

CHAPTER ONE - INTRODUCTION

1.1 *Project Objective*

The Project objective is to reduce the current overcrowded conditions and accommodate the rapid population growth and associated increased enrollment in the Hartnell College District area. At full buildout, the West Campus will be able to accommodate approximately 12,000 students.

1.2 *Procedures*

This Draft Environmental Impact Report (EIR) was prepared to evaluate potentially significant environmental effects (also called "impacts") of the proposed project and of alternatives to the project. The EIR was prepared to meet all requirements of the California Environmental Quality Act (CEQA) and *Guidelines for the Implementation of the California Environmental Quality Act* (California Administrative Code [CAC], Title 14, Chapter 3 - hereinafter called the *CEQA Guidelines*).

The Lead Agency responsible for the EIR is the Hartnell College District. Under CEQA, the lead agency is normally the public agency that has discretionary authority to approve the project. In this case, the body with the final authority to approve the project is the Hartnell Community College Board of Trustees. Quad Knopf has prepared the EIR as a consultant to the District.

Section 15121(a) of the *CEQA Guidelines* defines an EIR as an informational document that will:

"...inform public agency decision-makers and the public generally of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project."

The construction and other associated activities associated with the Hartnell College Master Plan is the action that constitutes the project for purposes of this EIR. As defined in §15378 of the *CEQA Guidelines*, a "project" is an action that *"...has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment ..."*

Under §15091 of the *CEQA Guidelines*, the Lead Agency must make findings prior to approving the project. For each significant environmental effect identified in the EIR, one or more of the following findings must be made:

- Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen (i.e., mitigate) the significant environmental effect as identified in the final EIR.

- 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.
- Specific economic, legal, social, technical or other considerations make infeasible the mitigation measures or project alternatives identified in the final EIR.

Section 15093 of the *CEQA Guidelines* requires lead agency decision-makers to balance the economic, legal, social, technical or other benefits of a proposed project against any unavoidable environmental effects of the project. If, in the Lead Agency's opinion, the benefits of the project outweigh the unavoidable adverse environmental effects, the decision-makers may adopt a Statement of Overriding Considerations, finding that the environmental effects are considered acceptable.

Section 15004 of the *CEQA Guidelines* states that EIRs should be prepared as early as feasible in project planning to enable environmental considerations to influence project design. Thus, the EIR must be completed and certified by the Lead Agency before the agency approves the project itself. The EIR provides an opportunity to change the project's design or adopt alternatives to mitigate any potential environmental impacts before project approval.

Section 15145 of the *CEQA Guidelines* discourages discussion of impacts that are speculative. The *CEQA Guidelines* instruct the agency to note the conclusion that the impact is speculative and terminate discussion of it.

Mitigation measures that do not call for specific physical changes in the project to reduce impacts, but merely call for further studies, are generally considered inadequate, because all project-related impacts that can be reasonably anticipated are required to be addressed in the EIR. California courts have allowed minor exceptions to this guideline in cases where the courts found that the EIR provided the Lead Agency with sufficient assurances that the impact would, in fact, ultimately be fully characterized and mitigated.

The Draft Environmental Impact Report (Draft EIR) will be subject to public review as required under §15087 of the *CEQA Guidelines*. CEQA requires that the lead agency consider input from other agencies, citizen groups, and individuals. CEQA is a public process requiring full public disclosure of the expected environmental consequences of the project and its alternatives. The public must be given a meaningful opportunity to comment. The *CEQA Guidelines* require a public review period of no less than thirty days but nor more than ninety days. A forty-five day review period is customary for a project of this nature. CEQA specifies how the public must be notified that the Draft EIR is available for review. During the review period, the public and all responsible trustee, or other interested agencies may comment, orally or in writing, on Draft EIR contents. The lead agency often holds a public hearing to receive comments during the review period, but CEQA does not explicitly require a public hearing on the Draft EIR.

Section 15132 of the *CEQA Guidelines* requires that each comment made during the public review period must be responded to in writing. The final EIR that will be considered for certification by the District will consist of:

- The Draft EIR with any necessary revisions resulting from public and agency comments.
- Comments on the Draft EIR.
- A list of individuals, organizations, or agencies that commented on the Draft EIR.
- Lead Agency responses to the comments.

Upon completion, the District can certify that the Final EIR has been completed, it complies with CEQA, and the information in the Final EIR was reviewed and considered prior to making a decision on the project. The decision-makers (the Board of Trustees) will review the EIR. Typically, lead agency staff prepares a report of EIR findings and staff recommendations to assist the decision-makers in absorbing and interpreting the EIR. After reviewing and considering the EIR, including public comments on the Draft EIR and responses to those comments, the District will make its findings as explained above.

Finally, the District will adopt a Mitigation Monitoring or Reporting Program as required by Public Resource Code, Section 21081.6 adopted under Assembly Bill 3180 (Cortese 1989). The Mitigation Monitoring/Reporting Program is required to ensure that mitigation measures identified in the EIR are actually carried out and produce the desired results. The Mitigation Monitoring/Reporting Program names the person or agency responsible for implementing each mitigation measure, the agency to whom implementation of the measure should be reported, and a timetable for implementation and monitoring. Mitigation Monitoring/Reporting Programs also often include performance standards used to judge how effective a measure is in meeting its objectives and contingency plans that will take effect if performance standards are not achieved.

Under CEQA, the lead agency conducting an EIR must independently evaluate the consequences of its own actions. The agency may rely on consulting experts to perform such independent evaluation, but it cannot merely rely on the opinion of another agency. For example, the fact that a project is given a compliance permit by a local air pollution control district does not relieve the lead agency from determining independently whether the proposed action will result in significant air quality effects.

1.3 Methodology/Scope of EIR

The CEQA process begins with scoping to determine the type and extent of environmental documentation necessary for the project and provide an initial opportunity for public and agency input. Scoping can include preparation of an Initial Study, distribution of a Notice of Preparation, and public scoping sessions.

Scoping often begins, as in this instance, with preparation of an "Initial Study", which includes a checklist of anticipated impacts. The Initial Study helps the lead agency to decide whether to prepare an EIR or a Negative Declaration. If the Initial Study indicates that the project will potentially result in significant environmental impacts, an EIR must be prepared. If the Initial Study shows that there will be no impacts, or if the project can be altered to prevent such

impacts, a simpler or briefer document, the Negative Declaration, can fulfill CEQA requirements. In either case, the Initial Study is a preliminary indication of the scope of environmental issues that must be addressed in the CEQA document. For this project, the District prepared and circulated an Initial Study and sent a Notice of Preparation (NOP) to the Governor's Office of Planning and Research (OPR) State Clearinghouse. The State Clearinghouse distributed the NOP and Initial Study to potential State responsible and trustee agencies and the District distributed it to local agencies or other agencies that are expected to take an interest in the project.

A "responsible agency" is one that has discretionary authority to approve or deny a project or an element of a project. Each of these agencies will require that the District certify the EIR for the project before authorizing preparation of construction documents.

A "trustee agency" is one that manages or has jurisdiction over certain natural resources that may be affected by the project. For example, the California Department of Fish and Game (CDFG) is responsible for managing wildlife and wildlife habitats throughout the state. CDFG serves as a trustee agency for most projects subject to CEQA and reviews most EIRs for effects on wildlife and habitat.

In addition to distribution of the NOP and Initial Study to responsible, trustee and interested local agencies, the District held an early consultation meeting to assist in determining the scope focus and content of the proposed EIR.

All responsible and trustee agencies, as well as other interested agencies, citizens groups, and individuals had thirty days to respond to the NOP. These responses helped determine the range of environmental issues that the EIR must address. The NOP and Initial Study, a list of agencies that commented on the NOP/Initial Study, and their comments are included in Appendices A and B of this EIR.

1.4 Organization of the EIR

Preceding this chapter is the Executive Summary. Section 15123 of the *CEQA Guidelines* states that an EIR "*shall contain a brief summary of the proposed actions and its consequences...The summary shall identify each significant effect with proposed mitigation measures and alternatives that would reduce or avoid that effect...areas of controversy known to the Lead Agency including issues raised by agencies and the public, and...issues to be resolved including the choice among alternatives and whether or how to mitigate the significant effects.*" The Executive Summary of this EIR contains a table (Table S-1) which summarizes all impacts and recommended mitigation measures.

The purpose of Chapter One is to state the nature of the project and inform the reader of the reason for preparing the EIR. It also explains the purposes of CEQA and briefly summarizes the CEQA process.

Chapter Two of this report describes the site location, the project's objectives, project description, the subsequent permits and approvals required, and the general environmental

setting of the project site and surrounding area. It includes a brief discussion of relevant regulations and plans as they relate to the project.

Chapter Three details the *environmental setting* as it relates to each topical area described above (e.g., noise, traffic, air quality), identifies and evaluates *impacts*, and proposes *mitigation measures* to reduce impacts to less than significant levels, where feasible. The format and content of this chapter are described as follows:

INTRODUCTION

Where applicable, a brief introduction is presented under each general topical heading (e.g., Noise; Air Quality).

IMPACT EVALUATION CRITERIA

The standard by which impacts are measured or the threshold of significance is presented. The purpose is to establish the level at which an environmental impact will be considered significant.

SETTING/REGULATORY CONTEXT

The existing setting or regulatory context with respect to the environmental topic being discussed are briefly described.

IMPACTS AND MITIGATION MEASURES

- **Impact:** Each identified environmental impact is numbered for reference. They are numbered in accord with the Chapter subsection (e.g., #3.8-1).
- **Conclusion:** This is a statement of whether or not an identified impact is significant, less than significant, cumulatively significant, etc.
- **Mitigation Measure:** Each mitigation measure is numbered in accord with its chapter subsection and correlated with the impact to which it applies.
- **Effectiveness of Measure:** For significant impacts, a statement is made regarding whether the impact can be mitigated to a less than significant level or, alternatively, whether the impact is only partially mitigated, immitigable, unavoidable, and/or irreversible, based on the Impact Evaluation Criteria.

The above format is intended to conform to standards for adequacy of the EIR as described in §15151 of the *CEQA Guidelines*, which states:

An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the

experts. The courts have looked not for perfection, but for adequacy, completeness, and good faith effort at full disclosure.

CEQA specifies mandatory discussion of other topics in an EIR, such as effects found not to be significant, cumulative impacts and growth-inducing impacts. Chapter Four describes and evaluates *alternatives* to the proposed project. Per requirements of §15126.6 of the *CEQA Guidelines*, the "no project" alternative must be considered to compare the environmental consequences of the project as proposed to the consequences of taking no action. The potential environmental impact of these alternatives will be compared to the environmental impact of the project as proposed.

Chapter Five evaluates cumulative impacts. Chapter Six is the Mitigation Monitoring Program. The following format was used for the Mitigation Monitoring Program.

▪ **Mitigation Implementation/Monitoring**

Mitigation Measure No.
Enforcing Agency
Enforcement Mechanism

The Appendices include the names of agencies or individuals contacted for information during EIR preparation, technical reports cited in the text, the NOP and Initial Study, references, and comments on the NOP/Initial Study.