Therefore, transportation impacts related to VMT would remain significant and unavoidable (**Impact TR-2**).

As defined in the Final EIR, The geographic context for the analysis of cumulative transportation impacts is Monterey County. The Final EIR determined the proposed project's cumulative impacts by evaluating operational VMT against the Monterey County Boundary VMT, ascertained by dividing the vehicle travel on Monterey County roads by the service population of Monterey County. The analysis in the Final EIR determined that operation of the proposed project would generate boundary VMT per service population of 14.09 VMT, exceeding the boundary VMT per service population threshold of 14.07 VMT. Since the proposed project would exceed the boundary VMT per service population threshold of 14.07 VMT, the proposed project would result in a cumulatively considerable significant and unavoidable operational VMT impact.

Even where impacts cannot be reduced to a less than significant level, CEQA Guidelines Section 15021 requires public agencies to minimize environmental damage where feasible. Accordingly, **Mitigation Measures TR-1 through TR-6** would lessen the proposed project's impacts related to transportation to the greatest extent feasible (please refer to **Section 1.2.3, Potentially Significant or Significant Impacts Mitigated Below a Level of Significance**, for the full text of each mitigation measure).

FINDING

The Board of Trustees finds that implementation of **Mitigation Measures TR-1 through TR-6** would reduce the proposed project's significant and unavoidable impacts and cumulatively considerable significant and unavoidable impacts with respect to operational VMT. Specifically, the identified mitigation measures would require implementation of the TMP and TDM program, continued monitoring to understand the effectiveness of the TDM program, inclusion of the proposed events into the existing TMP and TDM program, implementation of programs for alternative modes of transportation to the stadium, preparation of annual monitoring memoranda evaluating the effectiveness of the TDM program, and implementation of alternative monitoring approach as necessary. However, these measures will not

mitigate operational VMT below a less than significant level for the following reasons: 1) existing stadium operations exceed applicable VMT thresholds and further expansion of operations beyond existing conditions would further exacerbate VMT impacts; 2) CSUMB and MBFC have limited methods for substantially reducing VMT while achieving the fundamental objectives of the proposed project; 3) CSUMB and MBFC cannot directly control the mode of transportation for projected attendees. Therefore, despite implementation of all feasible mitigation measures, implementation of the proposed project would result in both project-level and cumulatively considerable significant and unavoidable operational VMT impacts (**Impact TR-2**).

Pursuant to PRC Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project which will mitigate, in part, these significant and cumulatively significant transportation impacts, as identified in the Final EIR. However, there are no feasible mitigation measures that will reduce the contribution of the proposed project to a less than cumulatively considerable level. Therefore, this cumulative impact would remain significant and unavoidable.

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

1.3 FINDINGS REGARDING ALTERNATIVES

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

Where a lead agency has determined that, even after the adoption of all feasible mitigation measures, a project as proposed will still cause one (1) or more significant environmental effects that cannot be substantially lessened or avoided, the agency, prior to approving the project as mitigated, must first determine whether, with respect to such impacts, there remain project alternatives that are both environmentally superior and feasible within the meaning of CEQA. Although an EIR must evaluate this range of potentially feasible alternatives, the lead agency may ultimately determine an alternative to be “infeasible” if it fails to fully promote the lead agency’s underlying goals and objectives with respect to the project (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 401, 417). “[F]easibility under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors.” (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 401, 417; please also refer to *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715). Thus, even if a project alternative will avoid or substantially lessen any of the significant environmental effects of the project, the decision-makers may reject the alternative if they determine that specific considerations make the alternative infeasible, or if the alternative does not meet the objectives for the project.

All of the environmental impacts associated with the proposed project would be substantially lessened or avoided with the adoption of the mitigation measures set forth in these Findings, with the exception of

Greenhouse Gas Emissions impacts related to the generation of greenhouse gas emissions from traffic that may have a significant impact on the environment and conflicting with an applicable plan, policy, or regulation intended to reduce greenhouse gas emissions (**Impacts GHG-1 and GHG-2**); Noise impacts related to transportation-generated noise leading to a substantial increase in ambient noise levels in the vicinity of the proposed project in excess of standards established in the local general plan, noise ordinance, or applicable standards of other agencies (**Impact NV-1**); and Transportation impacts related to conflict with CEQA Guidelines Section 15064.3(b) (**Impact TR-2**). The Board of Trustees and CSUMB's goal in evaluating alternatives was to select an alternative that feasibly attains the proposed project's objectives, while further reducing the proposed project's significant and unavoidable impacts.

1.3.1 Alternatives Considered But Not Evaluated in Detail

The Final EIR identifies alternatives considered but rejected during the planning or scoping process and briefly explains the reasons underlying the lead agency's determination. The Board of Trustees and CSUMB considered the following alternatives, but ultimately did not evaluate them further in the Final EIR.

1.3.1.1 Alternative Location

Under this alternative, the proposed project would be located at a different site in the vicinity of the CSUMB campus. The Board of Trustees and CSUMB considered but did pursue a specific alternative location due to infeasibility regarding operational, environmental, and economic constraints as well as inconsistency with the proposed project's objectives. Specifically, the proposed project is intended to build upon existing, ongoing use of the existing CSUMB Stadium, by expanding the existing athletic and non-athletic programming at the stadium and proposing interior capital improvements within the Field House and the construction of an adjacent 1.25-acre gated event storage and staging area. The existing stadium and Field House were recently renovated to serve as a shared campus-USL facility, a project approved by the Board of Trustees in September 2021 (*Freeman Stadium Facilities Renovation Project at California State University, Monterey Bay – Mitigated Negative Declaration*; SCH #2021070153). CSUMB and the MBFC entered into a 14-year facility use agreement in January 2020 to share the use of the stadium. Construction of a new stadium on a different site is not needed to accommodate the proposed project and would not meet the stated objectives of the proposed project.

With respect to the proposed stadium improvements (i.e., the proposed locker room and shower facilities, permanent restroom facilities, and gated event and storage and staging area), these facilities are intended to support ongoing and future operations at the CSUMB Stadium. As such, the proposed stadium improvements have been sited within and adjacent to the developed footprint of CSUMB Stadium to best serve the needs of CSUMB and MBFC as well as to minimize potential environmental impacts. However, as discussed in **Chapter 4.3, Biological Resources**, and **Chapter 4.4, Cultural and Tribal Cultural Resources**, of the Final EIR, the proposed project's gated event storage and staging area would result in potentially significant impacts to biological and cultural and Tribal cultural resources. More specifically, as proposed, the gated event storage and staging area would be constructed in an area that contains Monterey spineflower and could potentially result in impacts to protected nesting birds as a result of proposed tree removal activities (please refer to **Impact BIO-1, Chapter 4.3, Biological Resources** in the Final EIR). With respect to cultural and Tribal cultural resources, construction of the gated event storage and staging area could result in impacts to unknown buried cultural and Tribal cultural resources (please

refer to **Impact CTR-2, CTR-3, and CTR-4, Chapter 4.4, Cultural and Tribal Cultural Resources** in the Final EIR).

Alternative locations for the proposed gated event storage and staging area were not pursued during the proposed project planning process for several reasons. First, the gated event storage and staging area needs to be in close proximity to the CSUMB Stadium. Proximity ensures efficiency during event setup and breakdown and minimizes delays and logistical errors, which can be disruptive to events and conflict with objectives of the proposed project. Proximity to the CSUMB Stadium also minimizes security concerns, as well as minimizes damage or loss of equipment during transportation to and from the gated event storage and staging area and the CSUMB Stadium. Lastly, proximity to the CSUMB Stadium minimizes operation costs related to transporting equipment between sites. Although cost alone is not determinative under CEQA, the off-site gated event storage and staging area alternative would result in substantially greater ongoing operational expenditures due to the need for repeated equipment transport. These increased costs reflect a corresponding increase in vehicle trips and associated greenhouse gas and noise emissions, and would reduce operational efficiency.

Additionally, the gated event storage and staging area would need to be constructed on existing pavement to eliminate impacts to biological resources. Utilizing existing paved areas in the vicinity of the CSUMB Stadium would result in the elimination of parking available for the existing use and proposed project expanded use (i.e., additional CSUMB and MBFC athletic and non-athletic events). Elimination of on-site parking would reduce the site's ability to support event operations and would likely increase off-site parking demand and associated circulation effects. Reduction in on-site parking would diminish operational efficiency and conflict with project objectives, especially with regard to remedying the existing functional limitations of the site regarding space, capacity, configuration, and athlete support infrastructure. Furthermore, unknown cultural and Tribal cultural resources may be present elsewhere throughout the CSUMB campus. Utilizing an alternative location for the gated event storage and staging area would not avoid this potentially significant impact, and mitigation measures would still be necessary. Therefore, the Board of Trustees and CSUMB considered but did not pursue alternative locations as selecting a new location was deemed economically and environmentally infeasible. Furthermore, the Board of Trustees and CSUMB determined that an alternative location would not fully meet the project objectives.

1.3.1.2 Reduced Athletic Event Alternative

Under this alternative, the proposed project would reduce the overall number of athletic events held at the CSUMB Stadium. The Board of Trustees and CSUMB considered but did pursue a reduced athletic event alternative due to infeasibility regarding operational, economic, and environmental constraints as well as inconsistency with the proposed project's objectives. The proposed project is intended to build on the demonstrated success of the CSUMB-USL partnership and MBFC events at the stadium to date and continue to, in the words of the project description in the MND prepared for the MBFC's original proposal to CSUMB, "bring sports entertainment to the Monterey Bay area." Since establishment of the partnership, MBFC practices, matches, preseason and postseason games, exhibition matches, and related events have generated substantial attendance and broad community participation, demonstrating strong regional support for expanded athletic and entertainment programming at the stadium. As discussed in **Section 5.4.1, Objectives**, of the Final EIR, the proposed project's fundamental underlying purpose is not limited to accommodating a discrete number of athletic events, but rather to establish and sustain a long-term community-serving partnership that enhances the stadium as a regional venue for collegiate athletics, professional sports, and community-oriented entertainment opportunities. Accordingly,

elimination or substantial reduction of the proposed additional athletic and related events would impede achievement not only of specific project objectives, but also of the proposed project's fundamental underlying purpose by materially limiting the University's ability "to modernize and enhance the existing stadium to function as a flexible, multipurpose venue that better supports CSUMB's academic and athletic programs while accommodating expanded use, including partnerships with external organizations such as professional athletic entities (e.g., USL)." The record further reflects broad community support for the USL partnership, MBFC programming, and expanded event opportunities at the CSUMB Stadium because these activities provide recreational, cultural, and economic benefits that serve both the University and the broader Monterey Bay region.

In addition, the proposed stadium improvements (i.e., the proposed restroom and locker room facilities, permanent restroom facilities, and gated event storage and staging area) would remain necessary and desirable to support ongoing stadium operations and existing campus and community event functions, even under a reduced athletic programming scenario. However, implementation of these improvements would become financially constrained, and potentially economically infeasible, absent the revenue generation and operational support associated with the proposed additional athletic events and related programming.

Consistent with CEQA's requirement to evaluate alternatives capable of reducing significant environmental effects while feasibly attaining most of the project's basic objectives, the Final EIR evaluated the transportation impacts associated with the proposed project, including project-generated VMT, and described a qualitative assessment of an alternative intended to reduce VMT impacts. As part of this evaluation, the Final EIR determined that approximately 70 percent of project-generated VMT would be attributable to the proposed Winter Festival and weekend concert events, which are anticipated to generate the highest attendance levels and occur over multiple consecutive days throughout the year. This assessment informed development of the Reduced Non-Athletic Event Frequency and Attendance Alternative. Because athletic events would not significantly contribute to project-generated VMT (and associated significant and unavoidable noise impacts) compared to the proposed Winter Festival and weekend concert events and the existing stadium operations already exceed applicable VMT thresholds, reducing the scale and frequency of athletic events would not substantially reduce overall VMT and would not alter the level of significance of the project's VMT and noise impacts. At the same time, substantial reductions in athletic events would materially curtail the proposed project's ability to fulfill its fundamental underlying purpose by limiting the viability of the stadium as a regional destination for sports and related events and diminishing the community benefits that form a central component of the project objectives. Therefore, reducing athletic events would not meet most of the project objectives and would not reduce the project's significant and unavoidable VMT, greenhouse gas, and noise impacts.

1.3.2 Alternatives Evaluated in the Environmental Impact Report

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

- Alternative 1: No Project Alternative
- Alternative 2: Reduced Non-Athletic Event Frequency and Attendance Alternative

These alternatives are evaluated for their ability to avoid or substantially lessen the significant environmental impacts identified in the Final EIR, as well as consideration of their ability to meet the basic objectives of the proposed project. These Findings examine two (2) alternatives and the extent to which they lessen or avoid the proposed project's significant environmental impacts while meeting the proposed project's objectives. In addressing the No Project Alternative, Board of Trustees and CSUMB followed the direction of the CEQA Guidelines, which provide that the no project analysis shall discuss the existing conditions, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services (please refer to CEQA Guidelines Section 15126.6[e][2]). The Board of Trustees find that a good faith effort was made to evaluate all reasonable alternatives to the proposed project that could feasibly obtain its basic objectives, even when the alternatives might impede the attainment of the objectives or might be more costly. The Board of Trustees also finds that the review process of the Final EIR and ultimate decision on the proposed project reviewed, analyzed, and discussed all reasonable alternatives.

1.3.4 No Project Alternative

1.3.4.1 Description

Under the No Project Alternative, the CSUMB Stadium would continue to operate as currently improved and programmed following completion of the 2022 renovations. The stadium would remain a 6,000-seat facility featuring the renovated 5,700-square-foot field house, 90,000-square-foot synthetic soccer pitch, portable restroom facilities, seating areas, broadcast-quality lighting, scoreboard, beer garden, and improved access roads.

Operations would be consistent with events evaluated in the 2021 MND (SCH #2021070153), including daily collegiate practices during the academic season; 12 men's and 12 women's collegiate home matches; periodic tournaments; and approximately 10 campus-coordinated events such as commencement and concerts. MBFC events would consist of 18 MBFC regular season home matches annually (with average attendance of approximately 4,200 spectators), one (1) postseason match, one (1) tournament, and one (1) international tournament; and MBFC camps and off-season activities. No expansion of facility infrastructure or event programming beyond the existing levels would occur.

1.3.4.2 Finding

As discussed in the Final EIR, the No Project Alternative would fail to meet the proposed project's underlying purpose and objectives. While this alternative would maintain current operations and avoid construction impacts, the No Project Alternative would not modernize the facility, expand the stadium's capacity or functionality, or enhance CSUMB Stadium's role as a flexible, multipurpose venue. The stadium would continue to operate with existing limitations, restricting CSUMB Stadium's ability to support CSUMB's academic mission, student development opportunities, and broader community engagement. Consequently, the No Project Alternative would not achieve the intended benefits of strengthening regional partnerships, increasing visibility, or maximizing the long-term utility of the stadium. Therefore, the Board of Trustees declines to adopt the No Project Alternative pursuant to the standards in the CEQA Guidelines.

1.3.5 Reduced Non-Athletic Event Frequency and Attendance Alternative

1.3.5.1 Description

The Reduced Non-Athletic Event Frequency and Attendance Alternative would decrease transportation impacts by reducing both the number of event days and the number of tickets available for the proposed Winter Festival and weekend concerts. Under the proposed project, the Winter Festival would span approximately 28 days annually and up to 20 weekend concerts would be held each year spanning 60 days. These two (2) event types are anticipated to generate the majority of project-related travel demand, with estimated daily attendance ranging from 3,000 to 6,000 persons and approximately 4.4 million annual VMT, representing roughly 70 percent of the total annual VMT associated with the proposed project.

Under this alternative, the duration of the Winter Festival and the number of weekend concerts would be reduced, and attendance at each event would be capped below the proposed maximum daily levels to substantially reduce event-related trip generation and associated VMT. By reducing both the frequency of events and spectator volumes for the highest-attendance non-athletic events, this alternative would meaningfully reduce total annual VMT compared to the proposed project. However, reductions in total annual VMT would not result in a less than significant operational VMT impact; therefore, this alternative would also result in significant and unavoidable impacts to operational greenhouse gas emissions and transportation-generated noise (please refer to the Final EIR **Section 5.6, Reduced Non-Athletic Event Frequency and Attendance Alternative**).

1.3.5.2 Finding

The Reduced Non-Athletic Event Frequency and Attendance Alternative would partially meet some project objectives, but would not fully achieve the project's underlying purpose. While it could maintain core athletic functions and potentially realize the benefits of physical improvements, it would limit the stadium's evolution into a fully flexible, multipurpose venue. By constraining nonathletic programming, this alternative would reduce opportunities for community engagement, external partnerships, and student learning experiences tied to diverse events. Consequently, it would represent a more conservative operational approach that balances impact reduction with continued use, but at the cost of diminished functionality, reduced regional presence, and underutilization of upgraded facilities. Furthermore, this alternative would incrementally lessen VMT, and greenhouse gas emissions and noise as a result, but the Reduced Non-Athletic Event Frequency and Attendance Alternative would continue to result in a significant and unavoidable VMT, greenhouse gas emissions, and noise impact necessitating a Statement of Overriding Conditions. Therefore, the Board of Trustees declines to adopt this alternative pursuant to the standards in the CEQA Guidelines.

1.4 GENERAL CEQA FINDINGS

1.4.1 Mitigation Monitoring and Reporting Program

Based on the entire record before the Board of Trustees and having considered the unavoidable significant impacts of the proposed project, the Board of Trustees hereby determines that all feasible mitigation within the responsibility and jurisdiction of CSUMB have been adopted to reduce or avoid the potentially significant and significant impacts identified in the Final EIR, and that no additional feasible mitigation is

available to further reduce significant impacts. The feasible mitigation measures are discussed in **Section 1.2.3, Potentially Significant or Significant Impacts Mitigated Below a Level of Significance**, and **Section 1.2.4, Significant and Unavoidable Impacts**, above, and are set forth in the MMRP.

PRC Section 21081.6 requires the Board of Trustees to adopt a monitoring or compliance program regarding the changes in the project and mitigation measures incorporated to lessen or avoid the proposed project's significant impacts on the environment. The MMRP for the proposed project is hereby adopted by the Board of Trustees because it fulfills the following CEQA mitigation monitoring requirements:

- The MMRP is designed to ensure compliance during project implementation.
- Measures to mitigate or avoid significant impacts 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 Board of Trustees has made one (1) or more of the following findings with respect to each of the significant effects of the proposed project (please refer to CEQA Guidelines Section 15091):

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

Based on the foregoing findings and the information contained in the administrative record, and as conditioned by the foregoing (please refer to CEQA Guidelines Section 15092):

1. All significant effects on the environment due to the proposed 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 California State Board of Trustees Independent Judgement

The Final EIR for the proposed project reflects the Board of Trustees' independent judgment. The Board of Trustees has exercised independent judgment in accordance with PRC Section 21082.1(c)(3) in retaining its own environmental consultant in the preparation of the EIR, as well as reviewing, analyzing, and revising material prepared by the consultant. Having received, reviewed, and considered the information

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

1.4.4 Nature of Findings

Any findings made by the 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 Board of Trustees whether or not any particular sentence or clause includes a statement to that effect. The 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 Board of Trustees with respect to any particular subject matter of the Final EIR, shall be deemed to be made if it appears in any portion of these findings.

1.4.5 Reliance on Administrative Record

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

1.4.5.1 Record of Proceedings

Pursuant to PRC Section 21167.6(e), the record of proceedings for the Board of Trustees' decision on the proposed project includes the following documents:

- The NOP and all other public notices issued in conjunction with the proposed project (e.g., Notice of Completion, Summary Form, and Notice of Availability).
- All comments submitted by agencies or members of the public during the NOP comment period.
- The Draft EIR for the proposed project (SCH No. 2025021013) and all appendices.
- All comments submitted by the agencies or members of the public during the comment period on the Draft EIR.
- The Final EIR for the proposed project, including comments received on the Draft EIR, responses to those comments, and appendices.
- The MMRP for the proposed project.
- All findings and resolutions adopted by the Board of Trustees in connection with the proposed project and all documents cited or referred to therein.
- All reports, studies, memoranda, maps, staff reports, or other planning documents relating to the proposed project prepared in compliance with CEQA Guidelines and with respect to the Board of Trustees' action on the proposed project.
- All documents submitted by other public agencies or members of the public in connection with the proposed project, up through the close of the final public hearing.

- Minutes or verbatim transcripts of all information sessions, public meetings, and public hearings held in connection with the proposed project.
- Documentary or other evidence submitted at such information sessions, public meetings, or hearings.
- Resolutions adopted by the California State University regarding the proposed 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.
- Documents expressly cited in these findings and any documents incorporated by reference, in addition to those cited above.
- Other written materials relevant to the Board of Trustees' compliance with the CEQA Guidelines or its decision on the merits of the proposed project, including any documents or portions thereof, that were released for public review, relied upon in the environmental documents, prepared for the proposed project, or included in the Board of Trustees non-privileged retained files for the EIR or proposed project.
- Other materials required for the record of proceedings pursuant to PRC Section 21167.6(e).
- The Notice of Determination.

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

1.4.5.2 Custodian of Records

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

California State University Monterey Bay
Facilities Management Department
ATTN: Matthew S. McCluney, AICP, Director of Campus Planning & Development
100 Campus Center
Seaside, California, 93955

1.4.5.3 Recirculation Not Required

CEQA Guidelines Section 15088.5 provides the criteria that a lead agency is to consider when deciding whether recirculate a Draft EIR is necessary. CEQA Guidelines require recirculation when the lead agency adds "significant new information" to the EIR after providing public notice of the availability of the Draft

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

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

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

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

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

1.5 CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT

The Board of Trustees certifies that the Final EIR, dated July 2026, has been completed in compliance with the CEQA Guidelines, that the EIR was presented to the Board of Trustees, that the Board of Trustees 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 of Trustees (CEQA Guidelines Section 15090).

CHAPTER 2.0 STATEMENT OF OVERRIDING CONSIDERATIONS

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

Courts have upheld overriding considerations based on a variety of policy considerations including, but not limited to, new jobs, stronger tax base, and implementation of an agency’s economic development goals, growth management policies, redevelopment plans, the need for housing and employment, conformity to a community plan, and provision of construction jobs (please refer to *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 CEQA Guidelines, the Board of Trustees finds that the mitigation measures identified in the Final EIR and the MMRP, when implemented, will avoid or substantially lessen many of the significant effects identified in the Final EIR for the proposed project. However, certain significant impacts of the proposed project are unavoidable even after incorporation of all feasible mitigation measures. The proposed project would have significant and unavoidable impacts with respect to project-level and cumulative greenhouse gas emissions, project-level and cumulative transportation-generated noise, and project-level and cumulative VMT. The Final EIR provides detailed information regarding these significant and unavoidable impacts (please also refer to **Section 1.2.4, Significant and Unavoidable Impacts**, above).

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

1. The proposed project would strengthen the stadium as a campus resource and community asset capable of supporting a wide range of educational and community oriented events.
2. The proposed project would attract more support and partnerships with external organizations further supporting CSUMB’s academic mission, which is to prepare students to contribute responsibly to California and the global community by providing transformative learning experiences in an inclusive environment.
3. The proposed project would modernize and improve the usability, safety, and operational efficiency of the existing stadium through targeted physical improvements necessary to extend CSUMB Stadium’s functional life span and better serve students, faculty, staff, and the community.

4. The proposed project would support multiple programming needs including academic instruction, experiential learning, and applied research opportunities for students, including those related to health sciences, kinesiology, sports management, and community health, consistent with CSUMB's role as a comprehensive public university.
5. The proposed project would be consistent with the smart growth principles and long-term planning goals in the existing 2022 CSUMB Master Plan Guidelines encouraging that new development be sited in the already developed campus core, which is served by existing infrastructure, to avoid unnecessary expansion into undeveloped land.
6. The proposed project, when compared to the other alternatives analyzed in the Final EIR (including the No Project Alternative), provides the best available balance between maximizing attainment of the project objectives and minimizing significant environmental impacts.

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