

## CHAPTER 2 INTRODUCTION

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The California Environmental Quality Act (CEQA) serves as the main framework of environmental law and policy in California. CEQA emphasizes the need for public disclosure and preventing or significantly reducing environmental damage associated with proposed projects. Unless the project is deemed categorically exempt, CEQA is applicable to any project that is subject to a discretionary approval by a public agency in order to be processed and established. The Project consists of implementation of the proposed California State University Monterey Bay (CSUMB) Master Plan (proposed Master Plan), including Project Design Features (PDFs) drawn from the CSUMB Master Plan Guidelines (Master Plan Guidelines),<sup>1</sup> and five “near-term” development components proposed to be constructed pursuant to the proposed Master Plan within the next ten years (collectively, the Project). The Project does not qualify for any of the statutory or categorical exemptions listed in the CEQA Statute and Guidelines (Cal. Pub. Resources Code, § 21000 *et seq.*; Cal. Code Regs. tit. 14, § 15000 *et seq.*), and, therefore, must undergo CEQA review.

### 2.1 PURPOSE OF THE EIR

Under CEQA, the lead agency for a project is the public agency with primary responsibility for carrying out or approving the project, and for implementing the requirements of CEQA. As the CEQA lead agency for the Project, the Board of Trustees of the California State University (Board of Trustees)<sup>2</sup> prepared this Environmental Impact Report (EIR) under CEQA (Cal. Pub. Resources Code, § 21000 *et seq.*) and the CEQA Guidelines (Cal. Code Regs. tit. 14, § 15000 *et seq.*). An EIR is an informational document that is required to (1) identify the potentially significant environmental effects of a project on the environment, (2) indicate the manner in which those significant effects can be avoided or significantly lessened via the implementation of potentially feasible mitigation measures, (3) identify a reasonable range of potentially feasible alternatives to a project that would eliminate or substantially lessen any significant environmental effects, and (4) identify any significant and unavoidable adverse impacts that cannot be mitigated or otherwise reduced. According to the CEQA Guidelines, “feasible” means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors. This EIR provides information about the

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<sup>1</sup> The Master Plan Guidelines were made available to the general public and local agencies for review and comment in 2017 under the title “CSUMB Comprehensive Master Plan.” Since that time the title has been changed to “Master Plan Guidelines” and minor revisions have been made.

<sup>2</sup> The Board of Trustees of the California State University is the State of California acting in its educational capacity and is responsible for the oversight of the California State University system, including the CSU Monterey Bay campus, one of 23 campuses. It adopts rules, regulations, and policies governing CSU Monterey Bay. It has authority over curricular development, use of property, development of facilities, and fiscal and human resources management. As such, the Board of Trustees is the lead agency under CEQA and is responsible for certification of the EIR for the Project and Project approval.

potential effects of the Project on the local and regional environment for the lead agency, responsible and trustee agencies, and the public.

The Board of Trustees is required to consider the information in the EIR, along with any other relevant information, in making its decisions about the Project. Although an EIR does not determine the ultimate decision that will be made regarding implementation of a project, CEQA requires lead agencies to consider the information in the EIR and make findings regarding each significant effect identified in the EIR. The Board of Trustees has the sole authority to consider and certify the Final EIR, approve the Project, and adopt a Mitigation Monitoring and Reporting Program, Findings of Fact, and Statement of Overriding Considerations, if warranted. Other agencies may also use this EIR in their review and approval processes, as indicated in Chapter 3, Project Description.

## 2.2 SCOPE OF EIR

Projected growth and development anticipated by the Project through approximately 2035 are evaluated in this EIR at a program level. The Project also includes five “near-term development components” in the proposed Master Plan that are expected to be developed within the next ten years. The EIR for the Project provides descriptions of these components and evaluates them at a project level. Therefore, this EIR is both a program and project EIR. The distinctions between a “program” and a “project” EIR and the associated level of analysis is described, below:

- **Program EIR:** Under state and California State University CEQA Guidelines, this EIR is being prepared, in part, as a “program” EIR. A program EIR may be prepared for a series of actions that are related geographically, or as part of a series of actions for adopting rules, regulations, plans, or general criteria for a continuing program or for individual activities carried out under the same authorizing law or regulation (Cal. Code Regs. tit. 14, § 15168). Individual projects pursued in the future under the proposed Master Plan will be examined in light of the program analysis contained in this EIR to determine whether additional environmental documentation must be prepared.
  - If an individual project is within the scope of the program EIR and would not have new or more severe significant effects, no new environmental document would be required (Cal. Code Regs. tit. 14, § 15168[c][2]). In this instance, the CSU prepares a finding of consistency with the Master Plan EIR (CSU 2019).
  - If some changes or additions are necessary, but no new or more severe significant effects would result, an addendum to the program EIR would be prepared (Cal. Code Regs. tit. 14, § 15164[a]).
  - If an individual project would have significant effects that were not examined in the program analysis of this EIR, a new initial study would need to be prepared leading

to either an EIR or negative declaration, which may be tiered from the program analysis in this EIR (Cal. Code Regs. tit. 14, § 15168[c][1]). “Tiering” refers to using the analysis of general matters contained in a broader EIR (such as one prepared for a general plan or policy statement) with later EIRs and negative declarations on narrower projects; incorporating by reference the general discussions from the broader EIR; and concentrating the later EIR or negative declaration solely on the issues specific to the later project (Cal. Code Regs. tit. 14, § 15152). An EIR, rather than a negative declaration, will be required when the individual project may cause significant effects on the environment that were not adequately addressed in the programmatic analysis of this EIR. Significant environmental effects will be considered to have been “adequately addressed” if (i) they have been mitigated or avoided as a result of mitigation measures or requirements that are set forth in the programmatic analysis of this EIR and are adopted by the Board of Trustees or a responsible agency or (ii) the effects have been examined at a sufficient level of detail in the programmatic analysis of this EIR to enable them to be mitigated or avoided by site specific revisions, the imposition of conditions, or by other means in connection with the approval of the individual project (Cal. Code Regs. tit. 14, § 15152[f]).

- **Project EIR:** Under state and California State University CEQA Guidelines, this EIR is being prepared, in part, as a “project” EIR. A project EIR examines the environmental impacts of a specific development project. This portion of the EIR will focus primarily on the changes in the environment that would result from each of the five near-term development components included in the Project. The EIR will examine all phases of these development components at a site-specific level, including planning, construction, and operation (Cal. Code Regs. tit. 14, § 15161) and is intended to provide comprehensive environmental clearance for these projects.

## **2.3 ENVIRONMENTAL REVIEW AND APPROVAL PROCESS**

### **2.3.1 Scoping**

The CEQA Guidelines authorize and encourage an early consultation or scoping process to help identify the range of actions, alternatives, mitigation measures, and significant effects to be analyzed and considered in an EIR, and to help resolve the concerns of affected regulatory agencies, organizations, and the public (Cal. Code Regs. tit. 14, § 15083). Scoping is designed to explore issues for environmental evaluation, ensuring that important considerations are not overlooked and uncovering concerns that might otherwise go unrecognized.

On May 12, 2017, a Notice of Preparation (NOP) was published for the Project to determine the scope and extent of environmental issues to be addressed in this EIR. The NOP was circulated for a 30-day comment period from May 12, 2017 to June 12, 2017. EIR scoping meetings were held on May 23, 2017 to solicit input from interested agencies, individuals, and organizations. Scoping meetings with the cities of Marina and Seaside, County of Monterey, Transportation Agency of Monterey County (TAMC), and Caltrans were held in February 2018 to specifically address the transportation scope of analysis in the EIR, which was originally based on intersection and freeway level of service (LOS).

On August 9, 2019, a Revision to Previously Issued NOP was published for the Project to notify agencies, organizations, and other interested parties of a revision to the originally proposed transportation methodology to be used in the EIR, and to request comments regarding the proposed revised methodology. The revision was made in response to Senate Bill 743 and associated revisions to the State CEQA Guidelines that became effective December 28, 2018, after release of the original NOP. The Revision to Previously Issued NOP provided notification that the EIR’s transportation analysis would rely on vehicle miles traveled (VMT) and other applicable transportation impact analysis criteria included in the revised State CEQA Guidelines in lieu of the originally proposed LOS methodology. In all other respects, the NOP issued May 17, 2017 was unchanged.

The original NOP and Revision to Previously Issued NOP are provided in Appendix A. All comments received on the original NOP and Revision to Previously Issued NOP are provided in Appendix B. A summary of pertinent comments received on the original NOP and Revision to Previously Issued NOP is included at the beginning of each resource section in Chapter 4, Environmental Setting, Impacts, and Mitigation Measures. To the extent that issues identified in public comments involve potentially significant effects on the environment according to the CEQA, and/or were raised by responsible and trustee agencies, they are identified and addressed in this EIR.

### **2.3.2 Public Review of Draft EIR**

The Draft EIR will be distributed for a 45-day public review period from February 4, 2022 to March 21, 2022. During this public review period, written comments on the adequacy of the Draft EIR can be submitted by all interested public agencies, organizations, community groups, and individuals to the following contact by mail or e-mail no later than 5pm on March 21, 2022:

Anya Spear,  
Director of Strategic Initiatives,  
CSUMB Office of the President,  
100 Campus Center, Building I  
Seaside, California, 93955  
aspear@csumb.edu

The Draft EIR will be available for public review during the comment period at the following locations:

- Online at <https://csumb.edu/facilities/planning/>
- CSUMB Library (Reference Desk), on the CSUMB campus
- Seaside Branch Library (Reference Desk), 550 Harcourt Avenue, Seaside California
- Marina Branch Library (Reference Desk), 190 Seaside Circle, Marina California

A recorded public informational presentation is available at the same campus online web link above. The presentation will provide an overview of the proposed Master Plan, conclusions of the Draft EIR, and information about how to submit written public comments on the adequacy of the information presented in the Draft EIR. CSUMB encourages public agencies, organizations, community groups, and all other interested persons to provide written comments on the Draft EIR prior to the end of the 45-day public review period. If any agency, organization, group, or person wishes to make a legal challenge to the Trustees of the California State University's final decision on the Project, that agency or person may be limited to addressing only those environmental issues that they or someone else raised during the 45-day public review period for the Draft EIR.

### **2.3.3 Final EIR/Project Approval**

Following the close of the public and agency comment period on the Draft EIR, responses will be prepared for all comments received during the public review period that raise CEQA-related environmental issues regarding the Project. The responses will be published in the Final EIR.

As required by CEQA, written responses to comments submitted by public agencies will be provided to those agencies for review at least 10 days prior to the Board of Trustees' consideration of certification of the EIR. The EIR will be considered by the Board of Trustees in a public meeting anticipated for May 2022 and will be certified if it is determined to be in compliance with CEQA. Upon certification of the EIR, the Board of Trustees will consider the Project for approval during the same public meeting.

### **2.3.4 Adoption of Mitigation Monitoring & Reporting Program**

CEQA requires that a program to monitor and report on mitigation measures be adopted by lead agencies as part of the project approval process. CEQA requires that such a program be adopted at the time the lead agency determines to carry out a project for which an EIR has been prepared to ensure that mitigation measures identified in the EIR are implemented. The Mitigation Monitoring and Reporting Program will be prepared during the preparation of the Final EIR so that it can reflect any changes or revisions to mitigation measures made in response to public comments on the Draft EIR.

## 2.4 ORGANIZATION OF THIS EIR

The content and format of this EIR are designed to meet the requirements of CEQA and the CEQA Guidelines (Cal. Code Regs. tit. 14, §§ 15122 through 15132). This Draft EIR is organized into the following chapters so that the reader can easily obtain information about the Project and the specific environmental issues. Figures are placed at the end of each chapter, or in the case of Chapter 4, figures follow each major section (Section 4.1, Section 4.2, etc.).

- **Chapter 1, Executive Summary**, presents background information related to the Project; provides a Project overview and alternatives to the Project being considered; identifies issues to be resolved and areas of known controversy; and summarizes the Project environmental impacts and mitigation measures.
- **Chapter 2, Introduction**, explains the CEQA process; describes the purpose and scope and the EIR; provides information on the review and approval process; and outlines the organization of this EIR.
- **Chapter 3, Project Description**, provides an overview of the Project; provides information about the location, setting, and background for the Project; identifies the Project objectives; provides a detailed description of the Project characteristics; and lists the likely approvals for the Project.
- **Chapter 4, Environmental Setting, Impacts, and Mitigation Measures**, explains the approach to the environmental analysis for this EIR, and provides environmental setting, impacts, and mitigation measures for the topics under study in this EIR.
- **Chapter 5, Other CEQA Considerations**, identifies the growth-inducing impacts; the significant and unavoidable impacts; and the significant and irreversible commitment of resources associated with the Project.
- **Chapter 6, Alternatives**, describes the alternatives to the Project that were considered but eliminated from further consideration; analyzes the environmental impacts of alternatives to the Project and compares them to the Project; and identifies the environmentally superior alternative.
- **Chapter 7, List of Preparers and Persons Consulted**, lists the organizations and individuals who were involved in preparing this EIR and the individuals who provided information.
- **Appendices** contain additional information used in preparing this Draft EIR. Appendix A contains the original NOP and the Revision to Previously Issued NOP that was distributed during the scoping periods for the Project. Appendix B contains the comment letters that were submitted in response to the original NOP and the Revision to Previously Issued NOP. Appendix C contains the CSUMB Student Housing and Parking Management

Guidelines. Appendix D contains the technical support for the air quality and greenhouse gas emissions calculations. Appendix E contains the Biological Resources Report. Appendix F contains the Cultural Resources Report and the Built Environment Report. Appendix G contains the noise measurements and calculations. Appendix H contains the Transportation Analysis.

## 2.5 REFERENCES

California Environmental Quality Act Statute and Guidelines (California Public Resources Code, Section 21000 et seq.; 14 California Code of Regulations 15000 et seq.)

CSU (California State University). 2019. *California State University CEQA Handbook*. April 2019.

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