

STATEMENT OF OVERRIDING CONSIDERATIONS

Mt. San Antonio College 2015 Facilities Master Plan Update (FMPU) Subsequent Program

Final EIR and Physical Education Projects (PEP) Project Final EIR

(SCH 2002041161)

October 6, 2016

BACKGROUND

The *California Environmental Quality Act (CEQA)* and the *California CEQA Guidelines (Section 15093)* promulgated pursuant thereto provide:

“(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 in 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) Where 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 must 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 record 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.”

STATEMENT

The Board hereby makes findings pursuant to, and in accordance with, Sections 21081, 21081.5, and 21081.6 of the Public Resources Code:

The Board of Trustees of Mt. San Antonio Community College District proposes to approve the following action for the *2015 Facilities Master Plan Update Subsequent Program Final EIR and Physical Education Projects (PEP) Project Final EIR*. Because the action constitutes a project under CEQA, a Subsequent Project and Program Final Environmental Impact Report (EIR) has been prepared for the project and approved by the Facilities Planning & Management Department and the Campus Master Plan Coordinating Team (CMPCT) at Mt. San Antonio Community College District.

Having received, reviewed, and considered the information in the Draft EIR for the proposed Project, as well as the supporting administrative record, the Board of Trustees finds that the mitigation measures required in the *2016 Mitigation Monitoring Program (MMP)*, when implemented, will avoid or substantially lessen the significant impacts identified in the *2015 Facilities Master Plan Update Subsequent Program Final EIR and Physical Education Projects (PEP) Project Final EIR* in 2025 and increases in student enrollments to 2025. However, the Final EIR has identified significant potential unavoidable adverse impacts that will not be mitigated to Less than Significant with Mitigation Incorporated.

Adverse Impacts Resulting from Buildout of the 2015 Facilities Master Plan Update (FMPU)

(a) Buildout of the 2015 FMPU will result in adverse direct and indirect visual impacts to the Mt. SAC Historic District.

(b) The demolition of Hilmer Lodge Stadium will result in adverse direct and indirect visual impacts to the Mt. SAC Historic District, which is individually eligible for the *California Register of Historical Resources and a contributing resource to the Mt. SAC Historic District*. Although the required mitigation measures for the 2015 FMPU avoid or reduce the impacts on historic resources by requiring filing of Department of Parks and Recreation (DPR) 253 forms, Historic American Building Survey (HABS) documentation photos and photo-documentation and historical displays on campus, the recommended mitigation measures do not reduce the significant effects on historic resources to Less than Significant.

(c) Development approved in the 2012 and 2008 Facility Master Plans, along with projects in the 2015 FMPU, result in adverse cumulative historic resource impacts to the Mt. SAC Historic District.

(d) Additional lane improvements are not feasible at six (6) locations within the traffic study area for one or more traffic scenarios: (1) Grand Avenue/Mountaineer Road, (2) Grand Avenue/San Jose Hills Road, (3) Valley Boulevard/Temple Avenue, (4) Grand Avenue/Valley Boulevard, (5) Grand Avenue/Temple Avenue and (6) Grand Avenue/Baker Parkway. Locations 1–2 are adverse with the project in 2020, and locations 1–5 in 2025 with the project. With cumulative projects, locations 1–6 are adverse in 2020 and in 2025 (i.e. Tables 10, 15, 17 in Appendix B1 of the *Draft SEIR*).

Although lane and traffic signal improvements are required at nine (9) locations for project buildout of the 2015 FMPU in 2020, additional improvements are not feasible at three (3) locations and the traffic impact will be unavoidably adverse. For cumulative conditions in 2020, improvements are required at thirteen (13) locations, but feasible at only nine (9) locations.

(e) PM peak weekday traffic during the 2020 Olympic Track & Field Trials (OTFT), when event traffic is combined with pm peak commuter traffic, will result in significant traffic impacts at 18 locations for two weekdays. Providing feasible improvements for only two days is not practical or cost effective. The pm peak congestion is limited to two or three hours for two weekday evenings during Session 1. Future schedule event changes may reduce the congestion duration.

Although the shuttle system will reduce event trips near campus, and the required vehicle occupancy minimums will reduce trips and the need for parking, event traffic for hosting the 2020 Olympic Track & Field Trials is adverse for two weekday pm peak periods. Higher patron shuttle participation rates and higher vehicle occupancy limits are not feasible.

(f) The General Plan and Zoning designations for the campus are inconsistent and the designations do not reflect the historical use of the campus as a community college. Voters in the four local high school districts approved the formation of the Mt. San Antonio Community College District in December 1945. The CEQA Guidelines include this statement: *(b) Would the project cause a significant environmental impact due to a conflict with any land use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect?* The City of Walnut maintains their designations are related to environmental protection of perimeter land uses. Therefore, if the City does not revise its jurisdictions, future development could be regarded as in conflict with the City's designations and a significant effect. If the City's designations remain unchanged, a Statement of Overriding Considerations (SOC) is recommended if the project is not exempt from City of Walnut building and zoning ordinances by operation of law or resolution of the Board of Trustees of the District.

Statement of Reasons for Adverse Impacts being Acceptable

In approving the project, Public Resources Code 21081 and 21081.5, and CEQA Guidelines Section 15093 require the Board of Trustees to balance the economic, legal, social, technological and other benefits of the project against the unavoidable environmental risks of the project. And if specific economic, legal, social, technological, or other benefits outweigh the unavoidable adverse environmental effect, the adverse effects may be considered "acceptable." In this regard, the Board of Trustees finds that all feasible mitigation measures required in the *2016 Mitigation Monitoring Program (MMP)* will be implemented with the project. Any significant remaining unavoidable effects are acceptable due to the following specific considerations, all of which are based upon the facts set forth in the CEQA findings, Final EIR (SCH 2002041161) and the record of the proceedings of this project.

1. The voters of the Mt. San Antonio Community College District passed the Measure R Bond in November 2001 and Measure RR in November 2008 to modernize existing facilities and develop new facilities to implement the District's long-range educational objectives.
2. Mt. SAC Facilities Planning & Management has prepared the 2015 Facilities Master Plan Update to identify future facilities needed to accommodate educational programs for an additional 3,745 students in 2020–21 and an additional 7,153 students in 2025–26 compared to 35,986 in 2015–16. These projections are provided by the California Community Colleges Chancellor's Office (CCCCO).
3. The buildings proposed for demolition are no longer adequate for the planned physical educational programs of the District and some may not be designed for present seismic forces and current building codes. Their mechanical systems are energy inefficient and do not provide the necessary air changes for current codes. Many building uses do not meet the space utilization (ASF) requirements of the CCCCCO. Limited funds are better used for new construction rather than renovation and retrofitting existing facilities. The buildings proposed for demolition are primarily wood-frame structures with insufficient lateral force resisting systems for probable area seismic events. The wood frames support heavy clay tile roofs which pose added dangers during seismic events. Termite damage and dry rot have damaged the buildings and they are energy inefficient and very expensive to operate and maintain. The remaining brick or concrete buildings being demolished are too costly to retrofit for current facility needs and retrofitting may exceed their replacement value. Limited funds are better used for new construction than renovation and retrofitting.
4. There are no constraints that hinder new development and renovation on campus; all public services are available, or may be easily extended and expanded within the campus.

5. Additional campus development will be compatible with existing campus facilities and with surrounding off-campus land uses. All potential significant land use and public service impacts of the project are reduced to Less than Significant With Mitigation Incorporated.
6. The project is an urban in-fill project and the development proposed is appropriate for an in-fill project. The proposed uses are compatible with adjacent uses and prior development on campus.
7. All operational aspects of the project, including traffic flow, parking and pedestrian safety, have been fully evaluated and feasible solutions incorporated into the project design. Outside agencies have the authority, and duty, to implement required circulation measures for project and cumulative traffic conditions within their jurisdictions within the timeframes for the project. The District is providing its fair share of funding for improvements required due to project-specific impacts.
8. The District will dedicate land to the City of Walnut for all feasible intersection improvements required adjacent to the campus for lane improvements and for the Public Transportation Center on campus. The District and Foothill Transit are entering into a Memorandum of Understanding regarding traffic improvement plans and funding sources. The Public Transportation Center will reduce campus-related vehicle trips and contribute to less air quality emissions.
9. Retention and expansion of the Wildlife Sanctuary is an important educational element of the District, preserves riparian and wetland areas that support a diversity of wildlife and provides educational opportunities for biological students and area schools. Restoration of some, but not all, of the riparian areas south of the existing Wildlife Sanctuary will expand the existing Wildlife Sanctuary as a contiguous area along Snow Creek. The Biology Department has invested substantial resources in the Wildlife Sanctuary since its creation in 1964.
10. Construction noise adjacent to existing coastal sage scrub habitat for the California gnatcatcher within or near MSAC Hill that is retained (i.e. not graded) will be minimized by avoiding construction grading during the prime nesting season.
11. Project impacts on biological resources will be mitigated on campus by replacement or restoration of habitat in perpetuity. The habitat mitigation areas will meet the requirements of responsible agencies [e.g., California Department of Fish and Wildlife (CDFW), U. S. Fish and Wildlife Service (USFWS) and the U. S. Army Corps of Engineers (USACE)]. A Land Use Management Area, initially created for replacement of California Black Walnut trees removed from Lot R west of Hilmer Lodge Stadium, will be expanded to accommodate all habitat replacement needs on campus. The final acreage will be determined in agreements with the CDFW and the USFWS.
12. Hosting the 2020 Olympic Track & Field Trials provides the District opportunities for national and regional exposure of its educational mission and supports the long-range goals of the District to continue its athletics heritage.

For these reasons, on balance, the Board of Trustees finds that there are economic, legal, social, technological or other benefits resulting from the project that serve to override and outweigh the project's unavoidable significant environmental impacts, and thus, the adverse environmental effects of the project are considered acceptable.