

**BOARD OF TRUSTEES
MT. SAN ANTONIO COLLEGE**

DATE: October 11, 2017

ACTION

SUBJECT: Resolution No. 17-03 - A Resolution of the Board of Trustees of Mt. San Antonio College Certifying the Mt. San Antonio College West Parcel Solar Project Tiered Draft Environmental Impact Report (SCH 2002041161), Adopting a Statement of Facts and Findings, and Adopting a Mitigation Monitoring Program; [Authorizing Commencement of Phase 1 Grading Operations](#)

BACKGROUND

The Mt. San Antonio Community College District (District) is the lead agency and has prepared the Mt. San Antonio College West Parcel Solar Project Tiered Draft Environmental Impact Report (Draft SEI) (SCH 2002041161) under the terms and requirements of the California Environmental Quality Act (CEQA) and the implementing CEQA regulations. The project site is located on campus west of Grand Avenue and south of Amar Road and Temple Avenue.

The Draft SEIR is tiered to the 2012 Master Plan's Subsequent Environmental Impact Report (2012 Master Plan EI) (SCH 2002041161) certified as a programmatic EIR by action of the District Board of Trustees in December 2013 and the 2015 Facilities Master Plan Update and Physical Education Projects (PEP) Subsequent Program/Project Environmental Impact Report ("2015 Master Plan EIR") certified as a Program/Project EIR (SCH 2002041161) by action of the District Board of Trustees in October 2016.

The West Parcel Solar Project (Solar Project) is located on a 27.65-acre parcel located west of Grand Avenue zoned Solar and Retail. The 27.65-acre parcel contains primarily coastal sage scrub, habitat for the threatened coastal California Gnatcatcher. Replacement and restored habitat will be implemented onsite and east of Grand Avenue. Grading will occur on 17.25 acres to create a 9.9 acre pad at 761 feet mean sea level for a 2.2 MW ground-mounted solar panel system. Earth import for the project from the stadium area of the campus is estimated as 139,000 cubic yards.

The Solar Project is hereby separated into two construction phases. (Although this terminology was not used in the Final EIR, the two phases together comprise the Solar Project evaluated in the Final EIR). Phase 1 includes all activities related to implementation of all construction activities related to the permits from responsible agencies for biological resource restoration/replacement on- and off-site, all pre-construction activities (i.e. duff removal, etc, all grading activities, earth import and all landscaping installation activities (the collectively the "Phase 1 Grading Operations"). Phase 1 will result in completion of all grading for the site and the solar pad, roadway access, habitat replacement/restoration and installation of the on- and off-site underground electrical conduit. Phase 2 includes

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Reviewed by: Michael D. Gregoryk

Recommended by: Bill Scroggins

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installation of the solar panels onsite and all ancillary equipment within the solar pad to create an operational solar generation facility.

The potential environmental impacts of the Parcel Solar Project are evaluated in the Draft SEIR posted on the District's website. A summary of potential project impacts, recommended mitigation measures, and the status of the impacts with mitigation (i.e., Less than Significant with Mitigation Incorporated) is included in Table 1.4.1 in Volume 1. All technical studies, notices, and correspondence are included in Volume 2: Appendices.

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The Draft EIR was circulated to the State Clearinghouse and to other interested local agencies (e.g., Cities of Walnut, Diamond Bar, Industry, Pomona, County of Los Angeles) for a 45-day public review period from July 28, 2017, to September 12, 2017.

The Notice of Completion for the Draft SEIR was published in the San Gabriel Valley Tribune and the Inland Valley Daily Bulletin on July 28, 2017, posted on campus and College website, and filed with the County of Los Angeles Recorder/Clerk of Court in Norwalk. Copies of the Draft SEIR were also made available for the public at the Mt. San Antonio College Library, at the Walnut Public Library, and on the College website.

All public comments on the Draft SEIR were due on September 12, 2017. The Final SEIR consists of responses to the public comments received on the Draft SEIR (Volumes 1, 2).

ANALYSIS AND FISCAL IMPACT

The Facilities Planning and Management Department has evaluated all public comments on the Draft SEIR and prepared responses pertaining to significant environmental issues. The public comments, responses, and any changes to the Draft SEIR are included in the Response to Comments document.

As stated, the Response to Comments document was forwarded to agencies or parties providing comments 10 days prior to the public hearing. They, or the public, may provide additional comments prior to or during the public hearing for the project on October 11, 2017.

The Board of Trustees will consider adoption of a Statement of Facts and Findings at the public hearing. This document summarizes the findings of the Final SEIR in language specified by the CEQA Guidelines (Section 15091). Adoption of the Findings by the Board of Trustees indicates they agree with the conclusions presented in the Final SEIR.

The Mitigation Monitoring Program specifies the final list of mitigation measures for the project, the agency or department responsible for implementation and monitoring of the measures, and the timing of the monitoring activity.

Funding Source

There are no costs involved in certification of the Subsequent Project Final Environmental Impact Report other than those previously approved in the CEQA consultants' contracts.

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PUBLIC HEARING

Open a public hearing and receive comments on the Mt. San Antonio College SEIR (2017 SEIR) (SCH 2002041161).

RECOMMENDATION

It is recommended that the Board of Trustees adopts Resolution No. 17-03, A Resolution of the Board of Trustees of Mt. San Antonio College Certifying the Mt. San Antonio College West Parcel Solar Project Tiered Draft Environmental Impact Report (SCH 2002041161), and adopt a Mitigation Monitoring Program which includes the following:

1. Certify the Mt. San Antonio College West Parcel Solar Project Tiered Draft Environmental Impact Report (SCH 2002041161).
2. Adopt the Statement of Facts and Findings, and the 2017 West Parcel Solar Project Mitigation Monitoring Program.
3. Direct staff to file the Notice of Determination with the County Clerk, the State Clearinghouse, and the California Community College Chancellor's Office on November 8, 2017.

It is further recommended that the Board of Trustees authorize at this time the commencement of Phase 1 Grading Operations only. Commencement of Phase 2 will proceed at a future date upon authorization by the Board of Trustees at a duly authorized noticed meeting.

RESOLUTION NO. 17-03

A RESOLUTION OF THE BOARD OF TRUSTEES OF MOUNT SAN ANTONIO COMMUNITY COLLEGE DISTRICT CERTIFYING THE MT. SAN ANTONIO COLLEGE WEST PARCEL SOLAR PROJECT TIERED DRAFT ENVIRONMENTAL IMPACT REPORT (“DRAFT SEIR”) (SCH 2002041161), ADOPTING A MITIGATION MONITORING PROGRAM; AUTHORIZING COMMENCEMENT OF PHASE 1 GRADING OPERATIONS

RECITALS

WHEREAS, Mt. San Antonio Community College District (District or Mt. SAC) is duly authorized and existing under the laws of the State of California; and

WHEREAS, in 2012, the District projected future student enrollment in the District to be 33,433 (credit + non-credit annual full-time-equivalent students) for the year 2020; and

WHEREAS, the District now projects future student enrollment in the District to be 39,731; and

WHEREAS, the West Parcel Solar Project (Solar Project) is meant to address the growing energy consumption needs and costs associated with growing student enrollment; and

WHEREAS, Mt. SAC is the lead agency for the Solar Project, which is among the projects identified and evaluated in the Mt. San Antonio College Facility Master Plan 2012 dated February 18, 2013, and received California Environmental Quality Act (CEQA) lead agency approval by the Board of Trustees' certification of the 2012 Master Plan's Subsequent Environmental Impact Report (2012 Master Plan EIR) (SCH 2002041161); and

WHEREAS, on September 16, 2015, the Board of Trustees (Board) at a duly noticed special meeting adopted Resolution No. 15-01 approving the Solar Project; and

WHEREAS, the Board found the Solar Project, as then designed, could have significant effects on the environment but that all potentially significant effects had been analyzed in the 2012 Master Plan EIR pursuant to applicable standards and had been avoided or mitigated pursuant to the 2012 Master Plan EIR including mitigation measures that were adopted in the 2012 Mitigation Monitoring Program applicable to the Solar project; and

WHEREAS, for these reasons, the Board determined that no additional environmental analysis was required under CEQA; and

WHEREAS, on January 13, 2016, the Board approved an Addendum to the 2012 Master Plan EIR related to the Solar Project; and

WHEREAS, the 2012 Master Plan EIR and Addendum do not satisfy the requirements for project specific environmental review of the Solar Project under CEQA; and

WHEREAS, the 2012 Master Plan EIR is a programmatic EIR that may be used for tiering but not for project specific CEQA approval; and

WHEREAS, on October 12, 2016, the Board approved the 2015 Facilities Master Plan Update and Physical Education Projects (PEP) Subsequent Program/Project Environmental Impact Report (2015 Master Plan EIR); and

WHEREAS, on June 28, 2017, the Board set aside approvals of the Solar Project and the Addendum to the 2012 Master Plan Environmental Impact Report; and

WHEREAS, Mt. SAC remains the lead agency of the Solar Project and has prepared the Mt. San Antonio College West Parcel Solar Project Tiered Draft Environmental Impact Report (Draft SEIR) (SCH 2002041161) under the terms and requirements of the California Environmental Quality Act (CEQA) and implementing CEQA regulations; and

WHEREAS, the project site remains located on campus west of Grand Avenue and south of Amar Road and Temple Avenue; and

WHEREAS, the Draft SEIR is tiered to the 2012 Master Plan's Subsequent Environmental Impact Report (2012 Master Plan EIR) (SCH 2002041161) certified as a programmatic EIR by action of the District's Board of Trustees in December 2013 and the 2015 Facilities Master Plan Update and Physical Education Projects (PEP) Subsequent Program/Project Environmental Impact Report (2015 Master Plan EIR) certified as a Program/Project EIR (SCH 2002041161) by action of the District Board of Trustees in October 2016; and

WHEREAS, the Solar Project remains located on a 27.65- acre parcel located west of Grand Avenue zoned Solar & Retail; and

WHEREAS, the 27.65-acre parcel contains primarily coastal sage scrub, habitat for the threatened coastal California gnatcatcher; and

WHEREAS, replacement and restored habitat will be implemented onsite and east of Grand Avenue; and

WHEREAS, grading will occur on 17.25 acres to create a 9.9 acre pad at 761 feet mean sea level for a 2.2 MW ground-mounted solar panel system; and

WHEREAS, earth import for the project from the stadium area of the campus is estimated as 139,000 cubic yards; and

WHEREAS, the potential environmental impacts of the Solar Project are evaluated in the Draft SEIR posted on the College's website; and

WHEREAS, a summary of potential project impacts, recommended mitigation measures and the status of the impacts with mitigation (i.e. Less than Significant with Mitigation Incorporated) was included in Table 1.4.1 in Volume 1 and all technical studies, notices and correspondence are included in Volume 2: Appendices; and

WHEREAS, the Draft EIR was circulated to the State Clearinghouse and to other interested local agencies (e.g., Cities of Walnut, Diamond Bar, Industry, Pomona, County of Los Angeles) for a 45-day public review period from July 28, 2017, to September 12, 2017; and

WHEREAS, the Notice of Completion for the Draft SEIR was published in the San Gabriel Valley Tribune and the Inland Valley Daily Bulletin on July 28, 2017, posted on campus, on the College website, and filed with the County of Los Angeles Recorder/Clerk of Court in Norwalk; and

WHEREAS, copies of the Draft SEIR were also made available for the public at the Mt. San Antonio College Library, at the Walnut Public Library, and on the College website; and

WHEREAS, all public comments on the Draft SEIR were due on September 12, 2017; and

WHEREAS, the Final SEIR consists of responses to the public comments received on the Draft SEIR (Volumes 1, 2); and

WHEREAS, the Final SEIR consists of responses to the public comments received on the Draft SEIR; and

WHEREAS, the Facilities Planning and Management Department has evaluated all public comments to the Draft SEIR and prepared responses pertaining to significant environmental issues; and

WHEREAS, responses to public comments were forwarded to agencies or parties providing comments ten days prior to the public hearing and they or the public may provide additional comments prior to or during the Public Hearing for the certification of the SEIR at the October 11, 2017, Board of Trustees meeting; and

WHEREAS, the Board of Trustees has also considered adoption of a Statement of Facts and Findings at the public hearing; and

WHEREAS, the Statements of Facts and Findings (Findings) summarizes the findings of the Final SEIR in language specified by the California Environmental Quality Act (CEQA) Guidelines (Section 15091); and

WHEREAS, the Board of Trustees has considered whether the conclusions presented by the Findings correspond with the Final SEIR; and

WHEREAS, the Mitigation Monitoring Program specifies the final list of mitigation measures for the Solar Project, the agency or department responsible for implementation and monitoring of the measures, and the timing of the monitoring activity.

NOW, THEREFORE, BE IT RESOLVED, FOUND, AND DETERMINED BY THE BOARD AS FOLLOWS:

SECTION 1. The Board adopts the foregoing recitals as true and correct.

SECTION 2. The Board finds and determines that the District has complied with CEQA and that the Board determinations reflect the independent judgment of the Board based on its review of the administrative record.

SECTION 3. The Board hereby certifies the Mt. San Antonio College West Parcel Solar Project Tiered Draft Environmental Impact Report (SCH 2002041161), finding that: (a) the District has complied with CEQA and the Final SEIR is an accurate and objective statement that fully complies with CEQA and CEQA Guidelines; and (b) no evidence of new significant impacts as defined by CEQA Guidelines Section 15088.5, has been received by the District after circulation of the Draft SEIR and convening the October 11, 2017 public hearing which would require recirculation; and (c) the Final SEIR has identified and discussed the significant environmental impacts, as set forth in the CEQA Findings attached hereto as Attachment 1 and incorporated herein by this reference.

SECTION 4. The Board hereby adopts the CEQA Statement of Facts and Findings in Attachment 1 hereto.

SECTION 5. The Board hereby adopts the 2017 West Parcel Solar Project Mitigation Monitoring Program in Attachment 2 hereto.

SECTION 6. The Board authorizes and directs the District President or his designee to sign the Final SEIR and the Notice of Determination, and to cause the Notice of Determination to be filed in the office of the County Clerk, the State Clearinghouse, and the Community College Chancellor's Office, in accordance with CEQA and State CEQA Guidelines.

SECTION 7. The Board hereby approves the Solar Project which shall be subject to all statutory requirements for construction and occupancy. -Further, the Solar Project is hereby separated into two phases for purpose of commencement. The two phases together shall comprise the Solar Project as evaluated in the Final EIR. Phase 1 shall

include all activities necessary to implement all construction activities related to the permits from responsible agencies for biological resource restoration/replacement on- and off-site, all pre-construction activities (e.g., duff removal) all grading operations and activities, earth import, and all landscaping installation activities (collectively “Phase 1 Grading Operations”). Phase 2 of the Solar Project relates to installation of the solar panels onsite and all ancillary equipment within the solar pad to create an operational solar generation facility. Phase 2 shall not proceed without further approval of the Board of Trustees taken at a duly noticed meeting.

District staff is authorized and directed to take all steps necessary or convenient to proceed with ~~the Solar Project~~ Phase 1 Grading Operations in accordance with this Resolution and all other approvals as required by law. The District President or his designated representative is directed to ensure the Mitigation Monitoring Program is implemented by the District related to Phase 1 and shall notify the Board when the Mitigation Monitoring Program has been implemented.

SECTION 8. The President & CEO or his designees are delegated authority to take all steps and perform all actions necessary to carry out the actions of the Board as set forth in this Resolution.

SECTION 9. This Resolution shall become immediately effective upon adoption by the Board.

PASSED AND ADOPTED this 11th day of October, 2017, by the Board of Trustees of Mt. San Antonio Community College at a regular meeting held in Walnut, California.

AYES, and in favor of, Board Members:

NOES, Board Members:

ABSENT, Board Members:

William T. Scroggins
College President & CEO and
Secretary, Governing Board