CAL POLY PIER MASTER PLAN

A Professional Project

presented to

the Faculty of California Polytechnic State University,

San Luis Obispo

In Partial Fulfillment

of the Requirements for the Degree

Master of City and Regional Planning

by

Troy Lawson

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COMMITTEE MEMBERSHIP

TITLE: Cal Poly Pier Master Plan

AUTHOR: Troy A. Lawson

DATE SUBMITTED: June 2020

COMMITTEE CHAIR: Adrienne I. Greve, Ph.D.
Professor of City and Regional Planning

COMMITTEE MEMBER: Thomas J. Moylan
Marine Operations Manager of the Center for Coastal Marine Sciences

COMMITTEE MEMBER: Chris W. Clark, J.D.
Lecturer of City and Regional Planning

ABSTRACT

Cal Poly Pier Master Plan

Troy A. Lawson

This document is a professional project and academic companion piece completed to partially fulfill requirements for the attainment of a Master's degree of City and Regional Planning at California Polytechnic State University, San Luis Obispo. This project is the Cal Poly Pier Master Plan. The Master Plan was completed over the course of a year for the California Polytechnic State University, San Luis Obispo's Center for Coastal and Marine Sciences (CCMS). This companion piece is intended to provide additional background research that was conducted during the planning process but omitted from the Cal Poly Pier Master Plan. In this paper, I first explain why I chose the Cal Poly Pier Master Plan for my professional project. Next, I describe the sources and inspiration for the goals of the project that are listed in the plan including additional planning documents, the planning process, and previous professional projects. Finally, I provide background research and justification of plan preparation for the California State University and California Coastal Commission. The Master Plan name was changed to Facility Plan to streamline the plan approval process and to minimize the potential for errors.

Keywords: Cal Poly, Master Plan, Facility Plan, Pier, Coastal Development, Marine Science, Center for Coastal Marine Sciences, California Coastal Commission, California State University, City and Regional Planning

ACKNOWLEDGEMENTS

I would like to express my gratitude to Adrienne Greve, who has been a mentor throughout my graduate program. She provided encouragement and wisdom and has been influential in my perspective. Her passion for her work and her students is beyond words, and I am thankful for her guidance.

TABLE OF CONTENTS

1. INTRODUCTION

In September 2019, I began working on a professional project to fulfill requirements for the attainment of a Master's degree in City and Regional Planning at California Polytechnic State University, San Luis Obispo. In Spring 2020, I completed the professional project, the Cal Poly Pier Master Plan. The Master Plan and its appendices is attached to this document. It should be noted that I completed the culminating work that has been previously undertaken by preceding Master of City and Regional Planning students John Holder and Erin Kraft.

This companion piece to the master plan document is intended to provide additional background research that as conducted during the planning process but omitted from Cal Poly Master Plan. In this paper, I first explain why I chose the Pier Master Plan for my professional project. Next, I describe the sources and inspiration for the goals of the project that are listed in the plan including additional planning documents, the planning process, and previous professional projects. Finally, I provide background research and justification for preparing the plan for California Coastal Commission (Coastal Commission) and the California State University (CSU) California Environmental Quality Act (CEQA) preparation procedures.

The Master Plan name was changed to Facility Plan to streamline the plan approval process and to minimize the potential for errors.

2. WHY THE CAL POLY PIER?

I chose a professional project focused on the Cal Poly Pier for multiple reasons including the relevance of the project to my personal interests, the opportunity to gain coastal planning experience, and to develop my professional planning skills. This project was also a continuation of two preceding Master of City & Regional Planning (MCRP) student projects by John Holder and Erin Kraft.

First, it is a project that is relevant to my personal interests in marine science. My initial undergraduate education started in 2009 at Western Washington University in Bellingham, Washington, as a Marine Biology student. During that time, I became a certified recreational diver, an activity that I have continued and advanced my training. I returned to California to complete my undergraduate education at Cal Poly in Anthropology and Geography, but I still maintained a passion in oceanography and marine science. The Cal Poly Pier project was a chance to support these personal interests while expanding my planning education at Cal Poly.

Second, the Cal Poly Pier Master Plan was a project that involved coastal planning. This provided me with an opportunity not available in the classroom, and it required that I research and understand numerous environmental and jurisdictional matters ranging from public permitting to marine research uses. The project also required that I seriously think about the relationship between coastal activities and the public that can benefit. While I believe the Cal Poly Pier Master Plan will provide a layout for future growth of the facility and its ongoing operations and maintenance, this project has made me aware of the need to

guide future physical improvements in a manner that enhances the safety and accessibility of the coastal facility to the public. For instance, educating the public about activities being conducted on the pier while minimizing the potential impact the public presents to research and equipment in and around the pier.

Third, the project required the creation of a plan for a client that is in the public-education sector, and in my role I needed to support CCMS and pier priorities while considering other jurisdictional procedures. The Cal Poly Pier Master Plan provided me with an opportunity to develop my professional planning skills for a unique client in a coastal context. I learned about master plan writing and the project has been a valuable educational experience whose lessons I will continue to learn and apply to future endeavors.

3. PLAN GOALS: WHY AND HOW

The goals listed in the Master Plan (Section 3 of Cal Poly Pier Master Plan) were developed through public input, research, and current planning practices. The plan document is a culmination of these topics; however, the sections were edited to only contain the essential information. This chapter expands on the essential information of research and current planning practices.

Research

The initial goals of the plan were created through public outreach conducted by Cal Poly MCRP alum Erin Kraft to assess the use, role, and desired improvements of the pier from CCMS faculty and staff. The goals were defined into the following areas: research, education, outreach, and partnerships. I engaged in additional research to further develop the goals of the Master Plan. For the purposes of my professional project, I considered the stakeholders involved in the permitting and master plan approval processes.

Understanding which part of the project requires which stakeholder involvement is critical for success. Multiple agencies hold authority over the area: the land is leased from and within the jurisdiction of the Port San Luis Harbor District (PSLHD) in San Luis Bay, and the pier structure is the responsibility of Cal Poly and the CSU. The pier is also located in and over state tidelands and therefore subject to California Coastal Act policies under the California Coastal Commission. The associated parking lot and roadways are subject to County of San Luis Obispo jurisdiction, but was not a factor in the professional project. The agencies that I focused my research on are the Coastal Commission and the

CSU. My professional project research required me to understand the permit/development process, the plan approval process, and the different agencies and procedures that are involved. This research further refined the goals of the plan to support the vision of CCMS, future development of the pier, and streamline future permitting and plan approval processes after implementation. My research has taught me about the complexities of coastal planning, the stakeholders involved, and planning practices and procedures.

Current Planning Practices

The primary focus of my professional project was the development of a Master Plan to be prepared for approving agencies and to provide an outline for future development on the pier. I needed to familiarize myself with multiple planning practices, specifically in ways that projects and plans are approved.

Subsequent to Kraft's permitting endeavors, on February 5th, 2020, five operation and maintenance projects for the Cal Poly Pier were submitted to the Board of Harbor Commissioners of PSLHD for review. During a regular Harbor Commission meeting on February 25th, 2020, the Board of Harbor Commissioners voted 5 Ayes and 0 Noes on Resolution 20-06 to adopt a CEQA categorical exemption in accordance with Section 15301 of the State CEQA Guidelines. I attended this meeting to understand the coastal administrative context of the Cal Poly Pier, as well as to give my support for the pier improvement projects. During the public comment period preceding Commissioner voting, I briefly spoke to explain my relationship to the Cal Poly Pier as a student as well as my support for the pier and the projects. After the

meeting, Commissioner Mary Matakovich approached me and explained her personal appreciation for Cal Poly and the pier. It is during the public comment period of the meeting where members of the public may provide input on the meeting agenda item, regardless of support or opposition. Albeit I was the only member of the public to comment on the pier projects, it was my first experience of speaking on an item during a public meeting. The Notice of Exemption was filed on February 27th with the County of San Luis Obispo to be sent to the Coastal Commission for review. The projects were not listed in the monthly agendas of the Coastal Commission during the writing of this professional project, however I would like to attend the future Coastal Commission meeting and possibly comment again to support the Cal Poly Pier.

4. RELEVANT AGENCIES

My research and planning practice efforts helped me situate my professional project to be prepared for the next steps of agency approval. The Master Plan must be approved by the CSU with CEQA procedures and Master Plan validation, and the Coastal Commission regarding operations and maintenance and future Coastal Development Permit (CDP) applications.

California Environmental Quality Act (CEQA)

The Cal Poly Pier Master Plan is a document created for CCMS, a Campus Center of Cal Poly San Luis Obispo. Although PSLHD is the lead agency for improvements to the pier, the Master Plan document was created through Cal Poly by MCRP graduate students and therefore subject to CSU CEQA procedures for plan approval. The Cal Poly 2035 Master Plan was used as a comparative master plan due to its recent approval and its direct applicability. The lead agency for the Cal Poly 2035 Master Plan was the Board of Trustees (BOT) of the California State University, and therefore it is believed that the BOT will be the lead agency for the Cal Poly Pier Master Plan. However, the Principal Environmental Planner of the CSU should be contacted to confirm the lead agency for the Cal Poly Pier Master Plan. The Principal Environmental Planner was not contacted during my professional project to streamline and minimize potential interruptions of current operations and maintenance work.

The CSU CEQA procedures follow statewide procedures for environmental review of the Master Plan. This phase of the plan approval process includes procedures such as the preparation of an Environmental

Document (Notice of Exemption, Negative Declaration, or Environmental Impact Report), a Notice of Determination, and a Litigation Period, among others. These actions are beyond the scope of full-time Cal Poly students and should be undertaken by a professional planning firm, preferably local. Additional CSU CEQA procedures can be found in Section 5.1 and the Appendix of the Cal Poly Pier Master Plan.

California State University (CSU)

The Master Plan must also be approved through the CSU system. The document requires approval from the Cal Poly Facilities department before being submitted to the Committee on Capital Planning, Buildings and Grounds within the Capital Planning, Design and Construction (CPDC) department in the CSU Chancellor's Office for review and presentation to the Board of Trustees. If the Master Plan is not approved at the presentation, appropriate review and modifications must be made, and the revised Master Plan must be presented again to the CPDC and the Board of Trustees until approved (CSU, 2018). During my research, I found it difficult to find information regarding the approval procedure of a master plan for an existing off-campus facility. I contacted Cal Poly Campus Planner Jeffrey Dumars, who provided CSU CPDC policies of Physical Master Plans and Off-Campus Centers (CSU, 2018). However, the information was focused on the physical master plan for each campus or the establishment of a new off-campus center. Through my evaluation and interpretation, the Cal Poly Pier Master Plan must go through the same Master Plan approval process as a campus Master Plan.

California Coastal Commission

The professional project also required researching the Coastal Commission's involvement in the plan and permitting. The Coastal Act provided authorizing power to local agencies along the California Coast to administer permits and for the purposes of Local Coastal Programs (LCP) (Zimmer, 2018, p. 25). PSLHD has been granted this power and must first give approval before the pier can apply for a new Coastal Development Permit (CDP) from the Coastal Commission. The CDP is then submitted to the Coastal Commission to be considered for approval during a Coastal Commission hearing meeting. In 2005, a Public Access Plan was required as a condition of approval by the Coastal Commission on the CDP amendment for a seawater intake and marine research building on the Cal Poly pier. Certain access improvements in the Public Access Plan have been implemented since that time to provide reasonable and safe access by the public without detracting from the primary marine research and education functions of the pier. When an application for a new CDP is filed for the pier, it is anticipated that the Public Access Plan will be reviewed, and a new plan could be required.

The professional project required a negotiation of CCMS and coastal public access priorities. While I acknowledged the significance of public access to coastal resources as a core value of the Coastal Act, I also understood the importance of the research and education of CCMS on the Cal Poly Pier. Unmonitored public access to the pier presents liability and safety issues due to pier design; equipment and experiments involving the pier should be safe from

potential impacts related to public access. In the Master Plan, I emphasized the accomplishments of pier access improvements and outreach while highlighting the importance of completing certain pier projects to facilitate further pier access developments, such as a lateral access pedestrian walkway. Demonstrating the successes of the landside public access enhancements and open house events while stating the necessity of completing the oil pipeline removal project to provide a pedestrian walkway was a method to help satisfy future Coastal Commission concerns and to support CCMS priorities.

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California Polytechnic State University San Luis Obispo

CAL POLY PIER FACILITY PLAN

Center for Coastal Marine Sciences

CENTER FOR COASTAL MARINE SCIENCES

JUNE 2020

California Polytechnic State University San Luis Obispo

CAL POLY PIER FACILITY PLAN

Center for Coastal Marine Sciences

Thesis/Professional Project Committee:

Adrienne I. Greve, Ph.D. - Cal Poly City and Regional Planning Department (CRP)

Thomas J. Moylan - Center for Coastal Marine Sciences (CCMS)

Chris W. Clark, J.D. - Cal Poly City and Regional Planning Department (CRP)

Professional Project Prepared by:

Troy Lawson – Master of City and Regional Planning

Candidate Cal Poly City and Regional Planning Department

CAL POLY

Center for Coastal Marine Sciences

(CCMS, 2019)

TABLE OF CONTENTS

LIST OF FIGURES:

i. EXECUTIVE SUMMARY

The Cal Poly Pier (Pier) Facility Plan (FP) document provides the vision of the future for the Pier, a marine science research facility. The Plan facilitates project development and management of the Pier while meeting university and department research goals. Specifically, the FP document establishes goals and strategies to direct long-term development of the Pier, streamlines agency approval and permit requirements, provides context for pier management, and assists the permitting process for future development as it relates to regulatory permits and programmatic growth on the Cal Poly Pier to help meet goals of the Center for Coastal Marine Sciences (CCMS), whose Mission and Vision statements are below, Appendix 3*, CCMS Annual Report, 2019.*

The Cal Poly Pier Facility Plan supports the CCMS' intention to provide:

1. Flexible and adaptable educational spaces that foster academic quality and student success through 'Learn by Doing';
2. Facilities and physical resources that accommodate high-quality, interdisciplinary marine research and related activities that serve various program and interdisciplinary marine research needs;
3. An engaging space for public and private outreach;
4. An available resource for private, academic, and industry partnerships.

The Cal Poly Pier is the marine field station for the California Polytechnic State University San Luis Obispo (Cal Poly) CCMS and is one of several facilities that supports research and educational activities. The CCMS is a CSU Campus Center research organization that provides research and education activities as a part of Cal Poly's overall mission while offering opportunities to interested parties beyond Cal Poly, such as private and public entities (Smith, 2014, pg. 2). The CCMS is administered within Cal Poly's College of Science and Mathematics (COSAM). Laboratory and classroom spaces are located at the end of the approximately one-kilometer long pier. The pier was acquired by Cal Poly in 2001 through a donation by Union Oil of California Corporation (Unocal, now under parent organization Chevron Corporation). The pier

structure itself is owned by the State of California and is located on land leased from the Port San Luis Harbor District (PSLHD or Harbor District) in Avila Beach. The 3,057-foot long pier provides students, faculty, researchers, and other users unrivaled access to the marine environment of the Central Coast and fosters hands-on learning opportunities to progress marine research and science.

CCMS Mission

The CCMS mission is “to promote and facilitate interdisciplinary studies of coastal marine systems for the purpose of addressing pressing issues facing our ocean resources and fostering hands-on learning through discovery and outreach by our students, faculty, and staff” (CCMS Annual Report, 2019, pg. 3).

CCMS Vision

The CCMS vision is “to foster an atmosphere where an intellectually engaged group of students, staff and faculty can contribute their expertise to understand and solve meaningful and pressing problems of our coastal ocean and to connect our expertise to coastal communities. Through integrated research and teaching and the ‘Learn by Doing’ philosophy the CCMS aims to become one of the premier institutes for undergraduate education in marine science for the nation. The CCMS also aims to strengthen future relationships with other research institutions, community organizations and policy makers to provide sound scientific solutions to issues in marine science within the San Luis Obispo geographic region and worldwide” (CCMS Annual Report, 2019, pg. 3).

1. INTRODUCTION

The Cal Poly Pier is the marine field station for the California Polytechnic State University San Luis Obispo (Cal Poly) Center for Coastal Marine Sciences (CCMS) administered under the College of Science and Mathematics (COSAM) and is one of 24 Cal Poly centers and institutes that supports research and educational activities. Lab and classroom spaces are located at the end of the approximately one-kilometer long pier in Avila Beach. The pier structure itself is owned by the State of California and is located on land leased from the Port San Luis Harbor District (PSLHD) in Avila Beach. It was acquired by Cal Poly in 2001 through a donation by Union Oil of California Corporation (Unocal), shown in Appendix 2, *Pier Lease*, after it ceased to be used for oil operations. The 3,057-foot long pier fosters hands-on learning opportunities and provides students, faculty, researchers, and other users unrivaled access to the marine environment of the Central Coast.

Over the past 18 years, the Cal Poly Pier has become an integral part of the CCMS. During this time, the pier has undergone a number of maintenance and construction projects to expand, enhance, and improve the facility. It is essential to its overall success that the Cal Poly Pier continue to pursue physical improvements to the facility, which in turn supports academic, research, and student success.

The Cal Poly Pier Facility Plan (FP) is a long-term planning tool that provides the conceptual layout for future growth of the facility and its ongoing operations and maintenance. Cal Poly education is in high demand and over the next two to three decades the COSAM anticipates growth of their faculty and student body and an increasing need for additional support facilities and Pier infrastructure. This document lays out specific physical improvements for academic space, laboratory space, general support space, and facilities to serve future student and faculty needs.

1.1 SETTING

The Cal Poly Pier is located in the County of San Luis Obispo (SLO) within the unincorporated community of Avila Beach. Avila Beach is bound by Highway 101 to the east, the City of Pismo Beach to the south, the coastal zone to the west, and the Irish Hills Natural Reserve to the north. Figure 1 *Avila Beach Urban Reserve Line and Land Use Categories*, depicts the Cal Poly Pier's land use designation as Public Facility as well as its location, surrounding land uses, and nearby jurisdictional boundaries.

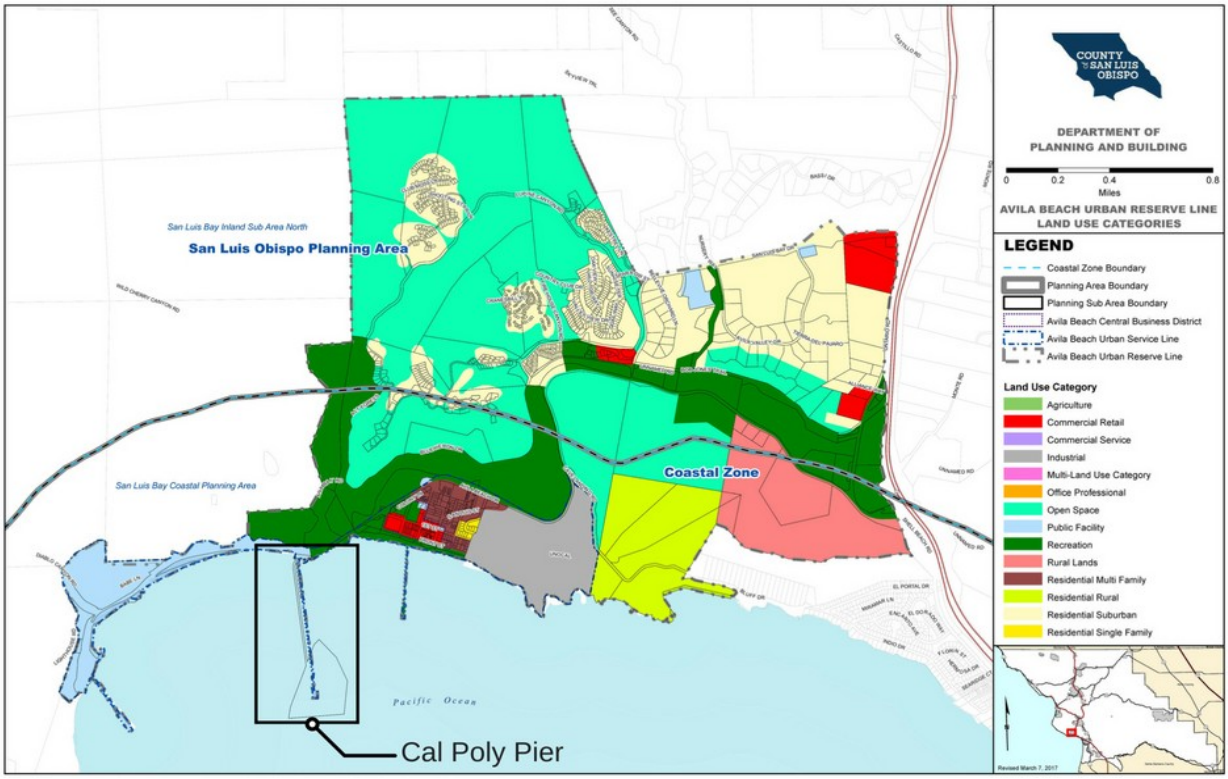

Figure 1 - Avila Beach Urban Reserve Line and Land Use Categories (County of San Luis Obispo, 2011)

The Cal Poly Pier and the adjacent landside lot fall under the jurisdiction of PSHLD and are located in the PSHLD's Sphere of Influence (SOI) as shown in Figure 2, *Port San Luis Harbor District Service Area and Sphere of Influence*. The PSHLD SOI, in addition to the Cal Poly Pier and associated facilities, includes all waters of the San Luis Obispo Bay between Point San Luis and the Sunset Palisade area of Pismo Beach. The pier's

seafloor footprint is leased by Cal Poly from PSLHD, which acts as the land manager. The associated parking lot and roadways are subject to County of San Luis Obispo jurisdiction. The Cal Poly Pier is located in the California Coastal Commission's Coastal Zone boundary, within the inner harbor area of San Luis Obispo Bay. The approximately 520-acre sandy-bottomed bay includes the land beneath the Harford Pier, Avila Pier, and the Cal Poly Pier. The Cal Poly Pier's location and surrounding land uses are shown in Figure 3, *Port San Luis Harbor District Land Use Boundaries*.

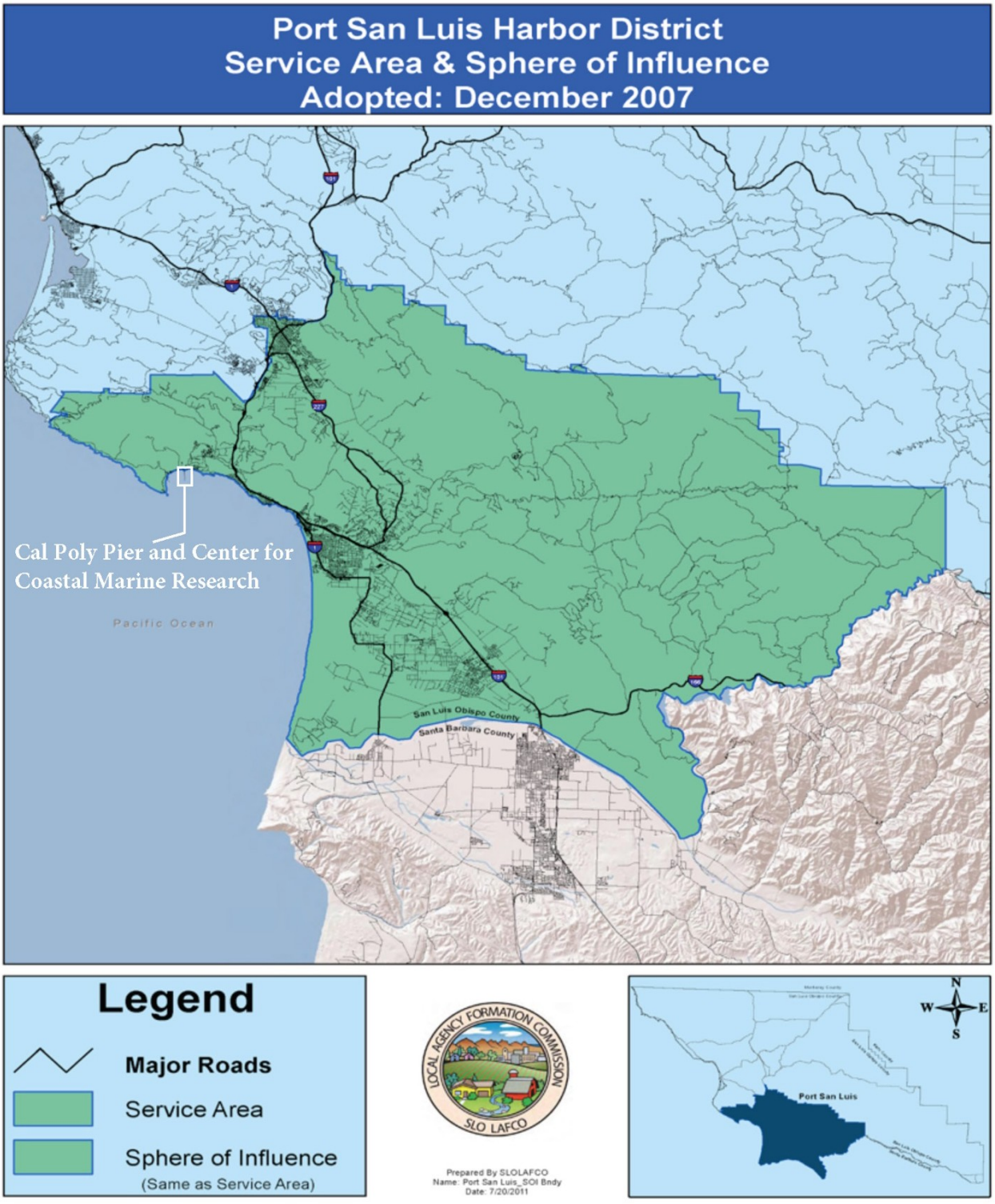

Figure 2 - Port San Luis Harbor District Service Area and Sphere of Influence, (Port San Luis Harbor District, 2011)

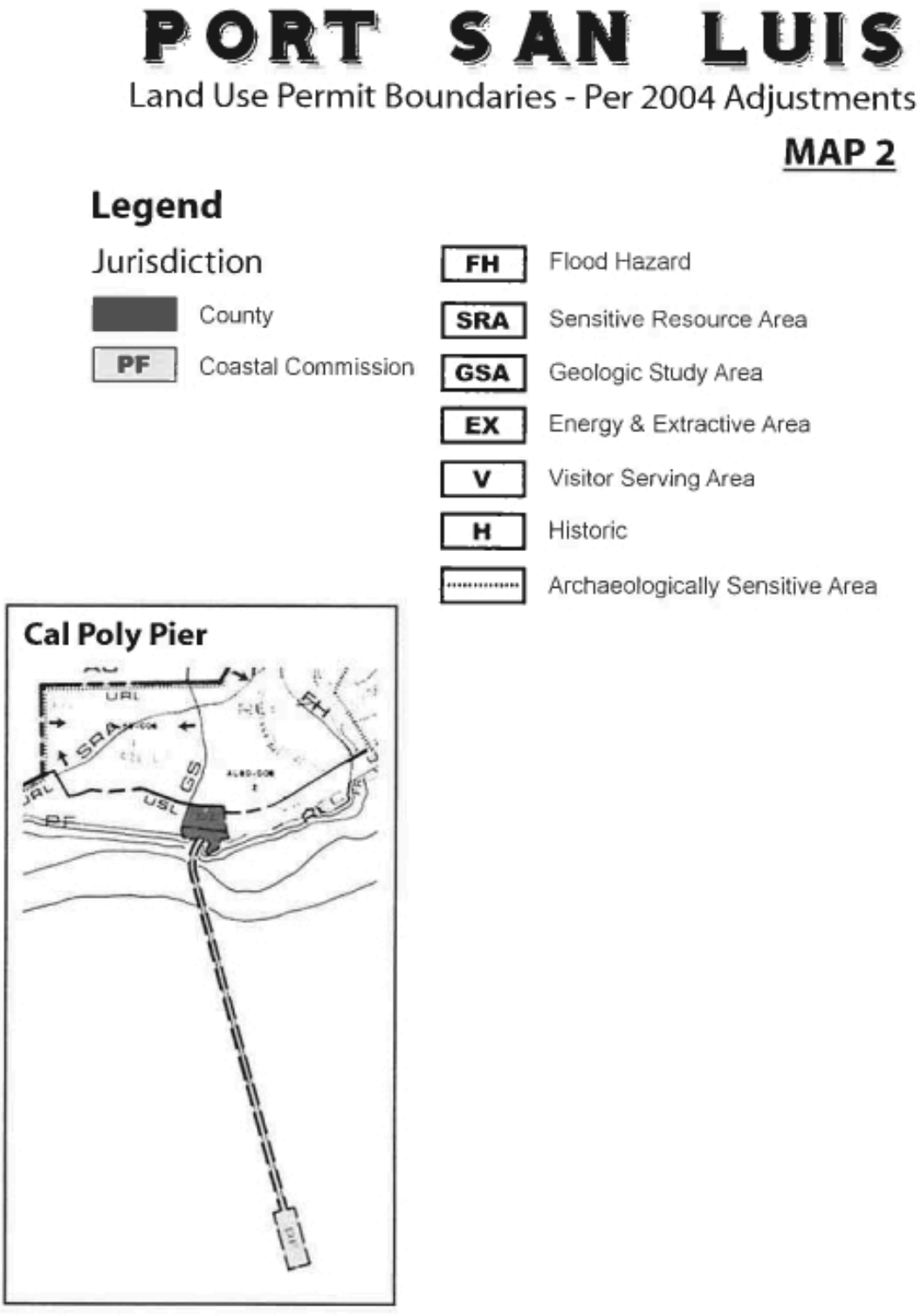

Figure 3 - Port San Luis Harbor District Land Use Boundaries, (PSLHD, 2004)

1.2 HISTORY

The Cal Poly Pier was initially a wooden pier constructed in 1914 by the Pacific Coast Railway Company and used to ship and transport dry goods (Cal Poly, 2003). By 1922, the port had become one of the largest crude oil shipping ports in the US. It was later purchased in 1941 by the Union Oil Company of California (Unocal) to fuel the United States Pacific Naval Fleet with oil for the Second World War (Cal Poly, 2003). In 1984, the wooden pier was rebuilt with steel and concrete after being badly damaged by a heavy El Niño storm the preceding year. The rebuild cost Unocal a total of 27 million dollars, but allowed the pier to successfully operate as an oil-shipping pier until the mid-1990s (Cal Poly, 2003). In 1988, hydrocarbons indicative of oil contamination were discovered in soil samples in areas of Avila Beach abutting the pier. The oil pollution was attributed to faulty Unocal pipelines that were used to transport oil to a nearby tank farm and fuel storage area southeast of Avila Beach. Unocal was mandated to clean up the spill area and perform environmental remediation projects, which included excavation and demolition of the downtown section of the town of Avila Beach. In November 2001, Cal Poly acquired the pier as a donation from Unocal. Cal Poly was endowed 3.5 million dollars for establishment, maintenance, and operation of the pier and associated facilities. As a result of hydrocarbon contamination, ownership of the landside parking lot area was retained by Unocal, while the adjacent shoreline and seafloor under the pier remained under the jurisdiction of PSLHD and the California Coastal Commission (Coastal Commission). In 2001 PSLHD granted a Land Use Permit to Cal Poly, and in 2002 signed a 49-year and 11-month ground lease agreement with Cal Poly ending June 30th, 2051 (Resolution No. 04-10). Additionally, Cal Poly was granted the right to use and operate on Unocal-owned land beneath the landside portion pier. The Coastal Commission approved CDP 3-01-015, changing the use of the Unocal Pier from an inactive petroleum distribution facility to an educational marine research facility (Cal Poly, 2019). In 2005, Unocal became a wholly owned subsidiary of Chevron Corporation.

Today, the pier contains a classroom and dry-lab facility, a second-floor conference room with views of SLO Bay, a flowing seawater system with wet-lab and aquarium space, and many other resources for marine research and pier operations. The pier provides 2,000 square foot of laboratory space, with an overall usable space offshore of over 40,000 square feet for field-based experiments, field-testing of sensors and platforms, educational activities, and a small vessel launch for nearshore research and collections. The CCMS also owns and operates four vessels (ranging in size from 13 to 21 feet in length) used for near-shore research and teaching, and one 26-foot vessel for longer-range work. A scientific diving program provides training and support for research diving activities. These high-quality resources allow researchers to maintain marine life in natural seawater and conduct large-scale, long-term academic experiments and course projects (CCMS Annual Report, 2019).

Figure 4 - Cal Poly Pier Today, (CCMS, 2018)

1.3 CAL POLY PIER ACADEMIC AND FACILITY ORGANIZATION

The Cal Poly Pier is jointly managed by Cal Poly Facilities Management and Development Department (FMD) in conjunction with the CCMS and COSAM. The pier is administered by the CCMS and COSAM, while project development and maintenance are managed by FMD. Figure 5, *Cal Poly Pier Academic and Facility Organization*, shows the organizational framework of the Cal Poly Pier (Holder, 2018). The Cal Poly Pier is briefly mentioned in the Cal Poly 2035 Master Plan (2035 Master Plan), but pier projects and phasing are not specifically outlined in the document. Thus, in order to guide future development and project phasing there is a need for a Cal Poly Pier FP.

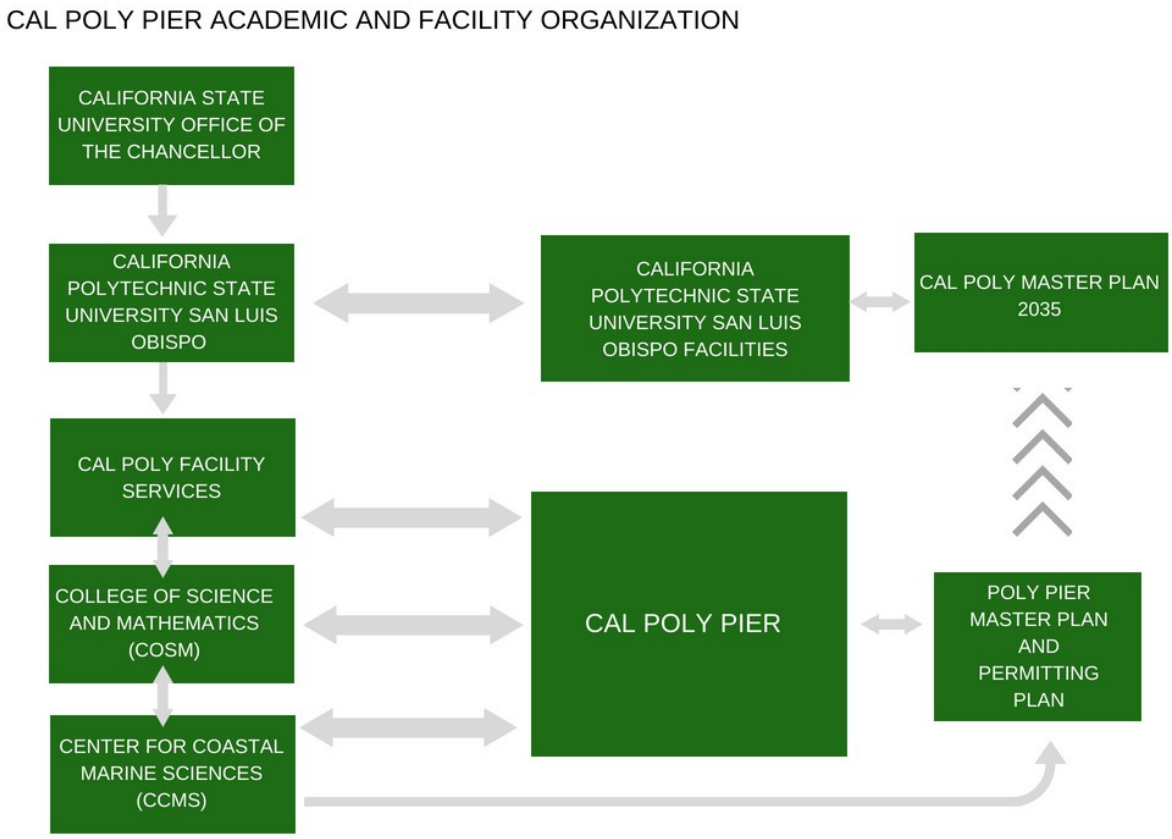

Figure 5 - Cal Poly Pier Academic and Facility Organization, (Holder, 2018)

1.4 PROGRAM AND ENROLLMENT HISTORY

In 2002, the CCMS was established by Cal Poly to facilitate hands-on learning and address issues facing marine science locally and world-wide. The Cal Poly Pier caters to an interdisciplinary group of undergraduate and graduate students, faculty, and staff. In 2018 twenty Cal Poly faculty from eight departments used the CCMS pier facility and the associated resources (scientific diving, scientific boating, flowing seawater facility) for research (CCMS Annual Report, 2019). The Scientific Diving Program was founded in 2009 to serve diving-related research support and educational needs. Cal Poly became an organizational member of the American Academy of Underwater Sciences in 2011. In 2018, the program supported a total of 35 divers. Throughout 2018 the CCMS faculty, staff, and students published 19 papers or book chapters in peer-reviewed or peer-edited journals. In 2018 the CCMS graduated nine Masters of Science students and assisted over 180 undergraduates on research projects, of which 26 being Undergraduate theses (CCMS Annual Report, 2018). In 2016, the CCMS founded a new interdisciplinary Bachelor of Marine Sciences degree program with the admission of 45 students, the first of whom are expected to graduate in the year 2020.

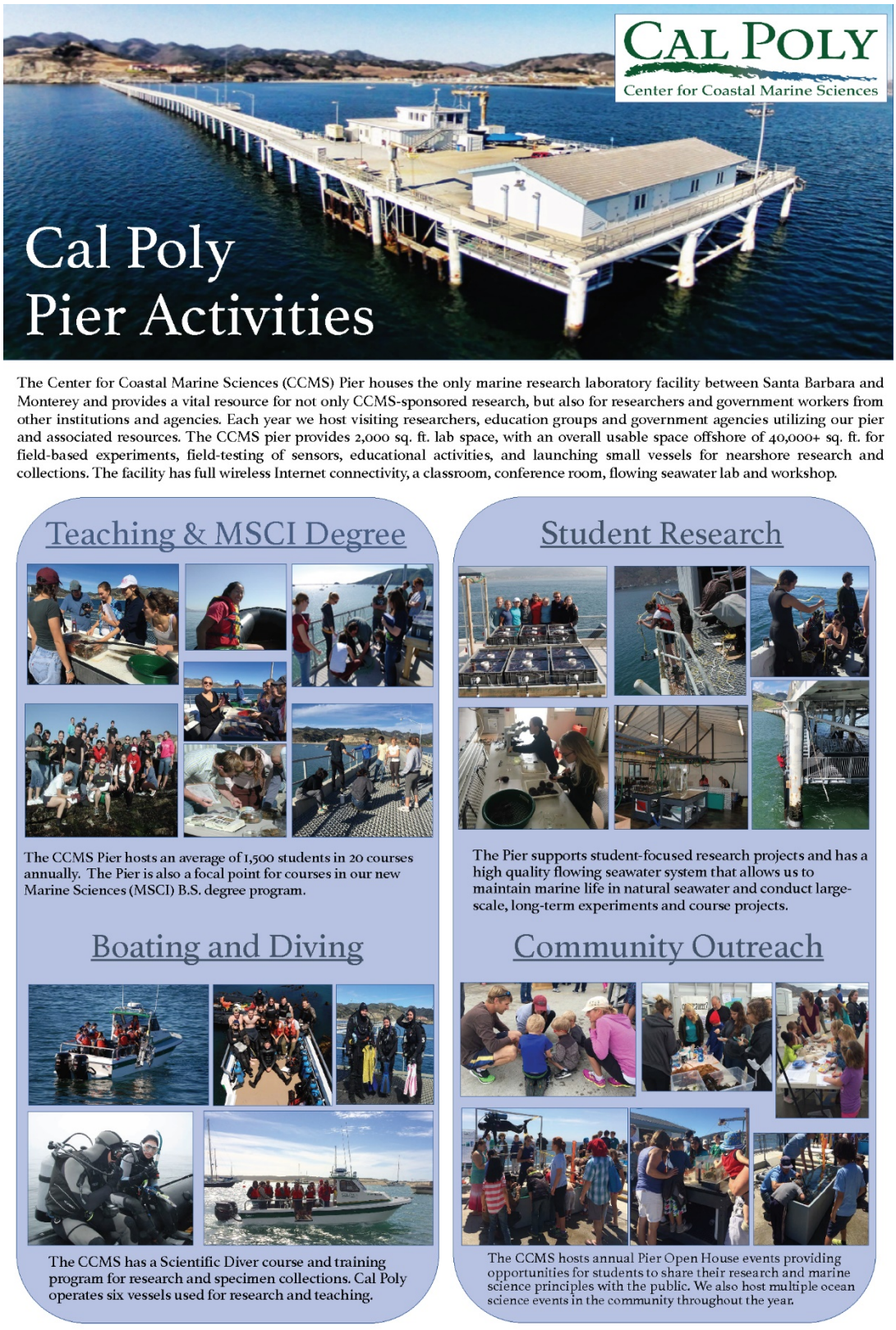

Figure 6 - Cal Poly Pier Activities, (CCMS, 2019)

1.5 FACILITY PLAN PROCESS

CCMS faculty and staff were consulted throughout the FP development process. Specifically, the guidance, feedback, and insights were provided by Benjamin Ruttenberg, Ph.D., the Director of CCMS and Thomas Moylan, the CCMS Marine Operations Manager. The process began in 2017 with the creation of the *Cal Poly Pier Master Plan and Permitting Framework* and was continued in 2020 (Holder, Kraft, Lawson, 2018). In April 2019 an 11-question survey was administered to CCMS faculty and staff to assess the pier's role, current usage, and desired physical resources and improvements (Appendix 1, *Cal Poly Pier Master Plan Survey*). The survey was available for a period of 14 days and received a total of 26 responses, most of which were from faculty members who used the pier for research and education. Research was ranked as the most important usage of the pier, followed by education, and lastly outreach. Overall, the majority of the pier users were satisfied with the resources and services provided by the pier. Respondents showed a strong interest in additional classrooms, laboratory space, and locker storage as well as an expanded or improved seawater system.

After the survey, a follow up outreach meeting was conducted to display survey results and gather additional feedback. Outreach feedback provided the basis for understanding the academic, research, and operational needs for the pier. This knowledge was used to assess short-term and long-term development needs which guided the development of conceptual approaches and selection of appropriate planning solutions. Feedback from CCMS staff and faculty was used to create and guide the FP goals and document. During the 2018 fiscal year, 20 classes and approximately 1,122 students visited the CCMS pier facility for course work, with a total of 100 of those students utilizing the pier for research purposes. This number represents an increase of approximately 300 students from the previous fiscal year.

The Plan continued into 2020 to refine Facility Plan goals to align with the Cal Poly and was further prepared to be reviewed by FMD for approval and to be initiated in the CSU plan approval process.

1.6 COMMUNITY ENGAGEMENT

Community outreach and engagement is another important role of the Cal Poly Pier. The CCMS hosts one to two public open house events a year for the community. The CCMS faculty, staff, and students held two open house events in 2018, accommodating 2,500 visitors and created 20 presentations to lay audiences on the pier. Another important piece of outreach is fee-for-service partnerships with private industry partners. Fee-for-service partnerships help to offset and recover operational and administrative costs related to the pier and provide additional exposure for Cal Poly and the CCMS via student internships and publications.

PUBLIC ACCESS PLAN

The Public Access Plan for the Cal Poly Pier at Avila Beach (2005), approved by the California Coastal Commission, outlines a plan to allow reasonable and safe access by the public without detracting from the primary marine research and education functions of the pier. The components and timeline of improvements are dependent on funding opportunities and the completion of necessary maintenance and operation projects. The Public Access Plan was created for CDP 3-01-015, the current Coastal Development Permit the pier is operating under. Any major capital construction improvements to the Cal Poly Pier require a Coastal Development Permit (CDP). When an application for a new CDP is filed for the pier, it is anticipated that the Public Access Plan will be reviewed and a new plan could be required. However, the pier has fulfilled and progressed towards completing elements of the plan as seen below:

1. Controlled Access to the Pier
    - Public access to the pier occurs through open house events hosted by the CCMS to showcase research and education activities conducted through CCMS and Cal Poly students. The events are very successful and over 2500 attendees from the local community and beyond visited the pier during the 2019 open house.
2. Landside Public Access Enhancements
    - Completed in 2010, this project greatly increased public access to the land at the base of the pier as well as public knowledge of the pier through the development of a public view area.
    - Further enhancements to the public viewing area such as a new sign that information about education and research on the pier 20 to 25 years after acquisition could further educate the public.
3. On-pier Lateral Access.
    - Public on-pier lateral access is dependent on pipeline removal. A pedestrian walkway that spans a partial length of the pier, possibly extending to the length of the concrete portion of the pier causeway, could be constructed with protective fencing and with below-pier-grade separation, which would help meet anticipated Coastal Commission public access requirements.
4. Other Public Use of the Pier
    - General unmonitored public access to the pier is a concern regarding liability and safety issues due to the design of the pier, as the pier was built as a petroleum distribution facility and not designed for pedestrian access. A pedestrian walkway that provides on-pier lateral access could allow public access to the pier while minimizing potential disturbance of marine research or equipment.

Figure 7 - Public Attendance at the 2019 Cal Poly Pier Open House, (Lawson, 2019)

2. VISION

2.1 CAL POLY MASTER PLAN VISION AND GOALS

The Cal Poly 2035 Master Plan is guided by *Vision 2022,* which is the university's guiding principles that inspires its "Learn by Doing" environment and creates a framework for the master planning effort for its campus (Cal Poly Vision 2022, 2018). The 2035 Master Plan was published in 2019, and the primary goal is to "lay out the land use, circulation, and the physical development of the campus to educate a future student enrollment of 25,000 headcount (22,500 net Full-Time Equivalent Students [FTES]" (Cal Poly, 2019, pg. 1 - 2). In addition to this primary goal, the 2035 Master Plan will also (Cal Poly, 2019, pg. 1 - 2):

- Enhance academic quality and student success through Learn by Doing;
- Increase the diversity of students, faculty, and staff, and;
- Generate revenues from public and private sources to realize the above goals.

As a critical facility for the CCMS, the Cal Poly Pier helps facilitate the overall university mission of Learn by Doing. This FP document helps the university and the CCMS reach the above goals while achieving the mission of the CCMS in increasing student ability and skill in solving pressing problems related to coastal management and marine science scholarship. The Cal Poly Pier FP supports the CCMS' intention to provide flexible and adaptable educational spaces that foster academic quality and student success through Learn by Doing, an engaging space for public and private outreach, and an available resource for private, academic, and industry partnerships. These are aligned with the campus 2035 Master Plan goals of enhancing academic quality and student success through Learn by Doing; increasing the diversity of students, faculty, and staff; and generating revenues from public and private sources in order to realize the previously mentioned goals.

2.2 COSAM AND CCMS VISION AND GOALS

The vision of the Center for Coastal Marine Sciences (CCMS) is to foster an atmosphere where intellectually engaged groups of students, staff, and faculty can contribute their expertise to understand and solve meaningful and pressing problems of the ocean and marine environments and connect their expertise to coastal communities. Through integrated research, teaching, and the 'Learn by Doing' philosophy, the CCMS aims to become one of the premier institutes for undergraduate education in marine science for the nation. The CCMS also works to strengthen future relationships with other research institutions, community organizations, and policy makers to provide sound scientific solutions to issues in marine science within the San Luis Obispo geographic region and worldwide (CCMS, 2016).

2.3 CAL POLY PIER FACILITY PLAN DIRECTION

The Cal Poly Pier Facility Plan document serves to facilitate project development and management of the Cal Poly Pier while meeting university and department research goals. The Facility Plan guides the physical development of the Cal Poly Pier to support increased enrollment growth of the Center for Coastal Marine Sciences. The plan intensifies development on the Pier facilities, specifically on the southern portion of the pier. The FP organizes the developmental goals into four focus areas: *research*, *education*, *outreach*, and *partnerships*.

2.4 CAL POLY PIER FACILITY NEEDS

To meet CCMS' visions and goals for the Cal Poly Pier, facilities are needed that are capable of supporting hands-on education and cutting-edge marine research. Adequate

space and technologies are required to support the changing user needs. The creation of the Marine Sciences undergraduate major and growth of the Cal Poly student and faculty body underscores the need for the expansion of classroom, laboratory facilities, and support facilities for the CCMS. Renovation and expansion of existing facilities are required for the pier to continue to provide high levels of service. Quality facilities also improve the likelihood of collaboration with other research institutions and agencies.

Expansion of the pier facilities is currently limited by its structural configuration. At this time, additional development is limited to the existing deck areas. The most viable option to increase useable space is to reclaim the areas currently occupied by five abandoned-in-place oil transfer pipes, ranging in diameter from six to ten inches. Removal of the 15,000 linear feet of pipeline would allow for roadway expansion that would support larger vehicles and allow for movement of the boat and trailer parking area from the end of the pier to along the side of the pier roadway. Specific details are provided in Appendix 4, *Bridge Design Report*. Additionally, the pipes are an upkeep liability and removal of the pipes would eliminate long-term maintenance costs. The space occupied by the current parking spaces and the pipes could be repurposed for extra storage, classrooms, laboratory space, and office space. A pedestrian walkway that spans a partial length of the pier with protective fencing or separation could also be installed, which would help meet expected Coastal Commission public access requirements. All goals and future development discussed in the subsequent chapters assume the space afforded by the removal of the pipes will be available.

Future development must be consistent with current land use and zoning. The County of SLO zoning ordinance identifies the Cal Poly Pier as a Public Facility. The CCMS must also consider the needs and objectives of nearby Avila Beach. Facility size and scale should meet marine-research needs but also be compatible with the surrounding community. Careful consideration must be taken to balance the needs of marine research and education with outreach for local community stakeholders. Further development of the pier facilities would be planned and implemented in a manner that minimizes impacts to marine resources and the adjacent neighborhoods.

3. CAL POLY PIER FACILITY PLAN GOALS

3.1 RESEARCH

The results of the CCMS Poly Pier Survey in 2019 indicated the majority of pier users were satisfied with the resources provided by the Cal Poly Pier. Survey respondents indicated that their main concern was continuous maintenance of facilities so that research facilities, specifically the flowing seawater system, remain operational and in optimal condition. Short-term goals are to expand current facilities to create improved laboratory space and construct storage facilities for research instruments and diving materials. Long-term goals include exploration of different areas of marine research such as aquaculture support. Ideally, expanded laboratory facilities would support the research needs of faculty and students while maintaining flexibility to meet the changing needs of user and CCMS research initiatives. Relocation of the parking spaces from the south-end platform and expanding the roadway would provide capacity for expansion of the laboratory space.

GOAL 1: Facilities and physical resources that accommodate high-quality, interdisciplinary marine research and related activities that serve various program and interdisciplinary marine research needs.

This goal is about maintaining support provided by current facilities and resources, creating flexibility through the addition of usable space, as well as new or improved resources. The strategies to attain this goal are to:

Strategies:

1. Support existing and future research projects through continuing upkeep and maintenance of facilities and instrumentation;
2. Investigate opportunities for redevelopment or future expansion to accommodate other departmental tenants, changing instrumentation, and user needs;

3. Expand storage facilities to accommodate additional research equipment and materials;
4. Support opportunities for interdisciplinary interaction and collaboration among different colleges, outside institutions, and organizations.

3.2 EDUCATION

The 2,000 square-foot Research and Teaching Building contains a small classroom, a conference room, a restroom, and a workshop. At this time, the majority of classes are held in this classroom space; supplemental learning activities are held in the wet laboratory space. Currently, the classroom space can accommodate approximately 24 people. It is challenging to hold classes larger than 24 people in this space due to the physical and technical constraints. To support increased enrollment in CCMS programs, the educational spaces of the pier must be expanded. Expansion of classroom and laboratory facilities would accommodate larger classes and more efficiently serve learning and educational instruction. Increased classroom space would accommodate additional desks or tables, teaching tools, storage space, meeting space, and offices for faculty and staff. The desire for expanded teaching space is presented in the CCMS Poly Pier Survey in 2019, where CCMS faculty and staff showed a strong interest in additional classrooms, laboratory space, and locker storage. Marine education and research activities on the pier can be interrelated, however expanded classroom and laboratory facilities would assist the focus area of education.

GOAL 2: Flexible and adaptable educational spaces that foster academic quality and student success through 'Learn by Doing'.

With space made available from the pipeline removal and the subsequent move of the on-pier parking area, this goal focuses on building an educational space for more students that provides hands on learning opportunities. The strategies to support this goal are to:

Strategies:

1. Build a new 5,000 to 10,000 square foot expanded teaching building to accommodate other departmental tenants and a growing student and faculty body;
2. Provide resources and facilities to further learning and educational opportunities through increased classroom space, laboratory space, and locker storage;
3. Promote educational outreach and interdepartmental use of educational facilities to encourage participation and student success through Learn by Doing.

3.3 OUTREACH

Positive relationships between the CCMS and outside groups present opportunities to share knowledge, education, and research regarding activities on the pier and the associated public benefit. The CCMS strives to foster and maintain positive relationships with the surrounding community, other institutions, and local and state agencies. Outreach efforts will continue to reach the public, public and private research institutions, community organizations, and policy makers to exchange knowledge and foster relationships. This will be achieved through ongoing outreach activities, such as the annual open house events and the various educational presentations that have been conducted previously.

GOAL 3: An engaging space for public and private outreach.

An important goal for the pier is to provide a space which fosters and facilitates outreach to various groups in alignment with the COSAM and CCMS vision and goals. The strategies to achieve this are to continue to:

Strategies:

1. Conduct community outreach to engage and educate the public through events and programs hosted by CCMS on the pier;
2. Foster and strengthen relationships with research institutions, community organizations, and policy makers through outreach and educational presentations to demonstrate CCMS projects and research opportunities.

3.4 PARTNERSHIPS

Fee-for-service industry partnerships represent a viable area of revenue generation for the CCMS. The Cal Poly Pier is the sole marine research facility between Santa Barbara and Monterey, making it a vital geographic resource for researchers, government institutions and agencies. Fee-for-service arrangements with private industry research partners present additional opportunities to acquire funding for development projects to the pier and help CCMS recover costs. In the past the pier has provided research facilities to industry partners in exchange for payment. It is important to note that due to the labor requirements of fee-for-service partnerships, an additional one or more CCMS staff members may be needed to oversee operations.

GOAL 4: An available resource for private, academic, and industry partnerships.
Partnerships should supplement current pier operations and should not take away from education, research, and outreach priorities. The strategies to achieve this are listed below:

Strategies

1. Advertise fee-for-service partnerships for available pier services to increase or establish a funding stream to support Cal Poly Pier operations and expansion;
2. Develop guidelines for fee-for-service partnerships to ensure compatibility with education, research and outreach activities, goals, and strategies.

4. PERMITTING FRAMEWORK

4.1 REGULATORY AGENCIES AND PERMITS

The following regulatory agency approvals and permits need to be obtained and/or updated in order to facilitate appropriate management of the pier. While the specific permit and order of permit acquisition will be dependent on future permit streaming, detailed in Table 1, Permit List and Potential Consolidation, and project design, the primary permit and regulatory framework for pier management are the California Coastal Commission and the California Environmental Quality Act, both detailed below. The intent of this section and subsections is to create a framework to streamline the permit process for pier projects through permit consolidation and streamlining.

California Coastal Commission (Coastal Development Permit)

As the Pier is located within the Port San Luis Harbor District and outside of County of San Luis Obispo jurisdiction and in the coastal zone, Coastal Commission approval is required. Pursuant to Chapter 3 of the California Coastal Act, any development within the coastal zone requires a Coastal Development Permit (CDP), or an amendment to an existing CDP. If Cal Poly Pier requires a new Coastal Development Permit or requests to amend its current CDP, it is likely that a new Public Access Plan will be required and a review of the 2005 Public Access Plan will be required. Applicable coastal act sections are below:

- Coastal Act Section 30210 and 30211: Pursuant to these sections of the California Coastal Act, any project located within the coastal zone must ensure maximum public access. The 2005 Coastal Access Plan may require update or improvement pursuant to CDP regulations. New construction, repair, and/or replacement of facilities on the Cal Poly Pier may trigger the need for a new Coastal Access Plan Pursuant to regulations outlined in this section of the Coastal Act.
- Coastal Act Section 30230: These sections of the Coastal Act state that marine resources shall be maintained, enhanced and where feasible,

restored. Uses of the marine environment shall be carried out in a manner that sustains biological productivity.

- Coastal Act Section 30231: This section of the Coastal Act requires that the biological productivity and quality of coastal water are maintained to minimize the adverse impacts of discharges.
- Coastal Act Section 30610: This section of the Coastal Act provides exemptions to CDP for activities related to repair, maintenance, and utility connections. Specifically, the section states that no CDP will be required for repair or maintenance activities that do not result in an addition to, or enlargement or expansion of, the object of such repair or maintenance activities (Caltrans, 2018). Additionally, this section also states that the installation, testing, and placement in service or the replacement of any necessary utility connection between an existing service facility and any approved development will not require a CDP (Caltrans 2018).

County of San Luis Obispo

The County of San Luis Obispo serves as the primary land use authority in the County, and also has an approved local coastal plan. Although the pier is located within the jurisdiction of the California Coastal Commission and exempt from County land use permit requirements, planned projects may impact Avila Beach Drive roadway, which is located in the County of San Luis Obispo. If planned projects, such as the installation of fiber optic cables to the end of the pier and trenching of cables, impact County roadway or jurisdictions, County permits may be required. As the pier is located within the PSLHD jurisdiction, it is exempt from the county's permitting through the following exemption:

- Land Use Ordinance (LUO) Exemption Section 23.03.040(8): As any maintenance and construction on the Pier would require a permit from the California Coastal Commission the project is therefore exempt from County of San Luis Obispo Land Use permits.

Port San Luis Harbor District Land Use and California Environmental Quality Act

The PSLHD services as lead agency for CEQA and Land Use permitting within the harbor district jurisdiction. Projects on the pier are subject to CEQA, and thus would require environmental review. CEQA is state law that requires local agencies to identify the significant environmental impacts of their actions and to avoid or mitigate those impacts if feasible (California Natural Resources Agency (CNRA), 2018). Regarding projects to the pier, the environmental impacts could be to marine habitat, air quality, or resulting from project construction. At minimum, most projects that involve physical development in the state are subject to CEQA, in addition to governmental decision that do not immediately result in physical development, such as a community plan (CNRA, 2018). Unless an exemption applies to a project, every development or project that requires a discretionary government approval will require at least some environmental review pursuant to CEQA (CNRA, 2018). For projects on the pier, the lead agency will be the PSLHD and the initial step for CEQA environmental review will be an initial study, in addition to a land use permit from PSLHD.

- Port San Luis Harbor District Land Use Permit – As the Poly Pier sits within the jurisdiction of the Port San Luis Harbor District (PSLHD), a district permit is required and the PSLHD serves as Lead Agency in CEQA review. In 1955, the State Lands Commission granted sovereign salt marsh, tidelands, submerged lands, and swamp and overflow lands in trust for the PSLHD (SLC, 2018). This State Tidelands grant defines the harbor authority and makes them lead agency for land use in the jurisdiction of Port San Luis tidelands. Section 8.032 of the PSLHD Code of Ordinances, any use of district lands or facilities may require permission from the District. According to section 8.030 of the Code of Ordinances, any proposed uses or changes in use of lands and facilities within the Port San Luis Harbor District, including the Unocal Pier, may require a land use permit.
- Initial Study/Environmental Impact Report: An initial study is needed to be prepared to assess the potential impacts of projects outlined in the Master Plan Document. Pursuant to CEQA Guidelines (Section 21157), a project that consists of smaller individual projects that will be carried out in phases may

require preparation of an Environmental Impact Report. Pursuant to CEQA Guidelines (Section 15063), the Initial Study will determine is the project may have a significant effect on the environment and if an EIR will be required for the project. As the “project” is located within the jurisdiction of the PSLH and requires discretionary approval of the PSLH, the PSLH will serve as the lead agency for CEQA.

Central Coast Regional Water Quality Control Board

The Central Coast Regional Board serves as the regional agency tasked with the protection and enforcement of water quality and uses of water. The agency’s programs include the issuance of waste discharge requirements, enforcement actions against water quality, and water quality monitoring, including 401 Water Quality Certification (Central Coast Regional Water Quality Control Board, 2018).

- Section 401 Water Quality Certification: Water Quality Certification from the Central Coast Regional Water Quality Control Board is required by Section 3830 through 3869 of Title 23 of the California Code of Regulations. 401 permits are required for projects that involve discharges of dredged or fill material to waters of the United States including wetlands and other water bodies. Activities may include navigational dredging, flood control channelization, levee construction, channel clearing, fill of wetland for development or other activities. As pier maintenance and construction will include potential impacts to San Luis Obispo Bay, this permit is required. Likely Best Management Practices (BMPs) are likely to be required for projects or general discharge mitigation for the 401 permit and water quality certification.

United States Army Corps of Engineers

The United States Army Corp of Engineers (ACOE), issues general permits under section 404(e) of the Clean Water Act to authorize activities that have only minimal and cumulative adverse environmental effects (ACOE, 2017). Nationwide permit are general permits that authorize activities across the country, unless a specific ACOE district

revokes the nationwide permit in the state (ACOE, 2017). There are currently 50 nationwide permits that authorize a variety of activities such as mooring buoys, utility lines, wetland and stream restoration, and aids to navigation (ACOE, 2017). The nationwide permits as they may apply to the pier are detailed below.

- United States Army Corps of Engineers (ACOE) 2017 (Section 404) nationwide permits: As there are projects outlined in the Master Plan that may involve maintenance, utility line activity, mooring buoys, boat facilities and may impact navigable waters, the applicable nationwide permits may be required. Nationwide Permits are required under Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act of 1899. As of March 19, 2017, renewed nationwide permits will be required. Possible pier project Nationwide Permit requirements could fall into the following Nationwide Permit index categories: (3. Maintenance), (5. Scientific Measurement Devices), (6. Survey Activities), (10. Mooring Buoys), (12. Utility Line Activities), (13. Bank Stabilization), (14. Linear Transportation Projects), (24. Indian Tribe or State Administered Section 404 Programs), (25. Structural Discharges), (36. Boat Ramps), (39. Commercial and Institutional Development), and/or (43. Stormwater Management Facilities).

California Department of Fish and Wildlife

The California Department of Fish and Wildlife (CDFW), conducts environmental review and issues permits to help manage the state's fish, wildlife, and plant resources, and the habitats upon which they depend (CDFW, 2018). These permits include Incidental Take Permits and agency approval includes review in the CEQA process as a responsible agency.

- Incidental Take Permit (Fish & G. Code § 2081 (b); Cal. Code Regs., tit. 14, §§ 783.2-783.8): Incidental take permits allow a permittee to take a CESA-listed species if such taking is incidental to carrying out an otherwise lawful activity. The permit requires that the impacts of the take are minimized and fully mitigated, that the take is consistent with DFG recovery programs, that funding for mitigation and monitoring programs is adequately assured, and

that the action would not jeopardize continued existence of the species. San Luis Bay provides habitat for the following protected or endangered species: California sea lion, southern sea otter, grey whale, and the humpback whale. Additionally, steelhead trout, and tidewater goby may depend on the estuarine habitat created where San Luis Obispo Creek flows into the bay.

United States Fish and Wildlife Service and National Marine Fisheries Service
Incidental Take Permit - Section 10 of the ESA authorizes the conditions for USFWS or NMFS to issue an incidental take permit when a non- federal project may result in take that is incidental to, and not the purpose of, the implementation of an otherwise lawful activity. The permit requires preparation and implementation of a habitat conservation plan that would offset the take of individuals that may occur as an incidental effect of the project by providing for the overall preservation of their species through specific mitigation measures.

4.2 OTHER PERMITS (RESEARCH AND FACILITY PERMITS)

As the Poly Pier if a university facility that conducts research, agency permits and approvals are necessary for scientific research. The following agency approvals and permits may be required for pier activities.

National Marine Fisheries/National Oceanic and Atmospheric Administration - Incidental Take, Scientific Research Entity Permit
Under the Marine Mammal Protection Act (MMPA), the National Oceanic and Atmospheric Administration (NOAA) authorizes the incidental take of marine mammals in cases that have a negligible impact on those marine mammal species or stocks and do not have an unmitigable adverse impact on the availability of the species or stock for subsistence uses (NOAA, 2017). Activities include scientific research projects. Additionally, NOAA Fisheries also issues permits for incidental and direct take under the Endangered Species Act for scientific research on wild animals, captive animals, or

parts of protected species and for activities that enhance the propagation or survival of the species (NOAA, 2017).

California Department of Fish and Wildlife - Entity/Scientific Collecting Permit
Under California Fish and Game Code Section 1002, a permit is required to take, collect, capture, mark, or salvage, for scientific, educational, and non-commercial propagation purposes, mammals, birders and their nests and eggs, reptiles, amphibians, fishes, and invertebrates require a Scientific Collecting Permit (SCP) (CDFW, 2018).

Cal Poly Facilities Management and Development Department – Building Permits
Cal Poly's Building Permit program formalizes all project planning and code compliance review performed campus organizations and departments. The Facilities Planning department manages the program, which falls into two categories: Permits initiated by Facilities Planning as part of a campus project, and Permits initiated by a campus entity, which is not part of a project (Cal Poly, AF, 2014). Projects on the Poly Pier may require a Building Permit.

4.3 PERMITTING RECOMMENDATIONS

The following permits, exemptions, and approvals may be required for new construction, repair/replace projects, and pier expansion. This is in addition to the Table 1 below, which outlines permit requirements and agency approvals for specific projects. The section after the table frames the process in which these permit and agency approval could be consolidated in an "umbrella", and some of the components necessary to implement the streamlining.

PLANNED PROJECTS AND PERMIT CONSOLIDATION

Table 1 - Permit List and Consolidation Opportunities, outlines necessary permits for projects in the design, planning, contract and conceptual phase, as detailed in previous sections. The projects are divided into either Minor Capital Improvement Projects (MCO) or Major Capital Public Works (MCPW) pursuant to California State Administrative Guidelines and estimated project cost, but actual project cost once designs are completed will determine if the project are MCO or MCPW. The goal of this section, and of the document, is to facilitate permitting for pier projects. The primary opportunities for permit consolidation are divided into the following:

- Facility Plan (FP – CEQA). This Facility Plan for the Cal Poly Pier facilitates development towards completion of phased projects. Future improvements will be subject to CEQA (and Lead Agency approval).
- New or amended Coastal Development Permit (CDP). According to Section 23.03.040(8) of the County Coastal Zone Land Use Ordinance, public work projects that involve a state university and require a permit from the California Coastal Commission and meet Chapter 3 of the Coastal Act are exempt from County land use permit requirements. Thus, as explained above, pier projects will be exempt from land use permitting requirements and subject to the California Coastal Commission. Projects may require a CDP, dependent on project design and impacts. Bundling the projects into a new or amended CDP for the pier that would encompass the projects would likely require a new public access plan (PAP) for the pier, but is the most feasible permit consolidation opportunity. As many of the projects below can be considered repair, replace, or maintenance projects, they do not require a new CDP and could be bundled into an immaterial amendment to the existing CDP, or into a new CDP.
- Army Corps of Engineers Nationwide Permit (NWP) (ACOE). The nationwide permit by the ACOE is required as the projects may impact navigable waters of the United States and could include multiple, phased projects. A permit package that includes the projects below could meet NPW requirements for

(3. Maintenance), (5. Scientific Measurement Devices), (6. Survey Activities), (10. Mooring Buoys), (12. Utility Line Activities), (13. Bank Stabilization), (14. Linear Transportation Projects), (24. Indian Tribe or State Administered Section 404 Programs), (25. Structural Discharges), (36. Boat Ramps), (39. Commercial and Institutional Development), and/or (43. Stormwater Management Facilities). Projects that could be included in this permit package is listed under permit consolidation.

Table 1 – PERMIT LIST AND CONSOLIDATION

This table outlines other permits that may be required for projects in the design, planning, contract, and conceptual phase, as well as the possible permits or agency approvals required. In addition, it lists the opportunities for project consolidation, as described above (Holder, 2018).

Project	Possible Permit or Agency Approval List	Permit Consolidation
Electric Utility Replacement	• CEQA • California Coastal Commission (CDP) (possible exemption) • PSLHD: Land Use Permit • Central Coast Regional Water Quality Control Board: 401 Water Quality Certification • United States Army Corps of Engineers Section 404 Nationwide Permit (3)(12)(25)(39) • California Department of Fish and Wildlife Incidental Take Permit	• CDP - Maintenance and Repair/Replace • FP - CEQA • ACOE - Maintenance and Repair/Replace
Potable Water Supply Replacement	• CEQA • California Coastal Commission (CDP) • PSLHD: Land Use Permit • Central Coast Regional Water Quality Control Board: 401 Water Quality Certification • United States Army Corps of Engineers Section 404 Nationwide Permit (3)(24)(25)(39) • California Department of Fish and Wildlife Incidental Take Permit	• CDP - Maintenance and Repair/Replace • FP - CEQA • ACOE - Maintenance and Repair/Replace

Project	Possible Permit or Agency Approval List	Permit Consolidation
Replacement of Lighting Fixtures with LED	• CEQA • California Coastal Commission (CDP) • PSLHD: Land Use Permit • Central Coast Regional Water Quality Control Board: 401 Water Quality Certification • United States Army Corps of Engineers Section 404 Nationwide Permit (3)(6)(12)(24)(39)	• CDP - Maintenance and Repair/Replace • FP - CEQA • ACOE - Maintenance and Repair/Replace
Installation of Fiber Optic Cable	• CEQA • California Coastal Commission (CDP) • PSLHD: Land Use Permit • Central Coast Regional Water Quality Control Board: 401 Water Quality Certification • United States Army Corps of Engineers Section 404 Nationwide Permit (3)(6)(12)(24)(39) • California Department of Fish and Wildlife Incidental Take Permit	• CDP - Maintenance and Repair/Replace • FP - CEQA • ACOE - Maintenance and Repair/Replace
Pipeline Removal	• CEQA • California Coastal Commission (CDP) • PSLHD: Land Use Permit • Central Coast Regional Water Quality Control Board: 401 Water Quality Certification • United States Army Corps of Engineers Section 404 Nationwide Permit (3)(13)(14)(24)(25)(39)(43)	• FP - CEQA

Project	Possible Permit or Agency Approval List	Permit Consolidation
	• California Department of Fish and Wildlife Incidental Take Permit	
Replacement of Seawall at Base of Pier	• CEQA • California Coastal Commission (CDP) • PSLHD: Land Use Permit • Central Coast Regional Water Quality Control Board: 401 Water Quality Certification • United States Army Corps of Engineers Section 404 Nationwide Permit (3)(13)(14)(24)(25)(39)(43) • California Department of Fish and Wildlife Incidental Take Permit • NOAA Fisheries Take Permit	• FP - CEQA • ACOE - Maintenance and Repair/Replace
Pier Painting	• CEQA • PSLHD: Land Use Permit • Central Coast Regional Water Quality Control Board: 401 Water Quality Certification • United States Army Corps of Engineers Section 404 Nationwide Permit (3)(25)(39)	• CDP - Maintenance and Repair/Replace • FP - CEQA • ACOE - Maintenance and Repair/Replace
Pile Wrap Inspection and Repair	• CEQA • PSLHD: Land Use Permit • Central Coast Regional Water Quality Control Board: 401 Water Quality Certification • United States Army Corps of Engineers Section 404 Nationwide	• CDP - Maintenance and Repair/Replace • FP - CEQA • ACOE - Maintenance and Repair/Replace

Project	Possible Permit or Agency Approval List	Permit Consolidation
	Permit (3)(25)(39) • California Department of Fish and Wildlife Incidental Take Permit • US Fish and Wildlife Service and National Marine Fisheries Piling Replacement Requirements	
Cathodic Protection and Underwater Surveys	• CEQA • California Coastal Commission (CDP) • PSLHD: Land Use Permit • Central Coast Regional Water Quality Control Board: 401 Water Quality Certification • United States Army Corps of Engineers Section 404 Nationwide Permit (3)(25)(39)	• CDP - Maintenance and Repair/Replace • FP - CEQA • ACOE - Maintenance and Repair/Replace
Replacement of Main Research and Teaching Building	• CEQA • California Coastal Commission (CDP) • PSLHD: Land Use Permit • Central Coast Regional Water Quality Control Board: 401 Water Quality Certification • United States Army Corps of Engineers Section 404 Nationwide Permit • US Fish and Wildlife and National Marine Fisheries Service Incidental Take Permit • California Department of Fish and Wildlife Incidental Take Permit • NOAA Fisheries Take Permit	• FP - CEQA

Project	Possible Permit or Agency Approval List	Permit Consolidation
Roadway Expansion	• California Coastal Commission (CDP) • PSLHD: Land Use Permit • Central Coast Regional Water Quality Control Board: 401 Water Quality Certification • United States Army Corps of Engineers Section 404 Nationwide Permit (12) • California Department of Fish and Wildlife Incidental Take Permit • NOAA Fisheries Take Permit	• FP - CEQA
Repurposing of Mooring Dolphin	• California Coastal Commission (CDP) • PSLHD: Land Use Permit • Central Coast Regional Water Quality Control Board: 401 Water Quality Certification • United States Army Corps of Engineers Section 404 Nationwide Permit (12) • California Department of Fish and Wildlife Incidental Take Permit • US Fish and Wildlife and National Marine Fisheries Service Incidental Take Permit • NOAA Fisheries Take Permit	• CDP - Maintenance and Repair/Replace • FP - CEQA • ACOE - Maintenance and Repair/Replace

5. IMPLEMENTATION AND PHASING

5.1 PROJECTS

The phased implementation of the Cal Poly Pier FP requires careful consideration and forethought of a number of factors. All current and proposed facilities will require maintenance to remain operational and to continue to meet user needs. A number of maintenance and repair or replace projects require completion to implement the Facility Plan goals and strategies. During the development of this document, the following repair and replace projects are planned or are currently being pursued:

- Electric Utility Replacement
- Potable Water Supply Replacement
- Replacement of Lighting Fixtures with LED
- Installation of Fiber Optic Cable
- Seawall Replacement
- Pier Painting
- Pile Wrap Inspection and Repair
- Cathodic Protection and Underwater Surveys
- Repurposing of Mooring Dolphin

The permitting process is in progress for the Potable Water Supply and Electric Utility Replacement, Seawall Replacement, painting and the Pile Wrap Inspection and Repair. Projects are divided into two categories: Minor Capital Projects (MCO) and Major Capital Public Works (MCPW) projects pursuant to California State Administrative Guidelines. MCO projects are construction projects that are estimated at a total cost of $656,000 or below, such as improvement of academic facilities or construction related to compliance with regulations of the Americans with Disabilities Act, or ADA (CSU, 2018). MCPW projects are defined as projects that exceed a cost of $610,000 or are considered as State site acquisition (Cal Poly, 2014). The MCO and MCPW designations are based on a project’s estimated cost, the final project cost dictates

classification as an MCO or MCPW. All of the repair and replace projects listed above are estimated to be MCO projects. Larger projects, such as expansion of the research and teaching buildings and the roadway expansion, are expected to be MCPW projects. Both MCO and MCPW projects would require operation and maintenance throughout their lifetime.

On February 25, 2020, the Board of Harbor Commissioners of the Port San Luis Harbor District voted 5 Ayes and 0 Noes on Resolution 20-06 to adopt a CEQA categorical exemption in accordance with Section 15301 of the State CEQA Guidelines relating to the 5 operation and maintenance projects that are planned for the Cal Poly Pier. The projects are Pier Painting, Removal of Abandoned Oil Piping, Electrical Conduit and Potable Water Line Replacement, Pile Wrap Replacement, and Seawall Replacement. The Notice of Exemption was submitted to the San Luis Obispo County Clerk-Recorder Office on February 27, 2020. During the development of this document, the Operations and Maintenance projects have been applied for with the California Coastal Commission and will be added to the Meeting Agenda at a date to be determined.

Figure 8 - Students Gathering Data from the Pier, (CCMS, 2019)

5.2 PHASING

Upon completion of the listed operation and maintenance projects, removal of the pipelines is the first phase of redevelopment for the pier. The pipeline removal project for the Pier provides an opportunity to create additional space on the pier for public access, roadway expansion, and reutilization of Pier infrastructure. Specifically, removal of the pipelines would allow for the construction of an additional access lane capable of supporting a vehicle passing lane on the pier. A multi-lane roadway system would increase access to resources located at the south end of the pier and allow parking spaces to be redistributed along the pier. This would allow for recovery of up to 30,000 square feet of space and provide room to expand research and educational resources and facilities. Pipeline removal is a critical step that must be completed in order to facilitate rebuilding of the research and teaching buildings at the south end of the pier. This would also provide space to construct a pedestrian walkway that spans a partial length of the pier to provide public access separated from the pier roadway.

5.3 CONSIDERATIONS

Implementation and phasing of the specific goals and projects described in the Cal Poly Pier Facility Plan is dependent upon funding and subsequent permitting and review under the California Environmental Quality Act (CEQA). Funding for projects must be identified and secured prior to the initiation of project construction. Other indirect infrastructure upgrades may also be required to provide support for proposed facilities. For example, rebuilding of the research and teaching building may require additional restrooms, utility extensions, parking relocation, and pedestrian pathways. As a part of the planning and permitting process, secondary effects of projects will need to be defined, analyzed, and implemented (Cal Poly, 2017).

CCMS should consider additional funding sources to support Cal Poly Pier improvements. Currently, Scientific Diving MSCI 410 is the only course directly related to the pier. The course fees compensate staff time and supplies, and students are responsible for supplying or renting most dive gear. Implementing fees for educational courses that use the Cal Poly Pier is a possible method to acquire additional funding to support the pier. CCMS also receives indirect funds from grant-funded research, which is redistributed to CCMS faculty for equipment and instrumentation. CCMS should consider adding a fee based on a percentage of the grant dedicated to Cal Poly Pier upkeep and overhead. In the 2018 fiscal year, the Cal Poly Pier received a Pier Landing Facilities Improvement Grant from the National Science Foundation (NSF). The grant funds projects at facilities that conduct high quality research and education and is an investment that will procure future support from the NSF (CCMS, 2018). The NSF grant demonstrates the success and reputation of the pier and CCMS faculty, staff, and students as well as the need for facilities improvements in order to continue providing high quality marine science research and education.

GROUND LEASE AGREEMENT

The Ground Lease Agreement between the Port San Luis Harbor District (PSLHD) and the Trustees of the California State University on behalf of California Polytechnic State University, San Luis Obispo (“Cal Poly”) describes the uses and constraints of the pier. Future improvements and activities must adhere to the lease stipulations as well as appropriate permit requirements.

The two parties entered a Lease agreement for the Unocal Pier Area on February 26th, 2002. The term of the Lease is a period of up to forty-nine (49) years and eleven months, ending June 30th, 2051. PSLHD leases the ground property to Cal Poly: the strip of land 40 feet in width below the ordinary high-water mark of the Bay of Port San Luis, 20 feet on either side of the center line described in the Lease; and the Pier and Mooring use area described in the Lease. Upon expiration or earlier termination of the

Lease, if requested to do so by PSLHD, Cal Poly must remove the pier structure above the seabed and restore the site as near as possible to the same state and condition it was in prior to installation of the structures, at Cal Poly's own expense and risk. The ultimate objective of the Lease is the complete and continuous use of the Pier by the California State University system for education, research, and the public benefit acquired from these activities, and that the primary use of the Pier is marine science education and research for the CSU system. Cal Poly must meet with PSLHD to obtain written consent if other uses are proposed or requested (PSLHD, 2002).

The original rental cost Cal Poly pays to PSLHD for the Pier is 56,000 dollars in the year 2002 dollars. In 2020, the rent cost is approximately 79,000 dollars. The rent is adjusted every 5 years by a formula using the rent in effect and the Consumer Price Index for All Urban Consumers for the Los Angeles, Riverside and Orange County, CA Metropolitan Areas, all items. Cal Poly shall pay additional rent and other sums or charges legally required to be paid. If Cal Poly fails to pay any rent to PSLHD when due, Cal Poly will also pay a percentage as delinquent rent in accordance with the Prompt Payment Act. The delinquent amount will bear interest in the amount specified by the Prompt Payment Act. Cal Poly also pays all taxes and assessments, including property taxation (PSLHD, 2002).

The waters in, on and around the Pier are public navigable waters. Cal Poly cannot unreasonably interfere or create or maintain improvements which result in a threat to the safety of the public use of the navigable waters. However, Cal Poly and PSLHD may adopt reasonable rules and regulations to control the traffic in and around the waters of the Pier to ensure the ability of Cal Poly to exercise its rights and use of the Pier. Public Areas are defined as portions of San Luis Obispo Bay, including State Tidelands and the public mooring area (PSLHD, 2002).

Cal Poly can make the Pier available for events with 100 attendees or fewer without the prior consent of PSLHD, however PSLHD can request Cal Poly to accept reasonable restrictions for such public events. Cal Poly can charge a fee to compensate costs for

events including clean up and security. Each year, Cal Poly shall submit a written report to PSLHD describing programs, projects, and events of this kind held on the Pier for the preceding year. However, Cal Poly classes, courses, and projects are not “Public Use” and are not covered by this section of the Lease. The CCMS hosts one to two Open House events per year to the public, with recent attendance of approximately 1,500 to 2,000 visitors (PSLHD, 2002).

Cal Poly is obligated, at its own cost and expense, to maintain and keep in good order the Pier and any and all improvements. Cal Poly is also obligated to repair any and all damage to any part of the Pier regardless of cause, as well as to maintain the exterior of the Pier consistent with industry standards to provide a clean, safe, and attractive educational facility. If Cal Poly refuses or fails to maintain or make repairs as required, PSLHD has the right (but not the obligation) to perform such maintenance or repairs after 180 days. Cal Poly must pay costs as Additional Rent within 90 days of receipt of PSLHD statement of cost. Maintenance, repair, modifications and alterations must be made in accordance with CSU regulations and cannot violate the Lease or regulation of a government agency having jurisdiction. Cal Poly cannot undertake any construction, alterations, improvements, or additions, structural or otherwise, or utility installations in, on, or about the Pier without PSLHD’s prior written consent, and consent must not be unreasonably withheld (PSLHD, 2002).

Cal Poly must present written and detailed plans to the Port San Luis Harbor District regarding any alterations or utility installations which require the consent of PSLHD. If the Harbor District gives its consent, the consent is deemed conditioned upon Cal Poly acquiring a permit from appropriate governmental agencies while providing a copy of the permit to PSLHD prior to the commencement of the work. As the primary lead agency, the Port San Luis Harbor District will likely manage most permitting activities for the Cal Poly Pier. The work must be done in a good and professional manner, in such a way as not to obstruct the access of any public areas or structures of the Harbor District (PSLHD, 2002).

Despite Cal Poly's ability to use the Pier at any time, the Pier cannot have living accommodations, and Cal Poly cannot do anything to the Premises or Public Areas that will cause permanent damage to the Premises, Public Areas, or Port San Luis Harbor, or interfere with commercial fishing, marine operations or recreational activities. PSLHD reserves the right to develop or restrict the use of other structures, improvements, areas and the Public Areas outside the Pier, regardless of the desires or views of Cal Poly; provided that it does not interfere with Cal Poly's use of the Pier including ingress and egress to and from the Pier (PSLHD, 2002).

If there are any known or subsequently discovered Environmental Noncompliance or Environmental Condition resulting from Cal Poly activities, Cal Poly will be responsible for all actions required by local, state, or federal government agency authorized to regulate environmental matters. Between PSLHD and Cal Poly, Cal Poly must pay all costs in connection with legally mandated investigations, studies, cleanup, repair, and remedial actions. Cal Poly also has the responsibility and right to participate in management of all investigations and any environmental cleanup or related activities relating to matters for which Cal Poly is responsible. Cal Poly may not settle any claims made by a Governmental Entity or third party, without the express approval of PSLHD. The Harbor District has the right to participate fully in any and all meetings, negotiations or decisions relevant to the final claim or remediation of Environmental Conditions on the Pier. If Environmental Conditions are discovered, Cal Poly must notify the Port San Luis Harbor District, and if the Harbor District determines the Environmental Conditions are attributable to Cal Poly's predecessors of the Pier and Harbor District, then the Harbor District has the mutual right and obligation to manage investigations and any environmental cleanup, remediation, or related activities. As such, Cal Poly is indemnified against all prior actions of the Harbor District and its tenants (PSLHD, 2002).

COVID-19 PANDEMIC

During the writing of this document, the State of California and County of San Luis Obispo have enacted a stay-at-home order due to the COVID-19 pandemic. The pandemic has impacted who can access the pier, for what purposes, and under what conditions. Access to the pier is open for essential projects by appointment, and pier staff are alternating working days to minimize the number of people on-site to maintain social distancing. The Cal Poly Pier is following general working guidelines published by the President's Office of Cal Poly, and Marine Operations staff of the Cal Poly Pier are working with the Dean of COSAM and the Director of CCMS to evaluate each use request. Cal Poly is reviewing each project to determine which are critical or can be suspended.

Figure 9 - Learn by Doing Project at the Cal Poly Pier, (Cal Poly, 2019)

6. NEXT STEPS

Several additional steps are required before the Cal Poly Pier Facility Plan can be implemented. The document requires approval from the Cal Poly Facilities Management and Development department before being subject to CEQA. Environmental impacts related to implementation of the FP affect marine habitat, air quality, or resulting from project construction and would be evaluated under CEQA review. In addition to land use permits obtained from PSLHD, an initial study document and subsequent Environmental Impact Report would be required for the Cal Poly Pier Master Plan. As the “project” or Master Plan is located within the jurisdiction of PSLHD and requires discretionary approval of PSLHD, the Port will serve as the lead agency for CEQA. For more information on CSU CEQA guidelines, please see Appendix 5, *CSU CEQA Procedures.*

6.1 CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The California Environmental Quality Act (CEQA) is a statute that requires state and local governments to disclose significant environmental impacts of a proposed project and to avoid or mitigate those impacts, if feasible (California Natural Resources Agency). The FP is assessed to determine if there is the potential for significant impacts. Several documents must be prepared for the FP to navigate the CEQA process. The primary document to be prepared is the environmental document. According to the CSU CEQA Procedures,

> “an environmental document must be completed and available prior to submitting master plan proposals (including revisions) and schematic plans for approval by the Board of Trustees, or as otherwise delegated, and prior to submitting individual building projects to the State Public Works Board for approval of preliminary plans and authorization to begin working drawings. Completion of the document must also take place before the public agency takes any irrevocable action on the project” (CEQA, 2017, SUAM 9016).

The required documents and procedures are below:

- Project Description – The project description provides the details and the scope of work of the project.
- Environmental Document – The Environmental Document is either a prepared: Notice of Exemption, Negative Declaration (ND), or Environmental Impact Report (EIR).
- Notice of Exemption – If the project is exempt from CEQA based on the Public Resources Code, Section 21084 and the California Code of Regulations, Section 15300, then a Notice of Exemption shall be filed with the State Clearinghouse for recordkeeping.
- Notice of Determination – A Notice of Determination is filed with the State Clearinghouse upon approval of either a Negative Declaration, Environmental Impact Report, or other similar CEQA document in conjunction with approval of the project. Approval can come from the Board of Trustees or the assistant vice chancellor (AVC) of the Capital Planning, Design and Construction (CPDC).
- Litigation Period – The litigation period begins upon filing of the Notice of Determination, during which any party can file suit against the project. When an EIR or Notice of Determination has been prepared, the litigation period is 30 days. If the Notice of Determination has not been filed, the litigation period is 180 days after the public agency has decided to carry out, approve, or commence the project if the project is undertaken without a formal decision by the public agency. The State Public Works Board cannot take action on items until the appeal period is exhausted.
- Mitigation Monitoring and Reporting – When an approved environmental document (EIR or ND) includes specified mitigation measures and a mitigation monitoring program as required by CEQA, it is the responsibility of the campus to prepare and publish monitoring reports for public access and review as required under CEQA.

In regard to CSU campuses, the responsibility for completion and filing of the necessary documents is generally delegated to the CSU campuses, with the CPDC providing assistance and guidance as necessary. Service agreements meeting applicable CSU contract procedures for CEQA consultants can be prepared and executed by Cal Poly. The Cal Poly Pier has an established working relationship with PSLHD on CEQA and Land Use permitting activities. However, as the Cal Poly Pier Master Plan is being created through Cal Poly, the CSU should be contacted to verify the lead agency for the FP document. To compare, the Trustees of the California State University was the lead agency for the Cal Poly 2035 Master Plan during the CEQA process and the document was approved by the CSU Board of Trustees Committee on Campus Planning, Buildings and Grounds on May 12, 2020.

Due to the multijurisdictional nature of the Cal Poly Pier, Pier staff must work with PSLHD and Cal Poly Facilities Management and Development to ensure that all appropriate forms are completed by the proper agencies. Accurate and complete documentation is essential, and all parties should receive copies of the relevant reports. For more information on CSU CEQA guidelines, please see Appendix 5, *CSU CEQA Procedures.*

6.2 CALIFORNIA COASTAL COMMISSION

Any major capital construction projects to the Cal Poly Pier require a Coastal Development Permit (CDP) from the Coastal Commission as well as any other permits required by law. First, the Pier must receive District approval before applying for a CDP from the Coastal Commission. Port San Luis Harbor District, Code of Ordinances, Chapter 8.110, Paragraph E dictates:

> All applicants for development proposed seaward of mean high tide, including development on the Avila or Harford Piers, and on the portion of the landfill area shown on the California Coastal Commission's Post-Certification and Appeals Maps as being within the original permit

> jurisdiction of the California Coastal Commission, shall obtain a Coastal Development Permit (CDP) from the California Coastal Commission in addition to any District permits required by this chapter. An applicant shall not apply for a CDP from the California Coastal Commission until the District approval has been obtained pursuant to this article.

After receiving District approval, the CDP is submitted to the Coastal Commission to be considered for approval during a Coastal Commission hearing meeting. The Coastal Act currently requires the Coastal Commission to meet “at least 11 (eleven) times annually at a place convenient to the public. Each meeting shall occur not more than forty-five days after the previous meeting. All meetings of the Commission shall be open to the public” (Zimmer, 2018, p. 62 or Section 30315 of Coastal Act). During these meetings the Commission oversees permit applications, consistency determinations, LCPs and amendments, development and public works plans, enforcement matters, and local approval appeals.

As described earlier in the Plan, the operations and maintenance projects for Pier Painting, Removal of Abandoned Oil Piping, Electrical Conduit and Potable Water Line Replacement, Pile Wrap Replacement, and Seawall Replacement projects have been applied for with the California Coastal Commission. The Commission will deliberate and vote on the Operations and Maintenance projects at a future meeting, to be determined.

6.3 CALIFORNIA STATE UNIVERSITY (CSU)

The document requires approval from the Cal Poly Facilities department before being submitted to the Committee on Capital Planning, Buildings and Grounds within the Capital Planning, Design, and Construction (CPDC) department in the CSU Chancellor’s Office for review and presentation to the Board of Trustees. The presentation is made to the Board of Trustees by the assistant vice chancellor of the CPDC. If the Facility Plan is not approved at the presentation, appropriate review and

modifications must be made, and the revised Facility Plan must be presented again to the CPDC and the Board of Trustees until approved. Master Plan development is a continuing process and does not end upon plan implementation. Revisions, changes, and modifications are necessary in order to meet new requirements and policies. CSU guidance recommends Master Plans should be re-evaluated at least every 10 years. (SUAM Section 9008, 2020). The plan will also require CEQA review to assess potential environmental impacts of the Facility Plan, including to marine habitat, air quality, or resulting from development and construction projects. In addition to land-use permits obtained from the Port San Luis Harbor District, an initial study report and subsequent Environmental Impact Report would be required to implement the Cal Poly Pier Facility Plan.

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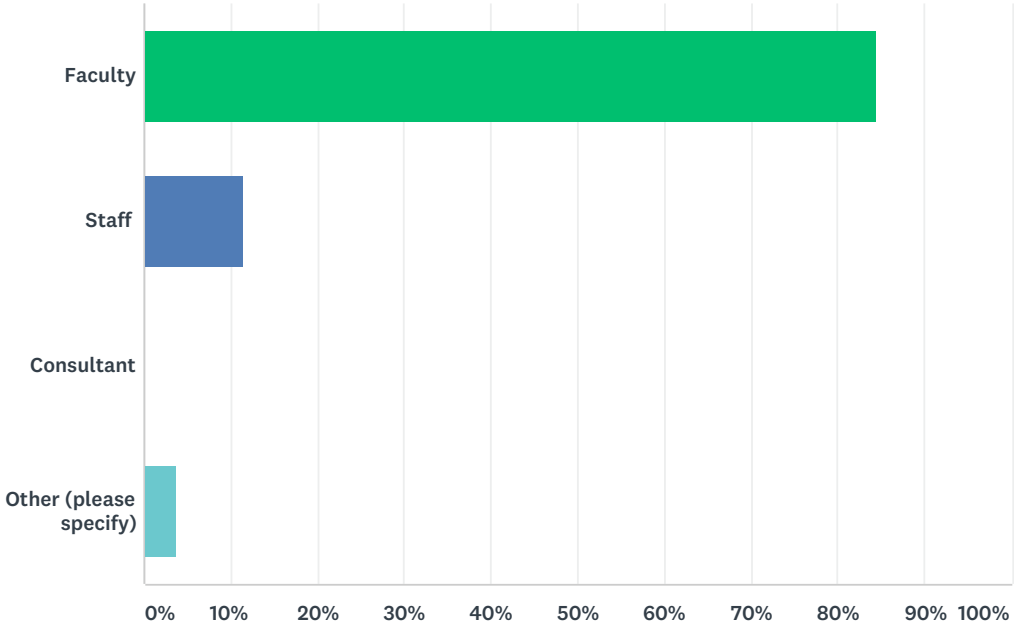
8. APPENDIX

Please note, the appendix items are attached in the following order:

1. Cal Poly Pier Master Plan Survey
2. Ground Lease for Pier Area
3. CCMS Annual Report
4. Bridge Design Report
5. CSU CEQA Procedures
6. OM Projects and NOE
7. Public Access Plan

Q1 What is your affiliation with the Cal Poly Pier?

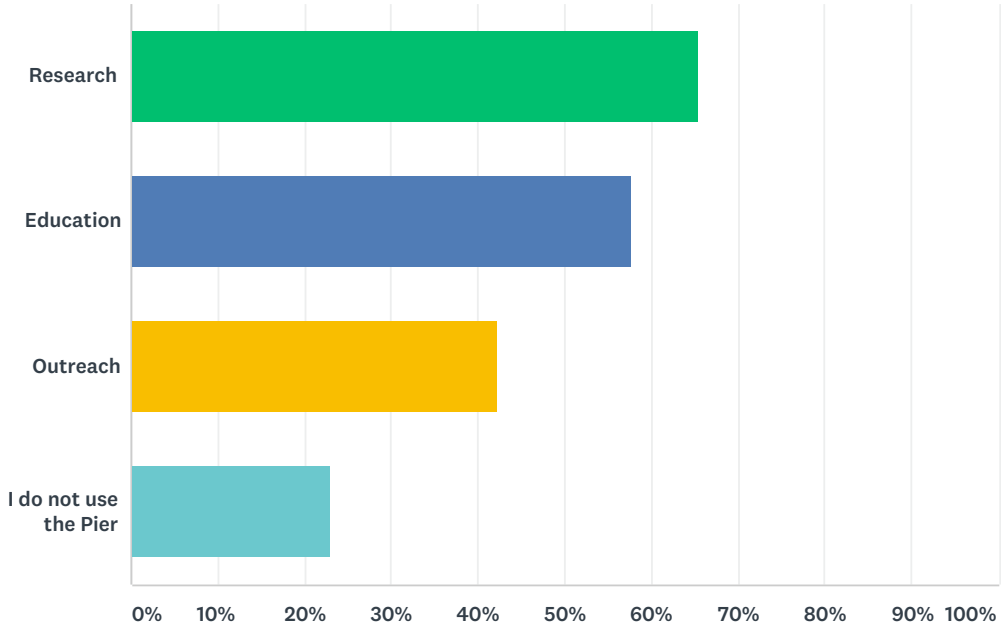
Answered: 26 Skipped: 0



ANSWER CHOICES	RESPONSES	
Faculty	84.62%	22
Staff	11.54%	3
Consultant	0.00%	0
Other (please specify)	3.85%	1
TOTAL		26

Q2 How do you currently utilize the Cal Poly Pier? Please select all answers that apply.

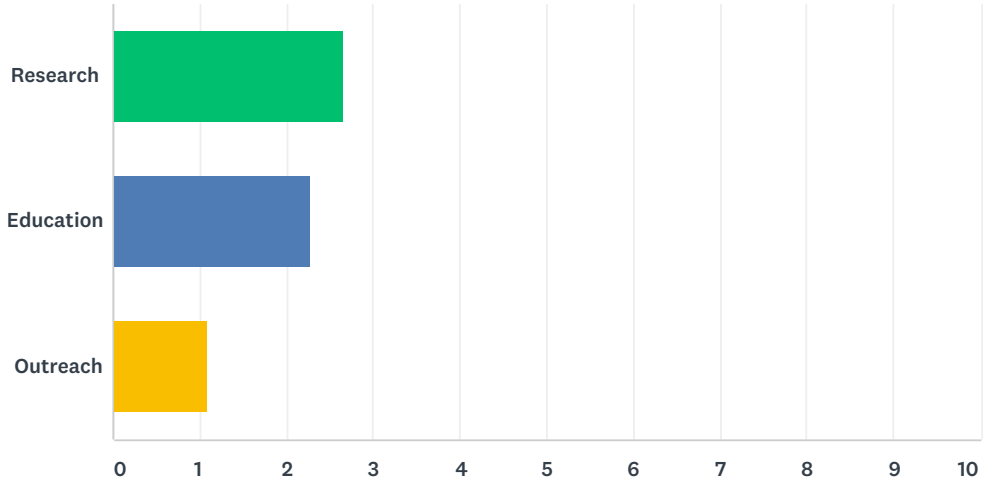
Answered: 26 Skipped: 0



ANSWER CHOICES	RESPONSES	
Research	65.38%	17
Education	57.69%	15
Outreach	42.31%	11
I do not use the Pier	23.08%	6
Total Respondents: 26		

Q3 What do you feel is the most important role of Cal Poly Pier? Please rank your answers below.

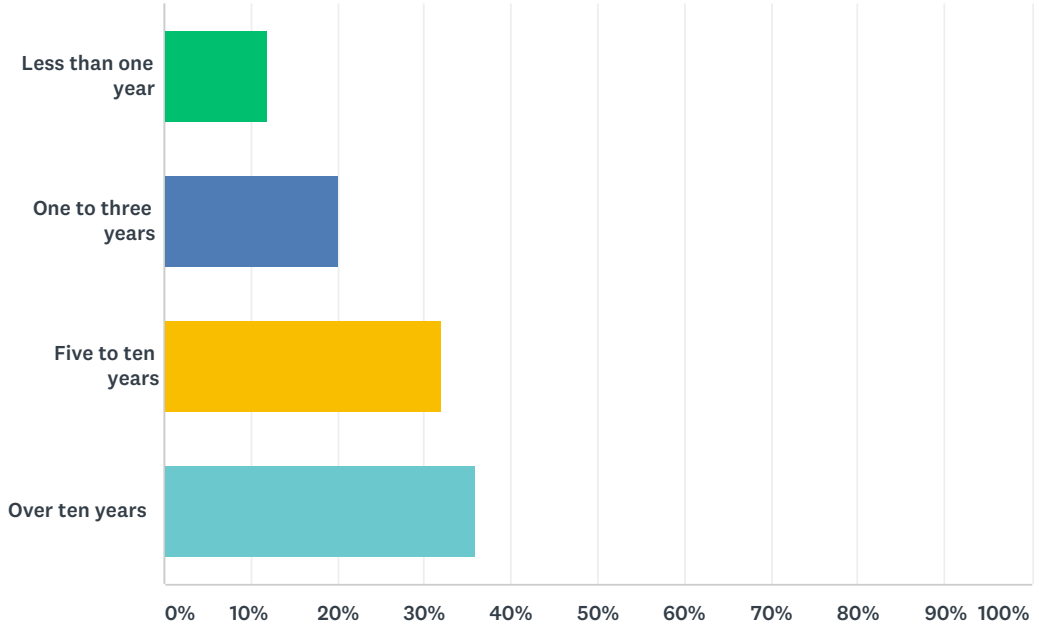
Answered: 26 Skipped: 0



	1	2	3	TOTAL	SCORE
Research	65.38% 17	34.62% 9	0.00% 0	26	2.65
Education	34.62% 9	57.69% 15	7.69% 2	26	2.27
Outreach	0.00% 0	7.69% 2	92.31% 24	26	1.08

Q4 How long have you been utilizing the Cal Poly Pier?

Answered: 25 Skipped: 1



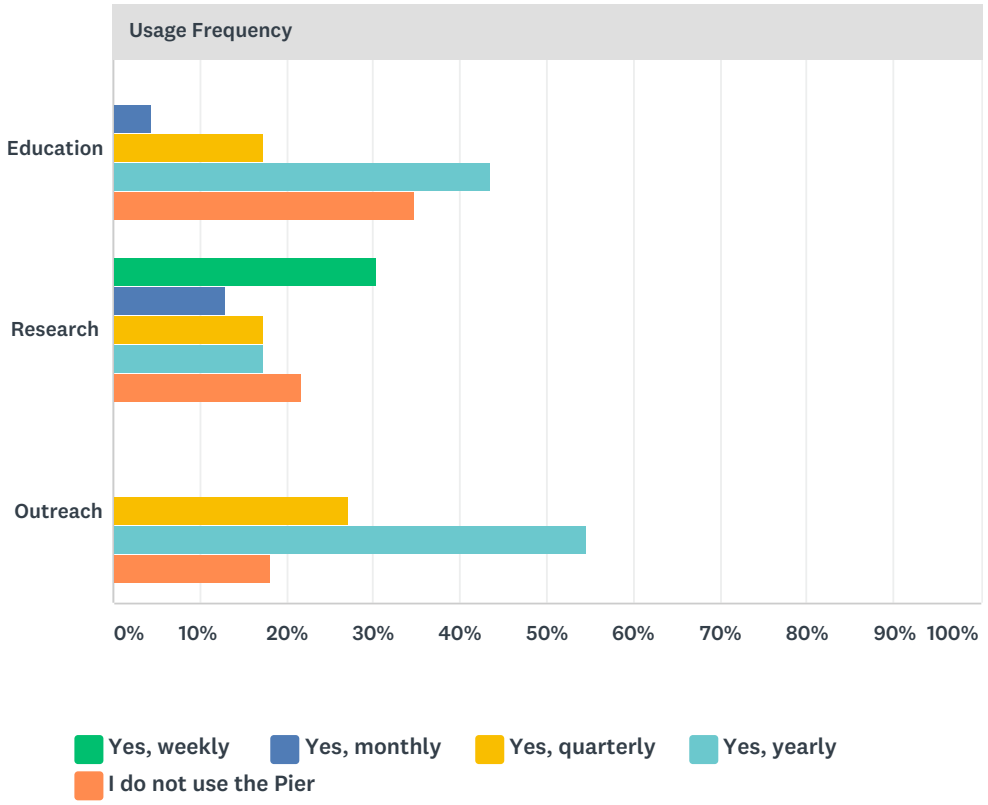
ANSWER CHOICES	RESPONSES	
Less than one year	12.00%	3
One to three years	20.00%	5
Five to ten years	32.00%	8
Over ten years	36.00%	9
TOTAL		25

Q5 What Cal Poly Pier physical resources do you currently use and how could they be improved?

Answered: 24 Skipped: 2

Q6 Do you use the Cal Poly Pier for any of the following activities? If yes, how often?

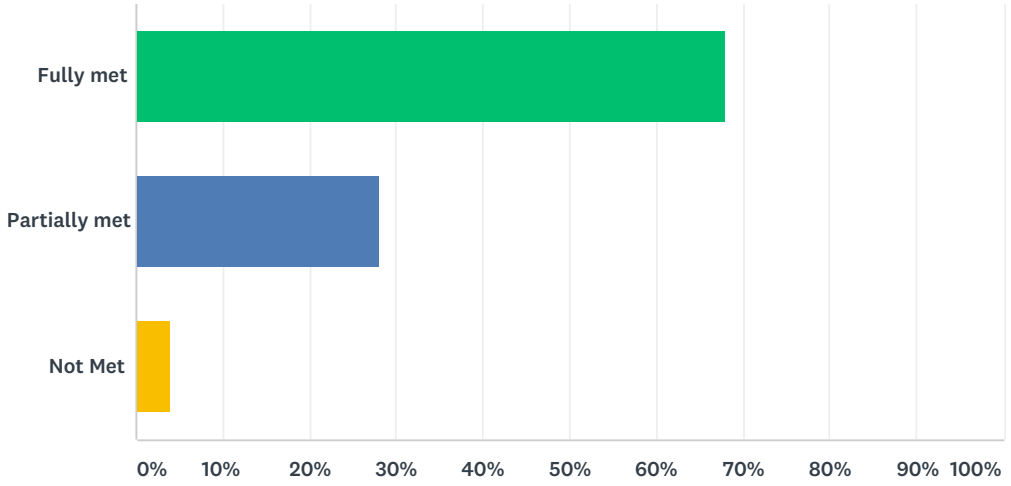
Answered: 25 Skipped: 1



Usage Frequency	YES, WEEKLY	YES, MONTHLY	YES, QUARTERLY	YES, YEARLY	I DO NOT USE THE PIER	TOTAL
Education	0.00% 0	4.35% 1	17.39% 4	43.48% 10	34.78% 8	23
Research	30.43% 7	13.04% 3	17.39% 4	17.39% 4	21.74% 5	23
Outreach	0.00% 0	0.00% 0	27.27% 6	54.55% 12	18.18% 4	22

Q7 Does the Cal Poly Pier currently contain the necessary resources to support your area of interest or focus?

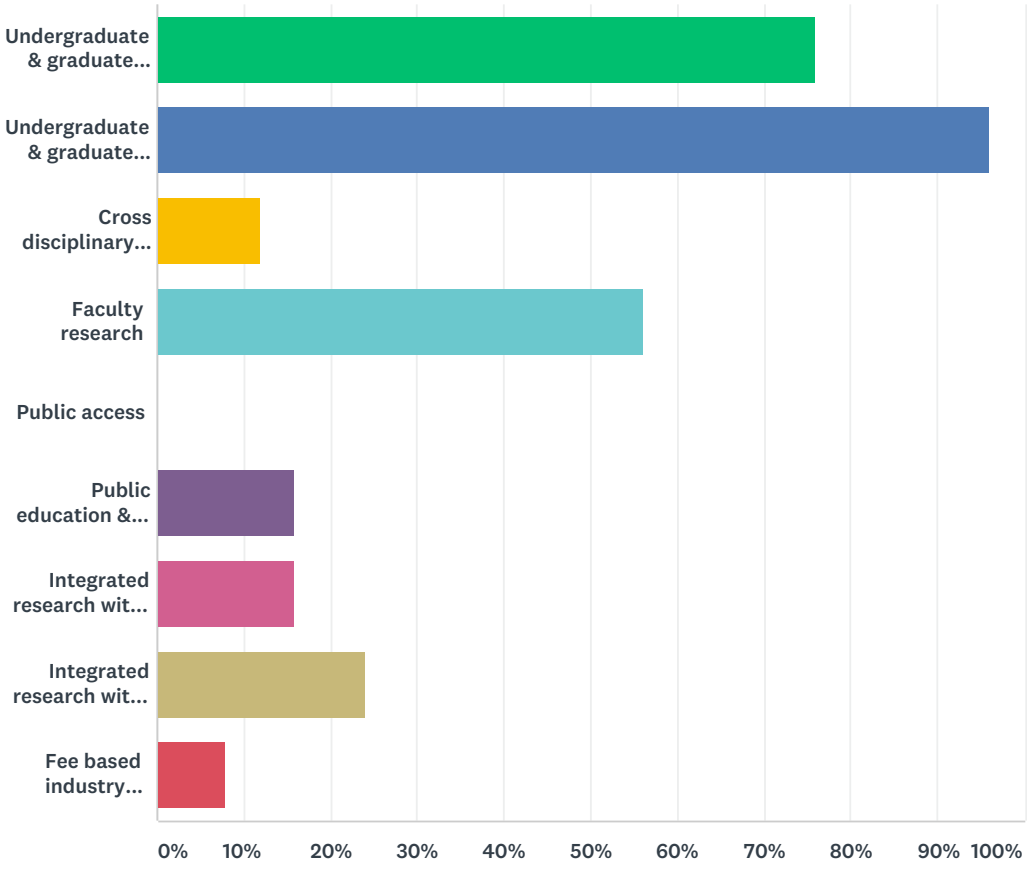
Answered: 25 Skipped: 1



ANSWER CHOICES	RESPONSES	
Fully met	68.00%	17
Partially met	28.00%	7
Not Met	4.00%	1
TOTAL		25

Q8 Development is frequently implemented in phases based on available funding, logistics, etc. Based on this, what do you believe is the most important role of the Cal Poly Pier in the short-term, i.e. in the next five to ten years? Please pick your top three choices.

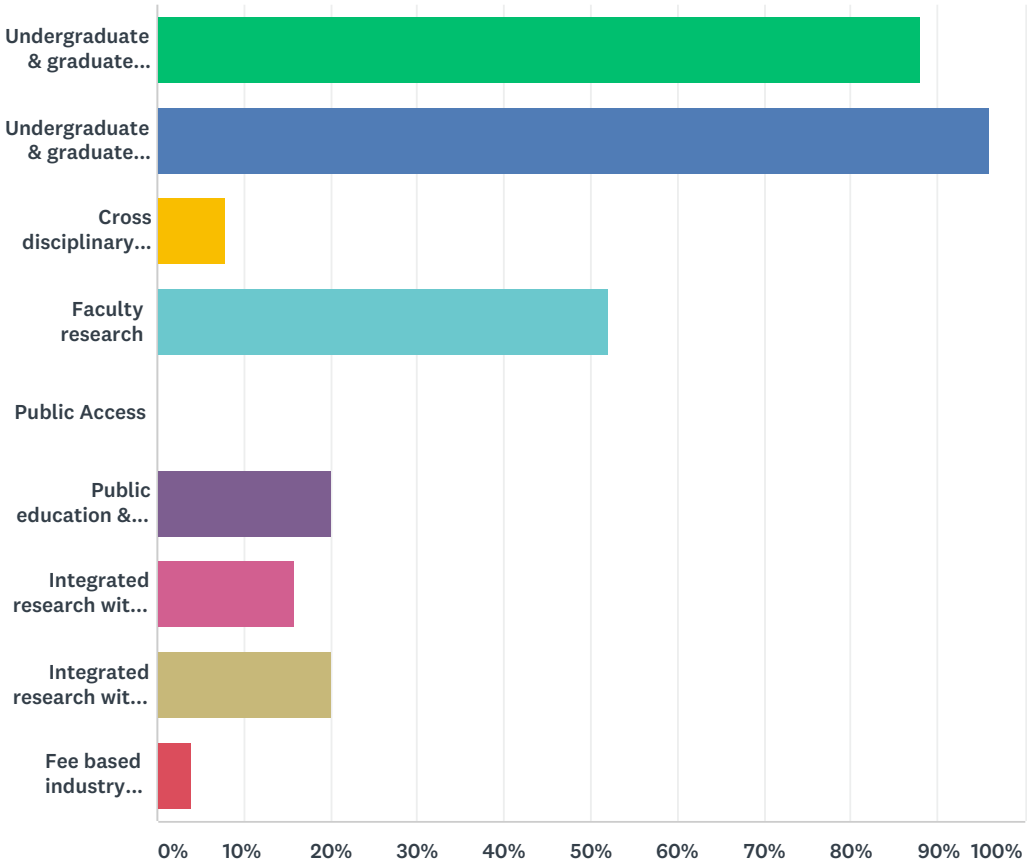
Answered: 25 Skipped: 1



ANSWER CHOICES	RESPONSES	
Undergraduate & graduate education (i.e. classes and labs)	76.00%	19
Undergraduate & graduate research	96.00%	24
Cross disciplinary research between colleges	12.00%	3
Faculty research	56.00%	14
Public access	0.00%	0
Public education & outreach	16.00%	4
Integrated research with surrounding communities	16.00%	4
Integrated research with other marine research facilities	24.00%	6
Fee based industry partnerships	8.00%	2
Total Respondents: 25		

Q9 What do you believe is the most important long-term role in the next ten to twenty years of the Cal Poly Pier? Please pick your top three choices.

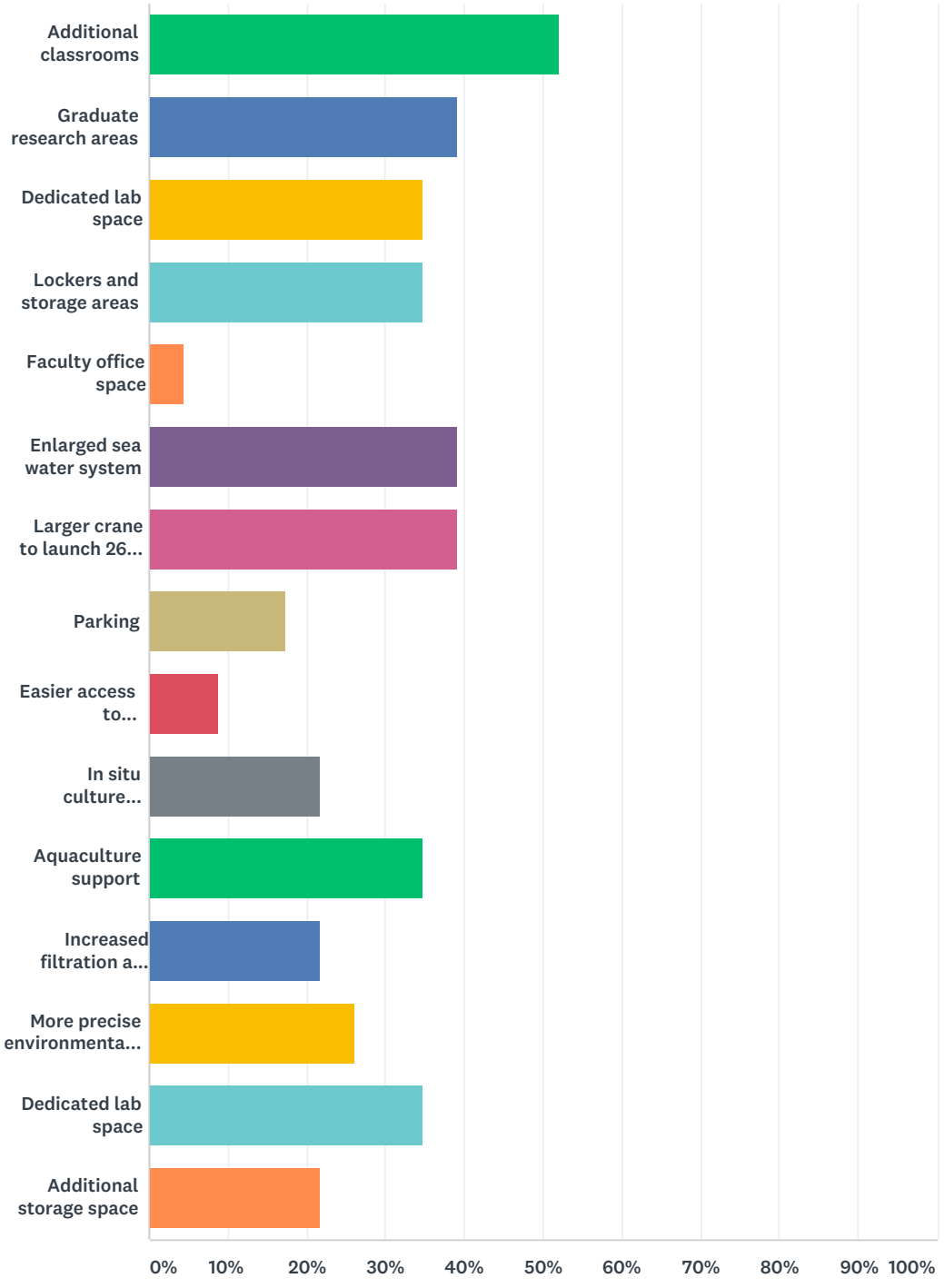
Answered: 25 Skipped: 1



ANSWER CHOICES	RESPONSES	
Undergraduate & graduate education (i.e. classes and labs)	88.00%	22
Undergraduate & graduate research	96.00%	24
Cross disciplinary research between colleges	8.00%	2
Faculty research	52.00%	13
Public Access	0.00%	0
Public education & outreach	20.00%	5
Integrated research with surrounding communities	16.00%	4
Integrated research with other marine research facilities	20.00%	5
Fee based industry partnerships	4.00%	1
Total Respondents: 25		

Q10 What physical improvements would you like to see for the Cal Poly Pier facilities in the future?

Answered: 23 Skipped: 3



ANSWER CHOICES	RESPONSES	
Additional classrooms	52.17%	12
Graduate research areas	39.13%	9

Dedicated lab space	34.78%	8
Lockers and storage areas	34.78%	8
Faculty office space	4.35%	1
Enlarged sea water system	39.13%	9
Larger crane to launch 26 foot boat	39.13%	9
Parking	17.39%	4
Easier access to instrumentation	8.70%	2
In situ culture facilities	21.74%	5
Aquaculture support	34.78%	8
Increased filtration and recirculation capacities	21.74%	5
More precise environmental control options	26.09%	6
Dedicated lab space	34.78%	8
Additional storage space	21.74%	5
Total Respondents: 23		

Q11 Regardless of resource limitations what other uses can you imagine for the pier?

Answered: 14 Skipped: 12

Q12 Is there anything else you would like to share regarding the Cal Poly Pier?

Answered: 7 Skipped: 19

MULTI-YEAR FILE PO # 2002200833

GROUND LEASE FOR UNOCAL PIER AREA

This Lease for Unocal Pier Area ("Lease"), dated 2-26, 2002 for purposes of identification is made by and between the PORT SAN LUIS HARBOR DISTRICT, a political subdivision of the State of California ("Harbor District"), and the TRUSTEES OF THE CALIFORNIA STATE UNIVERSITY ("Cal Poly"), on behalf of its campus, CALIFORNIA POLYTECHNIC STATE UNIVERSITY, SAN LUIS OBISPO.

Recitals

A. By virtue of Chapter 647, California Statutes 1955 as amended by Chapter 302, California Statutes 1957, the State of California granted to Harbor District, and to its successors, all the right, title, and interest held by the State of California by virtue of its sovereignty, in and to all lands, salt marsh, tidelands, submerged lands, and swamp and overflowed lands described in said Act, as amended, with the express provision that Harbor District, or its successors, may lease the lands so conveyed, or any part thereof, for limited periods not exceeding fifty (50) years, for purposes consistent with the trust upon which the lands so conveyed were held by the State of California, and with the requirements of commerce and navigation at the harbor within the lands so conveyed, and collect and retain rents from such leases; and

B. Cal Poly as a campus of the California State University system, an agency of the State of California, under authority vested in it from the California Education Code sections 89035, 89036, 89046, and 89048 is authorized under authority of the Trustees of the California State University system to lease real property for the purposes of Higher Education and in pursuit of the mission of the University; and

C. Unocal Corp. ("Unocal") has leased from Harbor District a portion of the state tidelands on which Unocal constructed and operates a structure commonly known as the Unocal Pier ("Pier"); and

D. Under the terms and conditions of the Lease between Unocal and Harbor District, the Harbor District, upon termination or expiration of the Lease, may require Unocal to remove all improvements, including the Unocal Pier, from the leased area; and

E. Unocal desires to terminate the above-referenced Lease and, rather than remove the Unocal Pier, gifts its ownership interest to Cal Poly; and Cal Poly intends to accept the gift of the Unocal Pier and moorings for the purpose of fulfilling its educational mission. Cal Poly intends to enter into an agreement with Unocal regarding the appurtenant parcel of land to access the Pier. This Lease is contingent upon Cal Poly's final acceptance of the Unocal Pier gift and obtaining the necessary access to the pier from Unocal. Cal Poly under the authority vested in it by the state of California as codified in California Education Code Section 89900 *et seq.* establishes Auxiliary organizations for the purpose of supporting its educational pursuits and

mission. For purposes of this agreement, Cal Poly Auxiliary organizations will be considered part of Cal Poly and will abide by the terms and conditions of this lease.

F. Harbor District and Cal Poly desire to enter into a ground Lease of tidelands in order to establish a lease with rates and terms to benefit the public good by virtue of the mission of Cal Poly and the charter of the Port San Luis Harbor District.

NOW, THEREFORE, for and in consideration of the annual rental to be paid by Cal Poly to Harbor District and of the lease term granted by Harbor District to Cal Poly hereunder, and subject to the terms and conditions hereinafter set forth, the parties hereto agree as follows:

1. DESCRIPTION OF LEASED PREMISES.

1.1 Premises. Harbor District leases to Cal Poly and Cal Poly leases from Harbor District the following real property situated in the County of San Luis Obispo, State of California EXCEPTING THEREFROM all buildings and improvements situated thereon, including the improvement commonly known as the Unocal Pier, which buildings and improvements are and shall remain real property('the Premises'):

(1) All that portion of a strip of land 40 feet in width lying below the ordinary high water mark of the Bay of Port San Luis in said county, the boundaries of which lie 20 feet on either side of the following described center line:

Beginning at a point in the center line of the Pacific Coast Railway between Port San Luis and the town of Avila being also Engineers' station 70 + 75 at the head block to a spur track leading to a Pier, over and across the herein described tide and submerged lands, and lying in an 8°30' curve concave to the Northwest, as shown on map of said railway Number V-1-Cal-1 entitled "Main Line Right of Way and Track Map" and certified to for correctness by its chief engineer, May 16, 1917, from which point Engineers' Station 70 + 85, likewise a point in said center line and said curve bears South 89°01'30" East a distance of 10 feet; thence from said point of beginning South 89°16'30" West 50.00 feet; thence South 76°24'30" West 41.50 feet; thence South 69°53'40" West 8.50 feet; thence South 62°48'45" West 50.00 feet; thence South 50°50'15" West 50.00 feet; thence South 38°57'00" West 50.00 feet; thence South 26°08'15" West 50.00 feet; thence South 12°14'00" West 50.00 feet; thence South 3°30'45" East 37.57 feet; thence South 5°29'30" East 2015.06 feet to Point A, the southerly terminus of said 40 foot strip of land, the side lines of which are shortened or lengthened to terminate on the Mooring Area right of way line.

(2) All that area necessary for Pier and Mooring use and described as follows:

Beginning at said Point A, at the southerly terminus of the 40 foot wide strip, said point is the True Point of Beginning for the Mooring and Pier

area description; thence in a clockwise direction around the parcel North 22°15'15" East 425.32 feet to Point 7 as shown on Drawing numbered 198-284-3, Exhibit A, for this description; thence North 44°57'10" East 148.11 feet to Point 6; thence South 41°28'15" East 514.93 feet to Point 5; thence South 22°40'02" East 541.76 feet to Point 4; thence South 7°31'05" West 701.21 feet to Point 3; thence South 87°43'44" West 1135.57 feet to Point 1; thence North 10°34'21" East 230.58 feet to Point 2; and thence North 22°15'15" East 973.32 feet to the True Point of Beginning at Point A.

The Trestle Strip is 2.03 acres in area and the Mooring and Pier Area covers 29.07 acres for a total of 31.10 acres for Wharf No. 2 as shown on Drawing No. 198-284-3, Exhibit A, attached hereto and by this reference made a part of this document. The described areas are hereinafter collectively termed 'the Premises'.

1.2 The improvements on the Premises, including, without limitation, the Pier and all improvements thereon, shall be subject to all terms, conditions and restrictions of this Lease. A memorandum of lease setting forth the substance of this paragraph 1.2 shall be recorded on the Premises.

2. USE OF PREMISES.

2.1. Allowable Use. Cal Poly agrees that the Premises, and all improvements thereon, shall be used for the purposes of higher education, primarily related to the marine science education and research directly related to the California State University system and for no new purposes whatsoever without the prior written consent of Harbor District. This consent shall not be unreasonably withheld. Harbor District further understands and agrees that Cal Poly Auxiliary organizations will access and use the Premises in a manner which is consistent with the terms and conditions set forth herein. Cal Poly agrees that no unauthorized public works improvements, additions, external structural alterations or modifications shall be erected, attached, or affixed on or about the Premises, or any improvements thereon, nor any Other Use, conducted or carried on therein or therefrom in violation of the terms of this Lease, or any regulation, order, law, statute, or ordinance of a governmental agency having jurisdiction. Cal Poly further agrees that any improvements, additions, alterations or modifications made to the Premises shall be made in accordance with California State University's rules, regulations and/or requirements. Cal Poly shall not use the Premises in any way that will constitute waste, nuisance or unreasonable annoyance to owners or occupants of adjacent properties or other tenants of Harbor District. Under no circumstances shall Cal Poly allow anyone to live or reside in or upon the Premises. It is expressly understood by Harbor District and Cal Poly that the Premises, while being utilized on a 24 hour by 7 days per week by 365 days per year basis (24X7X365), shall contain no permanent living accommodations. Cal Poly shall not do anything on or to the Premises, or any improvements thereon, or in or upon the Public Areas that will cause permanent damage to the Premises, the Public Areas or any other areas of the Port San Luis Harbor or which will unreasonably interfere with or impede commercial fishing and marine operations or marine recreational activities. Refer to Exhibit B for University conceptual plan for pier facilities and improvements.

2.2 Active Educational and Research Use. The ultimate objective of this Lease is the complete and continuous use of the Premises by and for the benefit of the California State University system. The immediate objective of this Lease being the development and realization of the educational and research benefits to California State University, the grantors for research and the public benefit derived. It is also agreed that the immediate and ultimate objectives of this Lease are consistent and compatible with the goals and objectives of the Harbor District. The Parties further agree that research vessels in support of the University mission will be utilizing the Premises from time to time. Accordingly, Cal Poly covenants and agrees that Cal Poly will operate the Premises fully and continuously to the end that the California State University, and the public they serve, will enjoy benefits for the purposes set forth herein.

2.3 Marine Related Public Use. Cal Poly may make the Pier available for public meetings, events, and seminars to persons or entities with One Hundred (100) attendees or less engaged primarily in the promotion of higher education activities without prior consent of the Harbor District. The Harbor District may request Cal Poly to accept reasonable restrictions and conditions on the time, manner, frequency and duration of such public events. Cal Poly may charge a fee to such entities for use of the Pier to compensate Cal Poly for costs incurred including clean up and security. At least once each calendar year, Cal Poly shall submit a written report to Harbor District describing educational programs, research projects and each event of this kind held on the Pier during the preceding year. The parties acknowledge that Cal Poly sponsored events, classes, courses, and student projects offered by Cal Poly are not considered to be marine-related "Public Use" and therefore the provisions in this section do not apply to such offerings.

2.4 Other Uses. In the event that Other Uses of Premises and Pier are proposed or requested, Cal Poly shall meet and confer with the Harbor District to determine if such use would be beneficial to Cal Poly, and not in conflict with the intent of this lease, or the Harbor District's operations. Other Uses shall require the prior written consent of Harbor District. Such approval shall not be unreasonably withheld. Notwithstanding anything to the contrary in this paragraph 2.4, Harbor District shall have no obligation to approve any other use which results in the commercial use at the Premises which is not ancillary to the use authorized by paragraph 2.1 of this Lease. Cal Poly is aware of the Port San Luis Harbor District's and County's ordinances, which requires a vote of the people for any proposed offshore oil uses at the Pier facility. The Premises may be used by vessels owned or operated by, or on behalf of any federal or state entity or local public agencies without the prior notification or written approval of the Harbor District. The Parties agree that research vessels in support of the University mission will be utilizing the Premises from time to time. The use of the premises by government maritime operations shall be limited to non-public activities, except in the event of emergencies, public unrest, labor disputes, acts of god, or war. Failure of Cal Poly to receive prior written approval for Other Uses described herein shall constitute a default of this lease, which is cause for termination if said default is material and is not cured within sixty (60) days after receiving written notice from Harbor District. All Other Uses shall first obtain any governmental approvals required for such new use. All Cal Poly pre-authorized expenses of the Harbor District shall be borne by Cal Poly for any new Other Use proposed.

2.5 Reservation of Rights. Harbor District reserves the right to further develop, improve, construct, modify, repair, replace, remove or restrict the use of any or all of the other structures, improvements, areas and the Public Areas which lies outside the Premises as Harbor District in its sole discretion sees fit, regardless of the desires or views of Cal Poly, and without interference or hindrance from Cal Poly; provided, that such use does not substantially interfere with Cal Poly's use of the Premises including Cal Poly's ingress and egress to and from the Pier.

2.6 No Interference with Navigation. Cal Poly acknowledges that the waters in, on and around the Premises are public navigable waters. Cal Poly shall not unreasonably interfere with the free flow of traffic on and through such waters. Cal Poly further shall not create or maintain any improvements or conditions which result in a threat to the safety of the public use of the navigable waters. Notwithstanding anything to the contrary herein, Cal Poly and the Harbor District may adopt reasonable rules and regulations to control traffic in and around the Premises to ensure the ability of Cal Poly to exercise its rights granted in this Lease.

2.7 Parking Plan. Prior to the commencement of any educational or research activities on the Premises, Cal Poly shall provide Harbor District with a parking plan which shall be designed to reduce or mitigate the impact on the public parking spaces in or near Avila Beach and Port San Luis. Cal Poly shall take all reasonable action to insure that Cal Poly, its employees, guests and invitees, comply with all provisions of the approved parking plan, as modified. Refer to Exhibit C for initial Parking Plan.

3. TERM.

The term of this Lease shall be a period of up to forty-nine (49) years and eleven months, beginning on execution date in 2002, and ending June 30, 2051. Cal Poly may terminate this Lease upon one (1) year written notice to Harbor District subject to all the obligations of Cal Poly accruing prior to such termination and subject further to the provisions contained in Paragraphs 6, 7, 8 and 9 of this Lease.

4. RENTAL.

Beginning with the first day of the month following the date of execution in 2002 and continuing on each anniversary thereafter Cal Poly shall pay to Harbor District, in advance, without offset or adjustment, as rental for the Premises, the annual sum of Fifty-Six Thousand Dollars ($56,000) ("Rent") subject to Paragraph 4.1, Periodic Rent Adjustments, of this Lease.

4.1 Periodic Rent Adjustments

4.1.1 Consumer Price Index. At the end of each 5 year period of the lease term of this Lease (every five years from Lease commencement date) ("Adjustment Period"), the Rent shall be adjusted as follows. (first adjustment begins with the Rent payment due annually in 2006 for the annual period 2006 through 2007). The adjusted Rent shall be determined on each adjustment date (every five years from lease commencement date) by multiplying the Rent in effect on the date immediately preceding the date of adjustment by a fraction, the denominator of which

is the index figure existing sixty (60) months preceding the adjustment date, as published in the U.S. Department of Labor, Bureau of Labor Statistics, revised Consumer Price Index for All Urban Consumers for the Los Angeles, Riverside and Orange County, CA Metropolitan Areas, all items (1982-84 = 100) (hereinafter referred to as the "CPI") and the numerator of which is the CPI index figure for the month preceding the annual period during which the particular adjustment occurs. The index for each adjustment date shall be the one reported in the U.S. Department of Labor's most comprehensive official index then in use and most nearly answering the foregoing description of the index to be used, if it is calculated from a base different from the base period 1982-84 = 100, figures used for calculating the adjustment shall first be converted under a formula supplied by the Bureau. If the described index is discontinued or revised during the term, such other government index or computation with which it is replaced shall be used in order to obtain substantially the same result as would be obtained if the index had not been discontinued or revised. In the event any CPI increase in the Rent as of the adjustment date exceeds 25%, the Rate increase will be capped at 25% for that Adjustment Period.

4.1.2 Additional Rent. Cal Poly shall pay as additional Rent all other sums of money or charges legally required to be paid pursuant to the terms of this Lease ("Additional Rent").

4.1.3 Delinquent Rent. If Cal Poly fails to pay any Rent to Harbor District when due, Cal Poly will pay in addition to the unpaid Rents a percentage as delinquent Rent in accordance with the Prompt Payment Act. The delinquent amount shall bear interest in the amount specified by the Prompt Payment Act, Government Code Section 927 et seq., as amended or superceded.

4.1.4 Address for Payment. All payments shall be paid by Cal Poly to Harbor District at Harbor District's address set forth in Section 17.21 hereof or at such other place as may from time to time be designated by Harbor District in writing at least thirty (30) days prior to the next existing payment date.

5. PUBLIC AREAS. The term "Public Areas" shall mean the portions of the San Luis Obispo Bay, including the State Tidelands and public mooring area, which have at the time in question been designated and improved for common use by the public or more than one tenant, licensee or concessionaire of Harbor District, but excluding any portion thereof when designated by Harbor District for a non-common use or the Premises. The Harbor District reserves the right to further develop, improve, construct, modify, repair, replace, remove or restrict the use of any or all of the Public Areas as Harbor District in its sole discretion sees fit, regardless of the desires or views of Cal Poly and without interference or hindrance from Cal Poly except that Harbor District shall not substantially interfere with Cal Poly's right of ingress and egress across Public Areas, nor shall Harbor District interfere with Cal Poly's utility access over Public Areas. Harbor District makes no representations as to the title, condition, safety or fitness for a particular use of the Public Areas. All Public Areas shall be subject to the exclusive control of Harbor District, and Cal Poly shall comply with all rules and regulations, whether now in effect or hereinafter enacted, for the use of the Public Areas that Harbor District may establish from time to time. Cal Poly shall

not place any item on or otherwise obstruct or cause to be obstructed any portion of any area of the Harbor District outside the Premises (including, but not limited to any, road, sidewalk, shoreline, tidelands or any portion of the Public Areas), whether adjacent to the Premises or elsewhere, without first obtaining Harbor District's express written approval, which shall not be unreasonably denied.

Except as necessary to ensure Cal Poly's ingress and egress to the Premises, Harbor District shall have no obligation to maintain, repair or replace the Public Areas, including without limitation, the Avila Beach Drive, adjacent shoreline, protective structures, or any portion thereof.

6. REMOVAL AND RESTORATION.

Upon the expiration or earlier termination of this Lease, Cal Poly shall at its own expense and risk, if requested to do so by Harbor District, remove the Pier's above seabed level section, at approximately the point of intersection with the tidelands (so as not to disturb the seabed any more than necessary), and any mooring buoys and cut all above seabed piling and other Cal Poly property from the Premises. Cal Poly shall be responsible for restoration of the Premises to as near as possible to the same state and condition it was in prior to the installation of said structures, but, if Cal Poly should fail so to initiate within one (1) year after such termination and written notice to do so by the Harbor District, the Harbor District may so do at the risk of Cal Poly, and all reasonable cost and expense of such removal and the restoration of the Premises as aforesaid, shall be paid by Cal Poly upon demand. The Harbor District must request Cal Poly to remove the Pier structure within twelve (12) months after expiration or earlier termination of the Lease. Failure to do so will serve as a waiver of Harbor District's right to demand Cal Poly remove the wharf. In the event of removal of the Pier by Cal Poly, Cal Poly shall obtain and maintain in full force and effect the insurance and maintain the indemnification requirements required herein during and through the time period in which it takes to remove the structure as stated in paragraph 9 et. seq. of this Lease. In the event Harbor District in lieu of removal, accepts title to the pier from Cal Poly, then Cal Poly shall execute and deliver to Harbor District, a grant deed for the Pier and the Pier shall become the property of Harbor District, exclusive of such personal property of Cal Poly thereon as Cal Poly shall elect to remove within one hundred eighty (180) days following such termination, including, but not limited to, research building, classrooms, floating labs, boat docks, submerged research equipment, aquatic and similar facilities.

7. QUITCLAIM UPON TERMINATION.

Upon the expiration or earlier mutual termination of this Lease, Cal Poly shall execute and deliver to Harbor District, within thirty (30) days after service of written demand therefore, a good and sufficient quitclaim deed to the rights arising hereunder. Should Cal Poly fail or refuse to deliver to Harbor District a quitclaim deed, as aforesaid, a written notice by Harbor District reciting the failure or refusal of Cal Poly to execute and deliver said quitclaim deed, as herein provided, and terminating this Lease shall, after thirty (30) days from the date of recording of said notice, be conclusive evidence against Cal Poly and all persons claiming under Cal Poly of the termination of this lease.

8. ACCESS TO PIER UPON TERMINATION.

In the event Cal Poly owns the land at the base of the Pier upon the termination date of this Lease and the Harbor District accepts title to the Pier, if allowable by law, Cal Poly shall quitclaim its interest in the land described above to the Harbor District, and if not allowable by law, Cal Poly shall grant an easement for ingress and egress to the Harbor District for access to the Pier.

9. INSURANCE AND INDEMNIFICATION

9.1 **Public Liability Insurance.** Cal Poly shall obtain and maintain in full force and effect during the term of this Lease and, in the event of removal of the Pier by Cal Poly, during and through the time period in which it takes to remove the structure, at Cal Poly's sole cost and expense, combined single limit, bodily injury Public Liability insurance, adequate to protect Harbor District against liability for injury to or death of any person in connection with the use, operation or condition of the Premises, and insuring against all liability of Cal Poly and Cal Poly's agents, employees and authorized representatives arising out of or in connection with use or occupancy of the Premises by Cal Poly, Cal Poly's agents, students, guests, employees, contractors, authorized representatives, customers or invitees, in a combined single limit policy or policies in an amount not less than Five Million Dollars ($5,000,000) per occurrence. The policy or policies shall insure performance of Cal Poly's obligations to indemnify, defend and hold Harbor District harmless as set forth in Section "9.7" herein; however, the limits of the policy or policies shall not limit the liability of Cal Poly under Section "9.7" herein. Harbor District shall be named as an additional insured. As a public entity Cal Poly may in the alternative maintain said insurance under a self-insured program and will submit written verification of said insurance to the Harbor District.

9.2 **Property Insurance on the Pier.** As a public entity, Cal Poly represents to the Harbor District it is self-insured against property damage or loss to the Pier.

9.3 **Auto and Other Insurance.** Cal Poly will maintain Automobile liability insurance in the amount of $1,000,000 and Workers Compensation insurance at the levels required by California law. As a public entity Cal Poly may in the alternative maintain said insurance under a self-insured program or a state operated program and shall submit written verification of said insurance to the Harbor District.

9.4 **Policy Form, Content, Insurer.** Unless insured under a self-insurance program, all insurance required to be carried by Cal Poly hereunder shall be issued by responsible insurance companies, qualified to do business in the State of California rated at least A-7 by Best's Insurance Services, or as reasonably acceptable to Harbor District. All such insurance shall be issued as primary. Each policy, excluding Workers' Compensation, shall name Harbor District as an additional insured, as its interest may appear, and copies of all policies, or certificates evidencing the existence and amounts of insurance, shall be delivered to Harbor District by Cal Poly at least ten (10) days prior to commencement of this Lease. No policy shall be cancelable nor shall the coverage be materially changed except after thirty (30) days' prior written notice to Harbor District.

Cal Poly shall, at least thirty (30) days prior to the expiration of each policy, furnish Harbor District with renewals or "binders" thereof, or Harbor District may order insurance and charge the cost thereof to Cal Poly, which amount shall be payable by Cal Poly upon demand. Any insurance required hereunder may be carried under so-called "blanket coverage" form of insurance policies. At time of periodic rent adjustments the Harbor District may request in writing increases in insurance coverage dollar amounts as mutually agreed upon by the parties. The increase will be based on industry standards at the time of the increased amounts.

9.5 **Reciprocal Insurance Requirements:** Harbor District shall furnish Cal Poly with certificates evidencing the existence and amounts of Auto, Worker's Compensation and Liability Insurance in accordance with the Harbor District's policies and/or requirements.

9.6 **Waiver of Subrogation.** Harbor District and Cal Poly each release each other, and their respective authorized representatives, from any claims for damage to any person or to the Premises or the Pier and to the fixtures, personal property, Cal Poly's improvements and the additions or alterations of either Harbor District or Cal Poly in or on the Premises that are caused by or result from perils insured against under any insurance policies carried by the parties and in force at the time of any such damage, to the extent of the policy limits of such insurance policies. Each party shall cause each insurance policy obtained by it to provide that the insurance company waives all right of recovery by way of subrogation against either party in connection with any damage covered by any policy. If any insurance policy can be obtained with a waiver of subrogation only by the payment of an additional premium charge above that charge by insurance companies issuing policies without waiver of subrogation, the party undertaking to obtain the insurance shall pay the additional cost.

9.7 **Indemnification.** Cal Poly shall indemnify, defend, protect and hold Harbor District harmless from and against any and all claims, losses, liability and damages arising from or in connection with Cal Poly's possession, occupancy, maintenance or use of the Premises or the Pier or from the operation or conduct of Cal Poly's business in, on or about the Premises or Pier. Cal Poly shall further indemnify, defend Harbor District, protect and hold Harbor District harmless from and against any and all claims, losses, liability and damages arising from or in connection with any breach or default in the performance of any obligation on Cal Poly's part required to be performed under the terms of this Lease, or arising from or in connection with any negligent or intentional act or omission of Cal Poly, or of Cal Poly's agents, employees, contractors, authorized representatives, customers or invitees. Cal Poly shall further indemnify, defend Harbor District, protect and hold Harbor District harmless from and against all costs, expenses and liabilities incurred in the defense of any such claim or action or proceeding brought thereon. In the event of any action or proceeding brought against Harbor District by reason of any claim specified herein, Cal Poly shall, upon demand by Harbor District, defend the same at Cal Poly's expense. Cal Poly's obligations to indemnify, defend, protect and hold Harbor District harmless shall be offset by the sum of the insurance proceeds, if any, received by Harbor District from policies maintained by Cal Poly pursuant to the provisions of this Lease. This indemnity provision shall survive and extend 12 months beyond the expiration or termination of this Lease or removal of the Pier if required, whichever is longer.

9.8 **Exculpation of Harbor District.** Harbor District shall not be liable to Cal Poly, and Cal Poly waives all claims against Harbor District, for any damage to Cal Poly or the Pier or Cal Poly's property or to any person or property arising from any cause, excluding the gross negligence or willful acts of Harbor District or its employees or representatives. This provision shall not apply to claims or damages occurring prior to the date of this Lease.

9.9 Harbor District Indemnification to Cal Poly: Harbor District shall defend, indemnify, hold harmless and protect the State of California, the Trustees of the California State University, all California Polytechnic State University Auxiliary Organizations, California Polytechnic State University, San Luis Obispo, and each of their officers, officials, employees, authorized representatives, agents, and volunteers ("Cal Poly") from and against any and all cost, damage, expense, liability, loss (including without limitation to costs and fees of litigation) of every nature arising out of or in connection with Harbor District's (including any subcontractor, anyone directly or indirectly employed by anyone for whose acts any of them may be liable) performance of work hereunder or failure to comply with any of its obligations contained in the agreement, except if such loss or damage was caused by the sole negligence or willful misconduct of Cal Poly.

10. NO REPRESENTATIONS AND WARRANTIES "AS IS"

Cal Poly acknowledges that Harbor District has not been in possession, custody or control of the Premises for several decades. Cal Poly further acknowledges that it has had an opportunity to inspect the Pier and conduct studies and tests as to the physical condition of the Pier and its suitability for any and all purposes to which Cal Poly may put the Pier. Cal Poly accepts the Pier in an "as is" condition. Harbor District makes no representations or warranties of any type with respect to the Pier and any improvements thereon, including, without limitation the Unocal Pier land parcel, their condition, their feasibility or adequacy for any use or in any other respect whatsoever. Cal Poly acknowledges that the Premises have been used as an oil transfer facility since the early 1900's and that the Harbor District does not have any evidence of the presence of any environmental hazards or conditions. In the event of any discovery of any environmental hazards or conditions on the premise, the Harbor District accepts and will defend the presumption that the source or cause of the claim or damages were by Unocal or prior tenants of the premises or areas and not Cal Poly, the State, or any of their officers, officials, agents, volunteers, or contractors, unless the Harbor District is in possession of reliable evidence or information substantiating the contrary

11. MAINTENANCE AND REPAIR; ALTERATIONS

11.1 Cal Poly's Obligations. Cal Poly, at its own cost and expense, and at no cost or expense to Harbor District, shall maintain and keep in good order the Premises and any and all improvements thereon and every part thereof, including, without limitation structural parts of the Unocal Pier and all improvements thereon. Cal Poly shall repair any and all damage to any part of the Pier regardless of the cause and shall repair any damage to the Premises caused by the negligent or intentional act or omission of Cal Poly, Cal Poly's agents, employees or invitees. Cal

Poly, at its own expense, shall conform to all applicable building codes and laws and any applicable changes in the building codes and laws in relation to the Premise as enforced by the agency responsible for enforcing any such codes and laws. Cal Poly shall maintain the exterior of the Unocal Pier in a manner consistent with industry standards to provide a clean, safe and attractive educational facility. Cal Poly shall at all times maintain the Pier and buildings in a manner consistent with industry standards for this type of concrete and steel marine structure.

11.2 Harbor District's Rights to Maintain and Repair. If after one hundred eighty (180) days written notice Cal Poly refuses or fails to maintain or make repairs or replacements as required herein, Harbor District shall have the right, but not the obligation, to perform such maintenance and to make such repairs or replacements on behalf of and for the account of Cal Poly. In such case, the reasonable cost of such maintenance, repairs and replacements, including, but not limited to, the cost of labor, materials, equipment and administration, shall be paid by Cal Poly as Additional Rent within ninety (90) days of receipt of Harbor District's statement of the cost. Harbor District may, at its option, choose other remedies available herein or at law.

11.3 Alterations and Additions. Cal Poly shall not, without Harbor District's prior written consent, undertake any construction, alterations, improvements or additions, structural or otherwise (hereinafter "alterations"), or utility installations, in, on or about the Premises or Pier. Such consent shall not be unreasonably withheld. As used in this Section, the term "utility installations" shall mean power panels, air conditioning equipment (HVAC), additional plumbing and like installations. Any approved alterations and utility installations must be made so as to comply with the terms of this Lease and all applicable federal, state, local, and municipal laws, rules and regulations as interpreted and applied by the agency responsible for enforcing any such laws.

Any alterations or utility installations in or about the Premises or the Pier that Cal Poly shall desire to make and which require the consent of Harbor District shall be presented to Harbor District in written form, with proposed detailed plans. If Harbor District shall give its consent, the consent shall be deemed conditioned upon Cal Poly acquiring a permit to do the work from appropriate governmental agencies, the furnishing of a copy thereof to Harbor District prior to the commencement of the work, and the compliance by Cal Poly with all conditions of said permit and all reasonable conditions imposed by Harbor District in a prompt and expeditious manner. Without limiting the conditions which may be imposed by Harbor District, Cal Poly agrees that for work performed by outside contractors, the Harbor District may require Cal Poly to provide Harbor District, at no expense to the Harbor District, evidence of a performance and/or payment bond or a lien and completion bond in an amount equal to one hundred percent (100%) of the estimated cost of the alterations or utility installations.

All work with respect to alterations and utility installations must be done in a good and professional manner and diligently prosecuted to completion to the end that the improvements on the Premises or to the Pier shall at all times be a completed unit except during the period of work.

Any alterations and utility installations shall be performed and done strictly in accordance with the laws and ordinances relating thereto. In performing the work of any alterations or utility

installations by contractor, Cal Poly agrees to use a bondable contractor. Cal Poly shall have the work performed in such a manner so as not to obstruct the access of any public areas or structures of the Harbor District including any fire lane access to the Pier.

Not less than five (5) days prior to commencing any alterations or utility installations in, on or about the Premises or the Pier, Cal Poly shall notify Harbor District in writing of the expected commencement date.

11.4 Taxes. Cal Poly shall pay before delinquency all taxes and assessments assessed or levied upon Cal Poly, the Premises or the Pier by reason of this Lease or upon any buildings, machines or other improvements of any nature whatsoever erected, installed or maintained by Cal Poly, or by reason of the business or other activities of Cal Poly upon or in connection with the Premises or the Pier, and shall pay any fees imposed by law for licenses or permits for any business or activities of Cal Poly upon the Premises or on the Pier, or under this Lease. CAL POLY ACKNOWLEDGES THAT THIS LEASE CREATES A POSSESSORY INTEREST VESTED IN CAL POLY WHICH MAY BE SUBJECT TO PROPERTY TAXATION, AND CAL POLY AGREES THAT CAL POLY SHALL PAY ANY AND ALL POSSESSORY INTEREST TAXES ASSESSED OR LEVIED ON SUCH INTEREST BEFORE DUE.

11.5 Utilities and Services. Cal Poly shall pay for all water, gas, solid waste disposal, sewer, power and electric current and all other utilities used by Cal Poly on the Premises or the Pier, together with any taxes thereon. If any such charges, which are separately metered, are not paid when due, Harbor District may pay the same (but shall not be obligated to do so), and any amount so paid by Harbor District shall be paid by Cal Poly to Harbor District as Additional Rent within thirty (30) days of written demand therefore by Harbor District. Cal Poly's pro rata share of any jointly metered service shall be based upon a fair and equitable cost recovery methodology such as the square footage of the buildings serviced and shall be paid by Cal Poly to Harbor District as Additional Rent within thirty (30) days of written demand therefore by Harbor District. Harbor District shall not be liable for damages or otherwise for any failure or interruption of any utilities or services being furnished to Cal Poly or to the Premises except for damages caused by the negligent or willful acts of the Harbor District.

Harbor District and Cal Poly are aware and agree that the water and sewer services are provided by the Avila Beach Community Services District ("ABCSD"), or its successor, and that this service includes the Harbor District's infrastructure (pipelines) at no cost to Cal Poly. Cal Poly agrees and is aware that they and the ABCSD are obligated to record monthly usage of the water and sewer flows and report to Harbor District, County of San Luis Obispo and to the ABCSD monthly. Cal Poly agrees that if any discrepancy of water or sewer flow rates are found to be in error, that Cal Poly will reimburse the Harbor District for any and all costs of water, and sewer services, including any retroactive expenses and/or penalties paid for by the Harbor District in error. The use of the Harbor District's water and sewer infrastructure is not guaranteed through the life of the Lease, and Cal Poly understands the Harbor District does not guarantee to provide water and sewer infrastructure services through the life of the Lease. The Harbor District, in its sole discretion, is not obligated to Cal Poly for this service and may prohibit Cal Poly from the use of these pipelines, by providing a six (6) month written notice of termination to Cal Poly. Harbor

District will have no other obligation to provide water or sewer services whatsoever to Cal Poly upon termination of pipeline(s) service. In the event sewer and water are discontinued in the future Cal Poly will have the option to terminate this Lease without recourse at its sole discretion and time, subject to the provisions contained in paragraphs 6,7,8 and 9 of this Lease.

Notwithstanding the above, Cal Poly may elect at any time, upon six (6) months written notice to the Harbor District, to install or accept alternative methods for its utilities or services if, in its sole discretion, it deems this reasonable or cost-effective.

12. COMPLIANCE WITH ENVIRONMENTAL LAWS

12.1 Definitions. For purposes of this Section:

1. "Hazardous Materials" means hazardous wastes, hazardous substances, hazardous constituents, toxic substances or related materials, whether solids, liquids or gases, including but not limited to substances defined as "hazardous wastes", "hazardous substances", "toxic substances ", "pollutants", "contaminants", "chemicals known to the State to cause cancer or reproductive toxicity", "radioactive materials", or other similar designations in, or otherwise subject to regulation under, the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended by the Superfund Amendments and Reauthorization Act of 1986 ("CERCLA"), 42 U.S.C. 9601 et seq.; the Hazardous Substances Account Act ("HSAA"), California Health and Safety Code 25300 et seq.; the Toxic Substance Control Act ("TSCA "), 15 U.S.C. 2601 et seq.; the Hazardous Materials Transportation Act, 49 U.S.C. 1802 et seq.; the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. 9601 et seq.; the Hazardous Waste Control Law ("HWCL"), California Health and Safety Code 25100 et seq.; the Safe Drinking Water and Toxic Enforcement Act of 1986, California Health and Safety Code 25249.5 et seq.; the Porter-Cologne Water Quality Control Act ("Porter-Cologne"), California Water Code 13000 et seq.; the Clean Water Act ("CWA"), 33 U.S.C. 1251 et seq.; the Safe Drinking Water Act, 42 U.S.C. 300 (f) et seq.; the Clean Air Act, ("CAA"), 42 U.S.C. 7401 et seq.; the California Air Pollution Control Law, California Health and Safety Code 39000 et seq.; and in the plans, rules, regulations or ordinances adopted, or other criteria and guidelines promulgated pursuant to the preceding laws or other similar laws, regulations, rule or ordinance now or hereafter in effect (collectively the "Environmental Laws"); and any other substances, constituents or wastes subject to environmental regulations under any applicable federal, state or local law, regulation or ordinance now or hereafter in effect.

2. "Environmental Conditions" means conditions of the environment, including the ocean, natural resources (including flora and fauna), soil, surface water, ground water, any present or potential drinking water supply, subsurface strata or the ambient air, relating to or arising out of the use, handling, storage, treatment, recycling, generation, transportation, release, spilling, leaking, pumping, pouring,

emptying, discharging, injecting, escaping, leaching, disposal, dumping or threatened release of Hazardous Materials by Cal Poly or Cal Poly's agents, representatives, employees or independent contractors.

3. "Environmental Noncompliance" means, but is not limited to: (1) the release or threatened release of any Hazardous Materials into the environment, any storm drain, sewer, septic system or publicly owned treatment works, in violation of any effluent or emission limitations, standards, or other criteria or guidelines established by any federal, state or local law, regulation, rule, ordinance, plan or order; (2) any noncompliance of physical structure, equipment, process or facility with the requirements of building or fire codes, zoning or land use regulations or ordinances, conditional use permits and the like; (3) any noncompliance with federal, state or local requirements governing occupational safety and health; (4) any facility operations, procedures, designs, etc. which do not conform to the statutory or regulatory requirements of CAA, CWA, TSCA, RCRA, HSAA, HWCL, Porter-Cologne or any other Environmental Laws intended to protect public health, Welfare and the environment; (5) the failure to have obtained required permits, variances or other authorizations necessary for the legal operation of any equipment, process, facility or any other activity; (6) the operation of any facility or equipment in violation of any permit condition, schedule of compliance, administrative or court order and the like.

4. "Claims" shall include, without limitation; claims, demands, suits, causes of action for personal injury or property damage (including any depreciation of property values, lost use of property, consequential damages arising directly or indirectly out of Environmental Conditions; actual or threatened damages to natural resources; claims for the recovery of response costs, or administrative or judicial orders directing the performance of investigations, response or remedial actions under CERCLA, RCRA, HSAA, RCPA or other Environmental Laws; a requirement to implement "corrective action" pursuant to any order or permit issued pursuant to RCRA; claims for restitution, contribution or equitable indemnity from third parties or any governmental agency; fines, penalties, liens against property; claims for injunctive relief or other orders or notices of violation from federal, state or local agencies or courts; and, with regard to any present or former employees, exposure to or injury from Environmental Conditions.

5. "Expenses" shall include any liability, loss, cost or expense including, without limitation, costs of investigation, cleanup, remedial or response action, the costs associated with posting financial assurances for the completion of response, remedial or corrective actions, the preparation of any closure or other necessary or required plans or analyses, or other reports or analyses submitted to or prepared by regulating agencies, including the cost of health assessments, epidemiological studies and the like, retention of engineers and other expert consultants, capital improvements, operation and maintenance testing and monitoring costs, power and

utility costs and pumping taxes or fees, and reimbursable administrative costs incurred by governmental agencies.

12.2 Environmental Indemnification by Cal Poly. Cal Poly agrees to indemnify Harbor District, and hold harmless Harbor District, its subsidiaries, affiliates, successors and assigns and their respective directors, officers, employees, shareholders, representatives and agents (hereinafter referred to collectively as "Harbor District") from and against and in respect of any and all Claims, damages (including, without limitation, diminution in value), losses, liabilities and Expenses, lawsuits, deficiencies, interest, penalties, and all amounts paid in defense or settlement of the foregoing, which may be imposed upon or incurred by Harbor District or asserted against Harbor District by any other party or parties (including Governmental Entities), in connection with any Environmental Conditions or the remediation of any Environmental Conditions or any Environmental Noncompliance arising out of, resulting from, or attributable to, business, or operations of Cal Poly at the Premises, including without limitation any Claims, Expenses, losses, liabilities, etc. resulting from the alleged exposure of any person to Environmental Conditions, resulting from activities of Cal Poly or Cal Poly's agents, representatives, employees or independent contractors, and the breach of any of Harbor District's representations and warranties below except for losses, etc. caused by the negligent or willful acts of the Harbor District. Cal Poly's obligations pursuant to this Section shall exist regardless of whether Harbor District is alleged or held to be strictly or jointly and severally liable.

12.3 Cal Poly's Remedial Action Responsibility.

1. With respect to any known or subsequently discovered Environmental Noncompliance or Environmental Condition resulting from activities of Cal Poly or Cal Poly's agents, representatives, employees or independent contractors, but excluding any condition existing prior to the commencement date of this Lease, and without in any way limiting the scope of Cal Poly's obligations under the Environmental Indemnification provisions of this Section, including Paragraph 12.2 above, as between Cal Poly and Harbor District, Cal Poly will be responsible for all investigations, studies, cleanup, corrective action or response or remedial action required by any local, state or federal government agency now or hereafter authorized to regulate environmental matters (hereinafter "Governmental Entities"), or by any consent decree, or court or administrative order now or hereafter applicable to the Premises, or by any federal, state or local law, regulation, rule or ordinance applicable to agencies of the State of California now or hereafter in effect.

2. As between Harbor District and Cal Poly, Cal Poly will pay all costs in connection with any legally mandated investigations, studies, cleanup, repair, and remedial

action relating to the matters acknowledged in Paragraph 12.1, including, without limitation, all capital improvements, installation, operation, maintenance, testing, monitoring costs, preparation of plans, designs, applications, studies and reports by or for Governmental Entities or other regulating agencies, the preparation of closure or other required plans, engineers, and other expert consultants.

3. As between Harbor District and Cal Poly, Cal Poly shall have the responsibility and right to participate in the management and control of all investigations and any environmental cleanup, remediation, or related activities relating to matters for which Cal Poly is responsible under this Agreement. Cal Poly, however, may not settle any claims made by a Governmental Entity or third party, without the express approval of Harbor District. Harbor District shall have the right to participate fully in any and all meetings, negotiations or decisions relevant to the final claim or remediation of Environmental Conditions on the Premises.

4. In the event that Environmental Conditions are discovered at the Premises subsequent to the date hereof, Cal Poly shall promptly notify Harbor District of the condition, and if Harbor District appropriately determines that such Environmental Conditions are attributable to the activities of Cal Poly's predecessors in interest (prior tenants of Harbor District), Harbor District shall have the mutual right and obligation to manage and control all investigations and any environmental cleanup, remediation, or related activities, and the mutual rights and obligation to negotiate with and to fulfill any requirements or Claims made by a Governmental Entity or third party related to such Environmental Conditions, including the right to settle or contest such requirement or third-party Claim. All costs and expenses related to prior tenant Environmental Conditions, Environmental Noncompliance, and any related claims shall be the sole obligation of the Harbor District and the prior tenants. Cal Poly is hereby indemnified against all prior actions of the Harbor District and its tenants.

12.4 Inspection Rights. Notwithstanding any other provision of this lease to the contrary, Harbor District shall have the right to enter and inspect the Premises, including but not limited to all structures thereon and the business operations of Cal Poly, upon reasonable notice and in a manner so as not to interfere unreasonably with the conduct of Cal Poly's business, to investigate the possibility of any Environmental Condition or Environmental Noncompliance at, upon, about or under the Premises. During such inspection, Harbor District shall have the right to take such samples and conduct such tests as it may reasonable determine is necessary or advisable. Cal Poly shall have the right to split samples of any samples so taken. The incurrence by Harbor District of any expense under the provisions of this Paragraph shall not impair any claim for indemnification Harbor District may have under the provisions of this Section.

12.5 Survival of Section. For a period of 12 months the provisions of this Section shall survive, and remain in full force and effect after the termination of the Lease Term or completion of removal of Pier, whichever is longer.

13. DAMAGE OR DESTRUCTION

13.1 Definitions. "Premises Partial Damage" shall herein mean damage or destruction to the Premises to the extent that the cost of repair is less than seventy percent (70%) of the fair market value of the Premises immediately prior to such damage or destruction. "Premises Total Destruction" shall herein mean damage or destruction to the Premises to the extent that the cost of repair is seventy percent (70%) or more of the fair market value of the Premises immediately prior to such damage or destruction. "Insured Loss" shall herein mean damage or destruction which was caused by an event required to be covered by the insurance described in Section 9.1.

13.2 Partial Damage-Insured Loss. If, during the term of this Lease, the Premises, the Pier or any other property required to be maintained or repaired by Cal Poly is partially destroyed from a peril covered by the insurance described in Sections 9.1 herein, rendering the Pier inaccessible or unusable for its intended purpose, Cal Poly shall, to the extent that the available insurance proceeds allow, restore such property to substantially the same condition as they were in immediately before destruction. Such destruction shall not terminate this Lease. If the existing laws do not permit the restoration, Cal Poly may terminate this Lease immediately by giving notice.

13.3 Total Destruction Due to Peril Covered by Insurance. If during the term of this Lease the Premises, Pier or any other property required to be repaired or maintained by Cal Poly are totally destroyed from a peril covered by the insurance described in Sections 9.1 herein, rendering the Premises or the Pier totally inaccessible or unusable for its intended purpose, Cal Poly shall restore such property, to the extent that the available insurance proceeds allow, to substantially the same condition as they were in immediately before destruction.

13.4 Destruction Due to Peril Not Covered by Insurance. If during the term of this Lease the Pier, the Premises or other such property required to be maintained or repaired by Cal Poly are totally or partially destroyed from a peril not covered by the insurance described in Section 9 herein, rendering the Pier totally or partially inaccessible or unusable, Cal Poly shall have the option of either terminating this Lease by giving Harbor District written notice of the termination within one hundred eighty (180) days of the destruction, or restoring the property to substantially the same condition as they were in immediately before destruction or as allowable within existing laws at the time.

Cal Poly shall normally have one (1) year from the date of destruction to begin restoring such property. If the property restoration is not so begun within such one-year period, the Harbor District, at its election, may terminate this Lease, provided, however, that if Cal Poly is diligently pursuing such repairs and construction is delayed due to the State permit process or other reasons beyond Cal Poly's control, Harbor District shall give Cal Poly a reasonable time to obtain such permits or otherwise remedy the reason for the delay. If Cal Poly does not restore the property as provided above and Harbor District elects to terminate this Lease, Cal Poly shall be responsible for the demolition or removal of the Pier and any such property and disposal of all debris caused by such demolition consistent within the provisions of Section 6, Removal. This Lease shall then terminate and Cal Poly shall surrender the Premises under Section 16, Defaults; Remedies. If the existing laws do not permit the restoration, Cal Poly can terminate this Lease immediately by giving

notice.

13.5 Damage Near End of Term.

1. In the event that Cal Poly has an option to extend or renew this Lease, and the time within which such option may be exercised has not yet expired, Cal Poly shall exercise it, if it is to be exercised at all, no later than sixty (60) days after the occurrence of an Insured Loss falling within the classification of Premises Partial Damage during the last three (3) years of the term of this Lease. If Cal Poly duly exercises such option during such sixty (60) day period, Harbor District Lease shall continue in full force and effect. If Cal Poly fails to exercise such option during such sixty (60) day period, then Harbor District may at Harbor District's option terminate and cancel this Lease as of the expiration of such sixty day (60) period by giving written notice to Cal Poly of Harbor District's election to do so within thirty (30) days after the expiration of such sixty (60) day period, notwithstanding any term or provision in the grant of option to the contrary.

13.6 Repair or Replacement. In the event the Pier is damaged or destroyed, any repair or replacement of the Pier shall be in a manner which is reasonably similar in architecture and structure to the Pier existing at the time of this Lease or as allowed within existing laws at the time.

14. EMINENT DOMAIN

14.1 Definitions of "Taking". "Total Taking" and of "Partial Taking". The term "taking" means the taking of all or a portion of the Premises by right of eminent domain or other authority of law, including a voluntary transfer under the threat of the exercise thereof provided, however, that Harbor District's exercise of its rights under this Lease or under law to recover possession of the Premises upon or after the expiration of this Lease or a default by Cal Poly shall not constitute a "taking". The term "total taking" means the taking of so much of the Premises that the remainder of the Premises is not suitable to conduct the business which Cal Poly intends to conduct therein. The term "partial taking" means the taking of a portion of the Premises which does not constitute a total taking as above defined.

14.2 Effect of Total Taking. If during the term of this Lease there shall be a total taking by public authority under the power of eminent domain, then this Lease and the leasehold estate of Cal Poly in and to the Premises shall cease and terminate as of the date the condemning authority takes actual physical possession of the Premises.

14.3 Effect of Partial Taking. If during the term of this Lease there shall be a partial taking of the Premises, this Lease, as to the portion of the Premises so taken, shall terminate on the date on which the condemning authority takes actual physical possession of such portion, but this Lease shall continue in full force and effect as to the remainder of the Premises. The Minimum Rent payable by the Cal Poly for the balance of the term shall be abated in proportion to the ratio that the remaining area of the Premises bears to the prior area of the Premises, and

Harbor District shall make all necessary exterior and structural repairs or alterations in order to make the remaining portion of the Premises a complete architectural unit. Both Harbor District and Cal Poly hereby waive the provisions of California Code of Civil Procedure Section 1265.130 allowing either party to petition the Superior Court to terminate this Lease in the event of a partial taking of the Premises.

14.4 Partial Taking During Last Two (2) Years of Term. Notwithstanding anything above to the contrary, in the event there shall be a partial taking of the Premises during the last two (2) years of the term of this Lease and Cal Poly has notified Harbor District that Cal Poly shall not exercise Cal Poly's option to extend the term or Cal Poly has no further options to extend the term, or in the event there shall be a partial taking of not less than thirty-three and one-third percent (33-1/3%) of the Premises, then either Harbor District or Cal Poly may elect to terminate this Lease by giving written notice to the other of such termination within ninety (90) days after the occurrence of such taking.

14.5 Effect of Termination on Payments. If this Lease is terminated pursuant to the provisions of this Section 14, then all Rent, other charges payable by Cal Poly to Harbor District hereunder shall cease to accrue as of the date on which possession is taken by the condemning authority and any Rent, and other charges paid by Cal Poly which are applicable to any period subsequent to the date possession is taken, shall be repaid to Cal Poly by Harbor District, and the parties shall thereupon be released from all further liability hereunder.

15. ASSIGNMENT, SUBLETTING, TRANSFER OR ENCUMBRANCE

15.1 Cal Poly shall not voluntarily assign, transfer, mortgage, sublet, or otherwise transfer or encumber all or any part of Cal Poly's interest in this Lease or in the Premises. Any attempted assignment, transfer, mortgage, encumbrance or subletting shall constitute a breach of this Lease.

16. DEFAULTS; REMEDIES

16.1 Default by Cal Poly. The occurrence of any one or more of the following events shall constitute a material default and breach of this Lease by Cal Poly:

1. Any failure by Cal Poly to pay the Minimum Rent, the Percentage Rent, the Additional Rent or to make any other payment required to be made by Cal Poly hereunder.

2. Cal Poly's abandonment or vacation of the Premises for a period of three hundred sixty (360) or more consecutive days of continual absence from the Premises; provided that Cal Poly shall not be required to operate or conduct its business on the Premises while Cal Poly is prevented from so doing by reason of any damage, destruction or condemnation (whether such damage, destruction or condemnation is partial or complete) or by any other reason beyond Cal Poly's control.

3. A failure by Cal Poly to observe and perform any other provisions of this Lease required to be observed or performed by Cal Poly, where such failure continues for

ninety (90) days after written notice thereof by Harbor District to Cal Poly; provided, however, that if the nature of such default is such that the same cannot reasonably be cured within such ninety (90)-day period, Cal Poly shall not be deemed to be in default if Cal Poly shall within such period commence such cure and thereafter diligently prosecute the same to completion.

16.2 Harbor District's Remedies

1. In the event of any material default not curable by Cal Poly, then in addition to any other remedies available to Harbor District at law or in equity, Harbor District shall have the immediate option to terminate this Lease and all rights of Cal Poly hereunder by giving written notice of such intention to terminate. In the event that Harbor District shall elect so to terminate this Lease, then Harbor District may recover from Cal Poly:

   (i) The worth at the time of award of any unpaid rent which had been earned at the time of such termination, plus

   (ii) The worth at the time of award of the amount by which the unpaid rent which would have been earned after termination until the time of award exceeds the amount of such rent loss that Cal Poly proves could have been reasonably avoided, plus

   (iii) The worth at the time of award of the amount by which the unpaid rent for the balance of the term after the time of award exceeds the amount of such rent loss that Cal Poly proves could be reasonably avoided, plus

   (iv) Any other amount necessary to compensate Harbor District for all the detriment approximately caused by Cal Poly's failure to perform its obligations under this Lease or which in the ordinary course of things would be likely to result therefrom; and

   (v) At Harbor District's election, such other amount in addition to or in lieu of the foregoing as may be permitted from time to time by applicable California law.

   The term "rent" as used herein shall be deemed to include Minimum Monthly Rent, Percentage Rent, Additional Rent and all other Rent sums required to be paid by Cal Poly pursuant to the terms of this Lease.

   As used in subparagraphs (ii) and (iii) above, the "worth at the time of award" is computed by allowing interest at the legal rate being charged by the state of California. As used in subparagraph (iii) above, the "worth at the time of award" is computed by discounting such amount at the discount rate

of the Federal Reserve Bank of San Francisco at the time of award not to exceed the legal rate payable by entities the state of California.

2. In the event of any incurable material default by Cal Poly, Harbor District shall also have the right, after terminating this Lease, to reenter the Premises and remove all persons and property therefrom by summary proceedings or otherwise; such property may be removed and stored in a public warehouse or elsewhere at the cost of and for the account of Cal Poly.

3. In the event of the vacation or abandonment (as defined herein) of the Premises by Cal Poly, or in the event that Harbor District shall elect to reenter as provided in paragraph (2) above or shall take possession of the Premises pursuant to legal proceeding or pursuant to any notice provided by law, and if Harbor District does not elect to terminate this Lease as provided in paragraph (1) above, then Harbor District may from time to time, without terminating this Lease, either recover all rent as it becomes due or relet the Premises or any part thereof for such rent or rents and upon such other terms and conditions as Harbor District in its reasonable discretion may deem advisable, with the right to make alterations and repairs' to the Premises.

In the event that Harbor District shall elect to so relet, then rents received by Harbor District from such reletting shall be applied first, to the payment of any indebtedness, other than rent due hereunder, owed by Cal Poly to Harbor District; second, to the payment of any cost of such relenting; third, to the payment of the cost of any reasonable repairs to the Premises; fourth, to the payment of rent due and unpaid hereunder, and the residue, if any, shall be held by Harbor District and applied in payment of future rent as the same may become due and payable hereunder. Should that portion of such rents received from such reletting during any months, which is applied to the payment of rent hereunder, be less than the rent payable during that month by Cal Poly hereunder, then Cal Poly shall pay such deficiency to Harbor District. Such deficiency shall be calculated and paid monthly. Cal Poly shall also pay to Harbor District, as soon as ascertained, any costs and expenses incurred by Harbor District in such reletting or in making such alterations and repairs not covered by the rents received from such reletting.

Additionally, in the event that Harbor District elects to relet the Premises as provided for herein, Harbor District agrees to make reasonable efforts to obtain rent from such future lessee which is equal to or greater than the then existing Rent due by Cal Poly.

4. No reentry or taking possession of the Premises by Harbor District pursuant to this Section shall be construed as an election to terminate this Lease unless a written notice of such intention be given to Cal Poly or

unless the termination hereof be decreed by a court of competent jurisdiction. Harbor District may at any time after such reletting elect to terminate this Lease for any such default by Cal Poly.

5. Harbor District, at any time after Cal Poly commits an undisputed default, can cure the default at Cal Poly's cost. If Harbor District at any time, by reason of Cal Poly's default, pays any sum or does any act that requires the payment of any sum, the sum paid by Harbor District shall be due immediately from Cal Poly to Harbor District at the time the sum is paid, and if paid at a later date shall bear interest as prescribed by the Prompt Payment Act. The sum, together with interest on it, shall be Additional Rent.

17. MISCELLANEOUS

17.1 Quiet Possession. Harbor District agrees that Cal Poly, upon paying the Rent and performing the covenants and conditions of this Lease, may quietly have, hold and enjoy the Premises during the term hereof.

17.2 Time is of the Essence; Unavoidable Delays. Time is of the essence with respect to the performance of each and every provision of this Lease to be performed by the Parties. Any prevention, delay or stoppage due to strikes, lockouts, labor disputes, acts of God, inability to obtain labor or other materials or reasonable substitutes therefore, governmental restrictions, governmental regulations, governmental controls, enemy or hostile government action, civil commotion, fire or other casualty, and other causes beyond the reasonable control of the party obligated to perform any term, covenant or condition of this Lease shall excuse the performance by such party for a period equal to any such prevention, delay or stoppage, provided that the term of this Lease shall not be extended by reason of any such prevention, delay or stoppage.

17.3 Estoppel Certificate. Harbor District may require Cal Poly to, within thirty (30) days after request, execute and deliver a certificate in recordable form stating that this Lease is in full force and effect, without modification except as may be represented in the written request. Cal Poly's failure to deliver the certificate within the thirty (30) days shall constitute an acknowledgment by Cal Poly that all matters stated in this Section are true and correct and may be relied upon by Harbor District and third parties.

17.4 Harbor District's Access. Harbor District and Harbor District's agents shall have the right to enter the Premises at reasonable times for the purpose of showing the same to prospective lessees, and making such alterations, repairs, improvements or additions to the Premises as Harbor District in its reasonable discretion may deem necessary. Harbor District may at any time during the last one hundred twenty (120) days of the term hereof place on or about the Premises any ordinary "For Lease" signs, all without rebate of rent or liability to Cal Poly.

17.5 No Partnership, Association, Joint Venture or Other Relationship. Nothing herein contained, either in the method of computing Rent or otherwise, shall create between the parties

hereto, or be relied upon by others as creating, any relationship of partnership, association, joint venture or otherwise. The sole relationship of the parties hereto shall be that of Harbor District and Cal Poly.

17.6 Creation of Nuisance. Notwithstanding the previous termination provision contained herein, should Cal Poly create or allow to be created an unreasonable nuisance on the Pier or on the Premises, such nuisance, if material, shall be deemed violation of a covenant hereof. Harbor District shall give Cal Poly written notice of such nuisance and Cal Poly shall have ninety (90) days of receipt of said written notice to cure. In the event of the termination of this Lease pursuant to the provisions of this Section, The parties shall have all rights to which it would be entitled in the event of the expiration or sooner termination of this Lease.

17.7 Conformance with Rules and Regulations. Cal Poly agrees that in all its activities on or in connection with the Premises and the Pier and in all its uses thereof, including the making of any alterations or changes and the installation of any machines or other improvements, it will comply with all covenants and restrictions of record and will abide by and conform to all applicable rules, regulations, ordinances and resolutions prescribed by the State, County of San Luis Obispo, and governing agencies, including tariffs, and any applicable laws of the State and the United States of America, as any of the same now exist or may hereafter be adopted or amended. Notwithstanding the foregoing, the Parties agree that no provision in this Lease is intended to be or to act as a waiver of the Parties' respective sovereign rights.

17.8 No Stipulation as to Duration of Public Facility. By entering into this Lease, Harbor District makes no stipulation as to the type, size, location, or duration of public facilities to be maintained within the Harbor District.

17.9 Non-Exclusiveness. It is expressly understood that all rights and privileges granted to Cal Poly hereunder are non-exclusive and Harbor District expressly retains the right to enter into other agreements which permit the same or similar uses to those permitted hereunder, whether or not on the same or similar terms or conditions as herein contained, for areas other than the Premises.

It is expressly understood that other Leasees, licenses or concessionaires of the Harbor District are and will continue to be allowed to conduct marine education and research activities, and Harbor District expressly retains the power to allow other existing leases, licenses or concessionaires and new leases, licenses or concessionaires the right to conduct marine education and research activities.

17.10 Alcoholic Beverages. Harbor District agrees that the sale of liquor, beer, wine or other alcoholic beverages at the Pier or on the Premises by either Cal Poly or any sub-tenant shall be prohibited without appropriate approvals and permits.

17.11 Control of Hours, Procedures and Prices. Cal Poly in anticipation of "24X 7X 365" operations, shall at all times maintain a written schedule delineating the operating hours and

operating procedures for education and research or special event operations on the Premises. Cal Poly shall upon request furnish Harbor District a copy of said schedules.

17.12 Nondiscrimination. Cal Poly agrees not to discriminate in any manner against any person or persons on account of race, marital status, religious creed, color, ancestry, national origin, age, or physical handicap in the performance of this Lease or in Cal Poly's use of the Premises, including but not limited to the providing of goods, services, facilities, privileges, advantages, and accommodation, and the obtaining and holding of employment.

Cal Poly shall require that a provision similar to that stated above be incorporated in all of its contracts or other forms of agreement made in connection with the use of the Premises pursuant to this Lease.

17.13 Signs. Cal Poly agrees not to construct, or allow any sign upon the Premises unless approved in writing by Harbor District. Such approval shall not be unreasonably withheld. Cal Poly shall remove unapproved signs, banners, flags, etc. at Harbor District's request. Signs required by law, for operations and for safety are excepted and do not require Harbor District approval.

17.14 Waivers. No waiver by Harbor District or Cal Poly of any provision hereof shall be deemed a waiver of any other provision hereof or of any subsequent breach by Cal Poly or Harbor District of the same or any other provision. Harbor District's or Cal Poly's consent to, or approval of, any act shall not be deemed to waive or render unnecessary the obtaining of Harbor District's or Cal Poly's consent to or approval of any subsequent act by Cal Poly or Harbor District. The acceptance of Rent hereunder by Harbor District or the payment of Rent hereunder by Cal Poly shall not be a waiver of any preceding breach by Cal Poly or Harbor District of any provision hereof, other than the failure of Cal Poly to pay the particular Rent so accepted, regardless of Harbor District's or Cal Poly's knowledge of such preceding breach at the time of acceptance or payment of such Rent.

17.15 Merger. The voluntary or other surrender of this Lease by Cal Poly, or a mutual cancellation thereof, or a termination by Harbor District, shall not work a merger, and shall, at the option of Harbor District, terminate all or any existing sub tenancies or may, at the option of Harbor District, operate as an assignment to Harbor District of any or all of such sub tenancies.

17.16 Severability. The invalidity of any provision of this Lease as determined by a court of competent jurisdiction shall in no way affect the validity of any other provision hereof. It is the intention of the parties hereto that if any provision of this Lease is capable of two constructions, only one of which would render the provision valid, then the provision shall be the meaning which renders it valid.

17.17 Headings. The titles of Sections herein are for convenience only and do not in any way define, limit or construe the contents thereof.

17.18 Incorporation of Prior Leases; Amendments. This Lease contains all prior agreements of the parties with respect to any matter mentioned herein. No prior agreement or understanding pertaining to any such matter shall be effective. This Lease may be modified in writing only, signed by the parties in interest at the time of the modification.

17.19 Governing Law and Venue. The laws of the State of California shall govern the construction, validity, performance and enforcement of this Lease. Should either party institute legal suit or action for enforcement of any obligation contained herein, it is agreed that the venue of such suit or action shall be in San Luis Obispo County, California.

17.20 Counterparts. This Lease may be executed simultaneously in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

17.21 Notices. Any notice required or permitted to be given under this Lease must be in writing and may be given by personal delivery, certified mail, or Express Mail, Federal Express or other such express delivery service. Notices shall be deemed communicated immediately if personally delivered. Notices shall be deemed communicated within forty-eight (48) hours from the time of mailing if mailed by certified mail, and within twenty-four (24) hours if mailed by express delivery service, excluding Sundays and holidays. Any such notice shall be deemed sufficiently given if addressed to Harbor District or Cal Poly at the address specified below the signature of the respective party, as the case may be. Either party may specify a different address for notice purposes, or specify that a copy of any notice given to such party be concurrently given to anther person, by giving appropriate notice to the other party.

To Harbor District:	Port San Luis Harbor District P.O. Box 249 Avila Beach, California 93424 Attention: Harbor Manager
With a copy to:	Sinsheimer, Schiebelhut, & Baggett P.O. Box 31 San Luis Obispo, California 93401-0031 (or then current legal counsel/address)
To Cal Poly:	Cal Poly State University 1 Grand Ave San Luis Obispo, CA 93407 Attention, President
With a copy to:	Cal Poly State University 1 Grand Ave., 01-128 San Luis Obispo, California 93407 Attention, Director of Contract & Procurement Services

17.22. **Lease Neither Construed For or Against Any Party.** The Parties hereto agree that both Parties contributed extensively to the drafting of this Lease, and further agree this Lease in its entirety or portions thereof shall not be construed for or against either Party.

18. APPROVAL BY DBW AND CALIFORNIA STATE UNIVERSITY'S BOARD OF TRUSTEES (BOT) REQUIRED BEFORE LEASE BECOMES EFFECTIVE.

THIS LEASE MUST BE APPROVED BY THE DEPARTMENT OF BOATING AND WATERWAYS OF THE STATE OF CALIFORNIA (DBW) AND SHALL NOT BE EFFECTIVE NOR BINDING UPON HARBOR DISTRICT UNTIL SO APPROVED. Approval shall be evidenced by letter or other acknowledgement instrument from the DBW within 90 days of signing this instrument. The first annual Rent payment is not due until DBW approval is acknowledged.

ADDITIONALLY, THIS LEASE IS CONTINGENT ON THE CALIFORNIA STATE UNIVERSITY'S BOARD OF TRUSTEES' ACCEPTANCE OF THE UNOCAL PIER GIFT AND OBTAINMENT OF THE NECESSARY ACCESS TO THE PIER FROM UNOCAL, AND THIS LEASE SHALL NOT BE BINDING UPON THE TRUSTEES OF THE CALIFORNIA STATE UNIVERSITY OR CALIFORNIA POLYTECHNIC STATE UNIVERSITY, SAN LUIS OBISPO, UNTIL SUCH ACCEPTANCE OF SAID GIFT AND OBTAINMENT OF SAID ACCESS OCCUR.

19.0 WAIVER OF RIGHTS.

By accepting the terms of this Agreement, neither Party waives any of their sovereign immunity rights.

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20.0 POINTS OF CONTACT.

Cal Poly will assign as the single point of contact (SPOC) for all academic exchanges regarding the programs and operations on the premises as the Dean of the college of Science and Math. The SPOC may be changed at any time with 30 days notice or upon immediate need of the University. For all matters related to the administrative or contractual requirements of this lease the SPOC will be the Director of Contract and Procurement Services. The Harbor Master will be the initial point of contact for the Harbor District on matters relating to this lease.

IN WITNESS WHEREOF, the duly authorized representatives below, as of the date first written above, execute this Lease in four counterparts.

California Polytechnic State University, San Luis Obispo:

for Dr. Warren Baker,
President

MATTHEW ROBERTS, DIRECTOR
CONTRACT & PROCUREMENT SERVICES
CAL POLY STATE UNIVERSITY
SAN LUIS OBISPO

Trustees of the California State University:

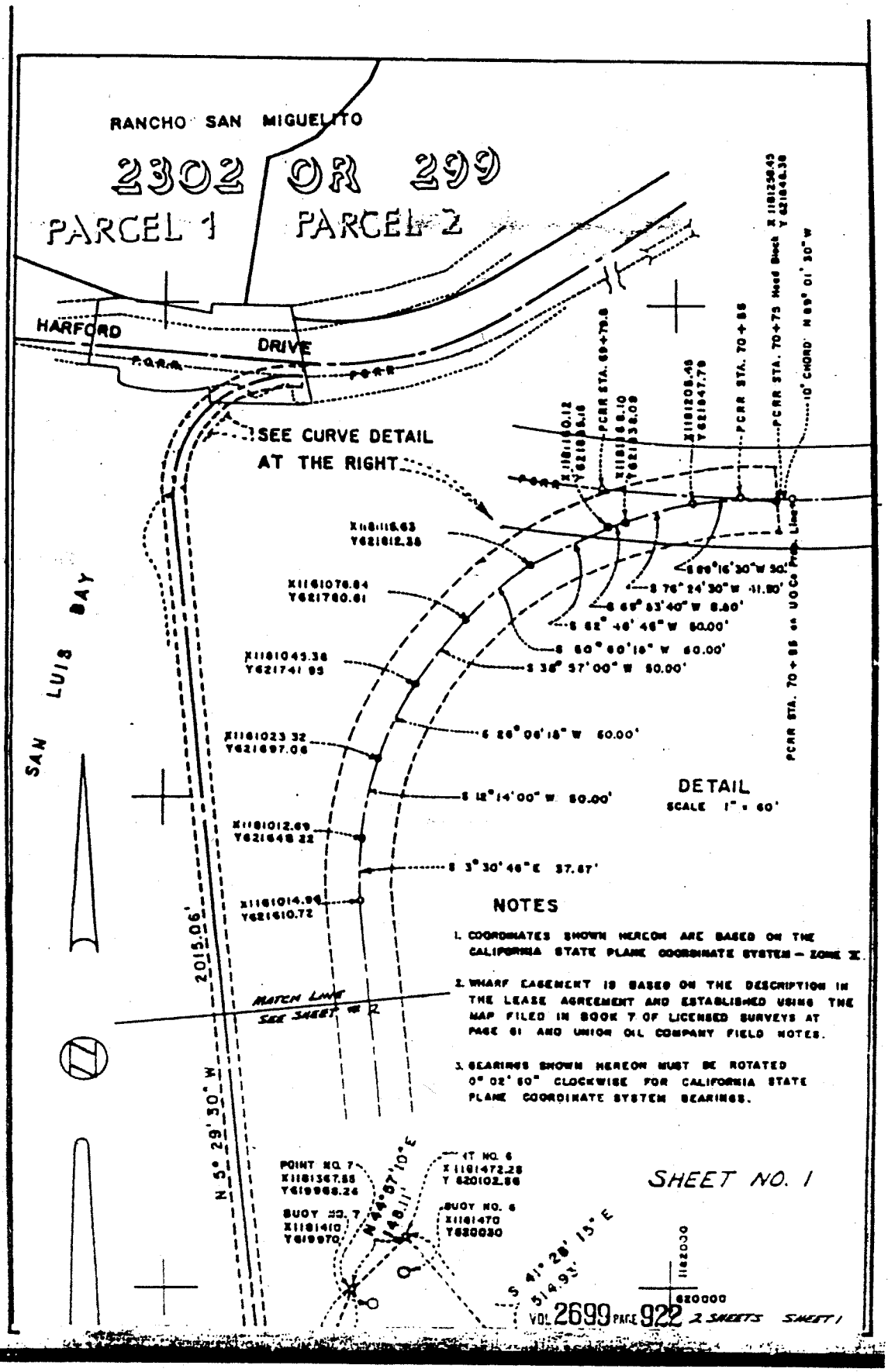
Patricia Dayneko,
Director, Contract Services & Procurement

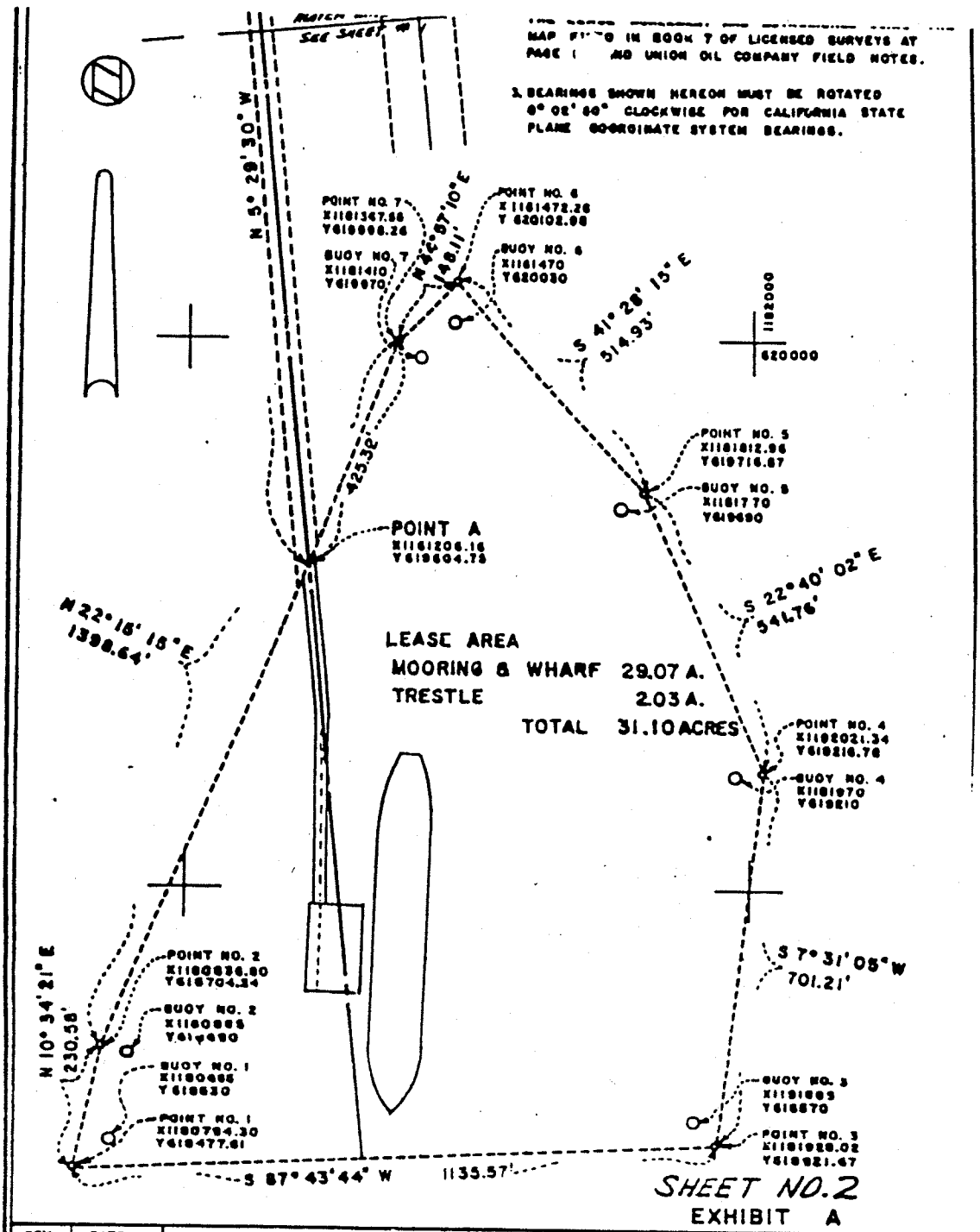
San Luis Harbor District:

Carolyn Moffatt
President, Board of Harbor Commissioners

Jack Scarbrough
Secretary, Board of Harbor Commissioners

Exhibit A: Maps consisting of two (2) pages; Drawing 198-284-3, dated Sept. 14, 1984
Exhibit B: Initial Conceptual Plan for Pier consisting of three (3) pages.
Exhibit C: Parking Plan consisting of one (1) page.


RANCHO SAN MIGUELITO
2302 OR 299
PARCEL 1
PARCEL 2
HARFORD DRIVE
SEE CURVE DETAIL AT THE RIGHT
SAN LUIS BAY
DETAIL
SCALE 1" = 60'
NOTES
1. COORDINATES SHOWN HEREON ARE BASED ON THE CALIFORNIA STATE PLANE COORDINATE SYSTEM — ZONE V.
2. WHARF EASEMENT IS BASED ON THE DESCRIPTION IN THE LEASE AGREEMENT AND ESTABLISHED USING THE MAP FILED IN BOOK 7 OF LICENSED SURVEYS AT PAGE 61 AND UNION OIL COMPANY FIELD NOTES.
3. BEARINGS SHOWN HEREON MUST BE ROTATED 0° 02' 50" CLOCKWISE FOR CALIFORNIA STATE PLANE COORDINATE SYSTEM BEARINGS.
MATCH LINE SEE SHEET NO 2
SHEET NO. 1
VOL 2699 PAGE 922 2 SHEETS SHEET 1



SHEET NO. 2

EXHIBIT A

REV	DATE

RIGHTS OF WAY

WHARF NO. 2 AND VICINITY

TOWN OF AVILA PORT SAN LUIS OBISPO
COUNTY OF SAN LUIS OBISPO, CALIFORNIA

UNION OIL COMPANY OF CALIFORNIA

DRAWN JAH CKD FLN
APPD
SCALE 1" = 300'
DATE

198-284-3

23 SHEETS SHEET 2

END OF DOCUMENT

VOL 2699 PAGE 923

Exhibit B

CONCEPTUAL PLAN FOR CONVERSION OF THE UNOCAL PIER AT AVILA BEACH TO A MARINE SCIENCE EDUCATION AND RESEARCH FACILITY

Cal Poly plans to use the former Unocal Pier as a marine science education and research center. Facility needs will be consistent with this focus and with the student priority of the University. All improvements will be in accordance with provisions of the Lease for such activities.

Initial, Short Term, Start Up Plans

Following are some preliminary, conceptual plans for the pier in terms of new facilities or renovation of existing facilities. The facilities described are anticipated for acquisition during the initial start-up period of the education and research center.

1. Existing Building: This facility will likely be renovated to accommodate a technician work area, office, and conference room. Initially this building will be used to start the program and begin research. Little change to the exterior is anticipated.

2. Classroom Facility: Cal Poly plans to conduct small classes up to an enrollment of about 30. Initially, the existing building would be used as a small classroom facility.

3. Laboratory: Although many of our laboratory and classroom facilities will be on campus, Cal Poly will need some on-site scientific laboratory facilities. Initially, the existing building would be used. The classroom and laboratory facility would be the same early on..

4. Storage Facility: For maintenance and scientific equipment storage.

5. Meteorological Station: Instruments will be contained in existing building, which already has a pole for external equipment.

6. Holding Tanks: Several seawater tanks with sun screens for maintaining collected marine organisms. This tank area would likely be in the southeast corner of the existing platform.

7. Seawater Pumping and Circulation System: System will maintain seawater in the holding tanks by pumping water from and returning water to the ocean. Intake will likely be in a protected area under the existing platform. The pump and filtration system will likely be located next to the east side of the boat house.

8. Small Boats and Scientific Equipment Launching Facility: Minor modifications to present boat house may be necessary to meet the objectives of the program. Boats will be stored in the boat house and to the north of the boat house next to the hoist.

9. Transportation Vehicle: In addition to a couple passenger vans and a truck for moving boats, a vehicle, preferably electric, for transporting people and materials along the pier is anticipated.

10. Identification Signs: Several professional, medium size signs identifying the pier as the Cal Poly Marine Science Education and Research Center.

Mid-Range Plan

Education and Research Center on Main Platform

1. A mobile structure is proposed for the classroom and laboratory. This structure(s) would be located in the southeast corner of the platform.

Long Range Plans

Long range plans for the education and research center do not differ conceptually in a significant way from the immediate start up plans. The anticipated structures will serve the same purposes as the initial more temporary facilities but they will be of a more modern, sophisticated and permanent nature. The permanent facilities for the center will be coordinated and appropriately interconnected and involve the following components (areas are approximate as no designs have been made; facilities will have to conform to ability of the pier to support them in both weight and area; facilities will compliment the appearance of the pier.)

Education and Research Center on Main Platform

1. Marine Research Laboratory: 2500 sq.ft. of student-faculty research space connected with the seawater circulation system.

2. Technician Office and Equipment Design/Maintenance Facility: 300 sq.ft.

3. Conference Room: 300 sq.ft.

4. Faculty Offices: 4-6 at 100 sq.ft. each.

5. Student Study Space and Computer Room: 300 sq.ft.

6. Classroom/Seminar Room: 600 sq.ft.

7. Storage: 400 sq.ft.
8. Maintenance: 300 sq.ft.
9. Cal Poly Education and Research Center, possibly at the base of the pier.
10. Reception Area: Small lobby, clerical, restrooms, showers, safety equipment.

Launching and Receiving of Boats and Ships

Marine science research at the pier will require the launching of boats and specialized scientific equipment. Modifications to the existing boat launching facilities may be necessary. Cal Poly will receive research vessels sponsored by the National Science Foundation or other marine science research centers and institutions.

Exhibit C

PARKING PLAN

This Parking Plan will be implemented to minimize any parking or traffic issues as a result of Cal Poly's activities. In addition to the parking restrictions set forth in the following specific plans concerning active educational, research, marine-related public and other uses, no parking will occur on Harbor District property at any time without first obtaining written permission from the Harbor District. Such permission shall not be unreasonably withheld.

Active Educational and Research Use

There are two major types of activities that will occur routinely on the pier: research activities and scheduled class activities.

Research Activities: Normal research activities will involve anywhere from one or two to occasionally a dozen individuals at a time. These activities could occur anytime day or night, seven days a week. **Parking Plan:** Participants will park in the designated parking area at the base of the pier. Carpooling will be encouraged as practical.

Class Activities: Scheduling of Cal Poly classes and laboratories at the pier will normally involve 15 to 30 students at a time. **Parking Plan:** We will utilize Cal Poly vans and buses for class transportation as practicable. In the absence of campus vehicles, we will arrange organized carpools so that the actual number of vehicles will be minimized and to be accommodated in the designated parking area at the base of the pier.

Marine Related Public Use

Meetings, Seminars and Events: Meetings, seminars and events will infrequently occur and probably involve 25 to 50, but not greater than 100 people without prior written approval. **Parking Plan:** Cal Poly will reasonably require the use of buses and vans, and will further encourage carpooling, so as to mitigate traffic issues, so as to minimize the number of vehicles parking on-site, and so as to not exceed on-site parking unless given prior written approval by the Harbor District to do so, which approval shall not be unreasonably withheld.

Other Uses

The parking plan shall be determined as part of proposed new other use which first requires the written prior approval of the Harbor District pursuant to the terms of the Lease. Such parking plan approval shall not be unreasonably withheld.

CAL POLY
Center for Coastal Marine Sciences

Center for Coastal Marine Sciences

Fiscal Year 2017-18
ANNUAL REPORT

CAL POLY CENTER FOR COASTAL MARINE SCIENCES

Annual Report 2017-2018

OVERVIEW

The Cal Poly Center for Coastal Marine Sciences (CCMS) was established in 2002 with the mission to foster hands-on learning and address pressing issues in ocean health and marine resources. The CCMS is an interdisciplinary group of faculty, staff and students with teaching and laboratory facilities at the Cal Poly pier facility donated by Chevron (formerly Unocal) in Avila Beach and spread throughout the campus in five different departments from three different colleges.

CCMS has had several exciting developments and accomplishments in the 2018 fiscal year. We continued work funded by the National Science Foundation to update the Cal Poly Pier Boat Landing, which has been unusable for safety reasons for the past several years. Construction has begun on this project.

At CCMS, we actively pursue the Cal Poly "Learn by Doing" approach in education of students in the marine sciences. Our faculty and students have been robustly engaged in research, teaching and outreach during the 2018 fiscal year. Our CCMS faculty, staff, and students have published 19 papers/book chapters in peer-reviewed journals/edited volumes and 61 presentations at scientific conferences for the year. The Center procured over $1.67 million in external funding last year to support undergraduate and graduate research projects and center activity. We have graduated 9 MS students and worked with over 180 undergraduates on research projects (26 Undergraduate Theses). In addition, CCMS faculty, staff, and students have been engaged in community outreach, with 20 presentations to lay audiences and two open house events (over 2500 visitors) at our Pier facility.

The CCMS houses the only marine research laboratory facility between Santa Barbara and Monterey and provides a vital resource for not only CCMS sponsored research but also for researchers and government workers from other institutions and agencies. In FY2018, we had several visiting researchers, education groups and government agencies utilizing our pier facility and the resources available through CCMS. The CCMS pier provides 2,000 sq. ft. laboratory space, with an overall usable space offshore of 40,000+ sq. ft. for field-based experiments, field-testing of sensors and platforms, educational activities, and small vessels launch for nearshore research and collections. The facility has full wireless Internet connectivity, a classroom, conference room and workshop. The CCMS also owns and operates four small vessels used for nearshore research and teaching and a 26' vessel for longer-range work. The pier facility has a high quality flowing seawater system that allows us to maintain marine life in natural seawater and conduct large-scale, long-term experiments and course projects.

MISSION

To promote and facilitate interdisciplinary studies of coastal marine systems for the purpose of addressing pressing issues facing our ocean resources and fostering hands-on learning through discovery and outreach by our students, faculty, and staff.

VISION

The vision of the Center for Coastal Marine Sciences is to foster an atmosphere where an intellectually engaged group of students, staff and faculty can contribute their expertise to understand and solve meaningful and pressing problems of our coastal ocean and to connect our expertise to coastal communities. Through integrated research and teaching and the 'Learn by Doing' philosophy we aim to become one of the premier institutes for undergraduate education in marine science for the nation. The CCMS also aims to strengthen future relationships with other research institutions, community organizations and policy makers to provide sound scientific solutions to issues in marine science within the San Luis Obispo geographic region and worldwide.

FISCAL YEAR 2018 CENTER ACCOMPLISHMENTS

IMPROVEMENTS TO CAPITAL AND CENTER RESOURCES

Pier Landing Facilities Improvement Grant

The National Science Foundation has funded a facilities improvement grant for the pier. That we received funding from the NSF for such an improvement is a testament to the reputation of the research and education being carried out by the faculty, staff and students of the CCMS. The NSF only funds projects at facilities where they understand high quality research and education to be taking place as they see it as in investment in programs that will procure future support from the NSF. We signed a contract with Maino Construction in March, construction began in September. We hope to complete construction during November or December 2018

Pier Utility Infrastructure Replacement

The utility infrastructure at the pier is now over 30 years old and is reaching the end of serviceable use. In conjunction with Facilities Services, a major replacement planning effort was begun in late 2016. An engineering design firm is under contract to develop planning and cost estimates. To accommodate budgeting and pier use considerations, a phased approach addressing the most critical needs first is being implemented.

1. Electrical: The electrical switch gear at the base of the pier regulates incoming power distribution to the pier and replacement of this equipment will be addressed first. Design work is complete, and construction is expected to begin late 2018 or early 2019. Accommodations will be made to

avoid prolonged power interruptions and no alterations in pier use are expected.

2. The utility conduit from the base to the end of the pier is failing (some have failed). Replacing the steel conduit with corrosion resistant PVC and relocating the runs to horizontal utility trays will provide the best protection and access for long-term stability (the trays will be covered). In addition, because the tray elevation will remain below the roadway elevation, expansion of the roadway will be feasible (once the oil pipes are removed, see below). Preliminary design on this work is complete. Installation timeline TBD.
3. Potable Water Supply Replacement**:** Install new HDPE potable water supply from base to platform end of the pier. While the site is supplied by a single domestic water line, the feed onto the pier is split into a "potable" (2" HDPE) line and a "fire fighting" (6" steel) line at the parking lot. Both of these lines are failing and have resulted in over $50k in repairs in recent years. The current plan is to abandon both of the existing lines and install a new single 4" HDPE line to the end of the pier to serve both potable and fire fighting needs. The existing 6" steel pipe will be repurposed as a raceway to feed the new 4" HDPE line, resulting in significant savings over installing a support system for the 4" line. Preliminary design on this work is complete. Installation timeline TBD.
4. Replace all roadway lighting with dimmable LED fixtures (24 fixtures): Preliminary design on this work is complete. Installation timeline TBD.
5. Install fiber optic cable from parking lot to the end of the pier: We are currently using a T1 line for all broadband communication. AT&T is in the process of phasing out this service and replacing existing T1 service with fiber optic. Routing fiber to the pier has been cost prohibitive before now because previous cost estimates tasked Cal Poly with paying for installation of new infrastructure outside the pier property. Phasing of this work is contingent on AT&T installation planning. Installation timeline TBD.
6. Removal of 15,000 feet of existing oil piping from the pier: A feasibility assessment has been initiated to determine the best method for removing the oil piping from the pier. Removal of the pipe prior to the utility work beginning will save costs by allowing direct access for new conduit installation. In addition, approximately 30,000 square feet of space now occupied by oil pipe will be "recovered". This space could be repurposed for additional lab/office space, boat storage and a vehicle passing lane. A pedestrian walkway could also be installed partially onto the pier. Access onto the pier is a requirement of our current Public Access Plan approved by the California Coastal Commission.

CCMS Scientific Boating Program

The CCMS has an active boating program that includes 6 boats and 9 trained operators. Our vessels are used to support diving operations (see below), classes and research-based field work. In fiscal year 2018, there were 70 underway days logged with no incidents or accidents to report.

Number and Class of Boats:

(1) 21' Munson, Class I
(1) 19' Zodiac Mark V, Class I
(1) 16' Bayrunner, Class I
(1) 13' Boston Whaler, Class A
(1) 13' kayak, Class A
(1) 26' Radon Signature, Class II

CCMS Scientific Diving Program

The CCMS Scientific Diving Program was first established in 2009 to support the research and educational missions at Cal Poly. The dive program became an AAUS (American Academy of Underwater Sciences) organizational member in 2011. In FY2018, our program logged significant activity as detailed below:

Total Divers in Program: 35

Number of undergraduate students in dive program =16
Number of Grad Students in dive program = 8
Number of active graduate students with projects *utilizing diving* = 4
Number of Faculty in dive program = 7
Number of Staff in dive program = 4
Number of Dives made this year = 1077
Total Bottom time = 53,561 min or 892h, 41min or about 5 weeks & 2 days

The majority of our diving took place on the coast of California, with dive sites as far north as Mendocino County, and as far south as the Channel Islands, including, Santa Barbara, Big Sur and Monterey. We also had divers working in more remote locations such as St. Croix.
Each August, we offer Cal Poly's Scientific Diving course (MSCI 410). The class (12-dives, 100-hours contact time), meets the American Academy of Underwater Sciences' standards for scientific diver training. Topics covered include, but are not limited to: CPR, 1st Aid & Oxygen Administration, Diver Rescue & Beach & Vessel Extrication, Diving Emergency Management, Dive Planning, Diving Physics & Physiology, U/W Navigation, Search & Salvage, Species ID, Sediment Coring, Swath/Transect sampling, Random Point Contact, and Marlinspike Seamanship.

STUDENTS SERVED

In FY2018, 183 undergraduate students were working in CCMS faculty laboratories (a small number of students have been working in two labs simultaneously and therefore this number is not unique students). CCMS undergraduate students submitted 25 senior theses during this time period. In addition, 17 master's students were working in CCMS faculty labs and conducting research in the field of marine science, and 9 graduate students earned a M.S. degree at Cal Poly in FY2018 (See table below). In addition, we estimate that 60 Cal Poly students made over 900 visits to the pier for research purposes and over 1000 student visits were made to the pier facility for classroom purposes (see next section).

Table 1. Students advised

Faculty	Undergrad. Students	Senior Theses	Graduate Students	M.S. Degrees Earned	Postdocs
Nikki Adams	11	5	2	1	0
Bridget Benson	17	2	1	1	0
Emily Bockmon	9	0	1	0	0
Jennifer Carroll	2	1	0	0	0
Clinton Francis	1	1	3**	0	0
Kristin Hardy	9	3	2	0	0
Gita Kolluru	0	0	0	0	0
Sean Lema	20	2	2	1	0
Heather Liwanag	17	1	2 + 1***	0	1
Lisa Needles	14	4	1	0	0
Jennifer O'Leary	*	*	1	1	0
Alexis Pasulka	13	1	1	0	0
Ben Ruttenberg	18	1	3	1	1***
Lars Tomanek	10	0	3	4	2
Ryan Walter	5	0	3**	2**	1***
Dean Wendt	10	0	1+1***	0	0
Crow White	27	5	0	0	1***
Total	**183**	**26**	**21**	**9**	**4**

* Did not respond to request so no data were available

** Committee Member (not the lead advisor) for non-Cal Poly students

***Co-advised

PROGRAMMATIC USE OF THE CCMS PIER FACILITY

This year students and faculty doing research, industry through our fee for service arrangement, and students as part of courses used the pier facility heavily. The pier facility of the CCMS has also hosted numerous meetings for both on and off-campus entities. The statistics are summarized below.

Courses

A total of 20 classes visited the CCMS pier facility in fiscal year 2018. A total of 1071 students accessed the pier for course work, representing an increase of approximately 300 students over the previous fiscal year. For a full breakdown of courses using the pier facility see below:

Summer 2017	Number of Students
Cuesta College, Marine Biology	22
Cuesta College, Oceanography	25
MSCI 410, Scientific Diving	8
CRP 470, Planning and Urban Ecology	33
Summer total:	**88**

Fall, 2017	
Biology 263, Intro to Ecology and Evol.	312 (13 labs)
MSCI 440, COSIA (Com Ocean Sciences)	23
MSCI 437 Marine Botany	24
MSCI 303, Ocean Sampling Techniques	36 (3 labs)
ME 428-430 Senior Project	6
Santa Barbara City College Marine Tech	20
Cuesta College Oceanography	33
Cuesta College Marine Biology	50 (2 labs)
CSU Channel Islands Coastal Management	28
Fall total	**532**

Winter, 2018	
CRP 545, CEQA Permitting	72 (3 labs)
MSCI 328, Marine Ecology	70 (2 labs, pier and vessel ops in Morro Bay)
MSCI 324 Marine Mammals,Birds and Reptiles	24 (4 TLR boat ops)
Biology 336, Invertebrate Zoology	25
ME 428-430 Senior Project	15
Cuesta College Marine Biology	60 (2 labs)
Cuesta College Oceanography	32
Winter total	**298**

Spring, 2018	
Biology 263, Intro to Ecology and Evol.	96 (4 labs)
MSCI 328, Marine Ecology	72 (2 labs, pier and vessel ops in Morro Bay)
MSCI 437, Fisheries	18
ME 428-430 Senior Project	15
CRP 440, City and Regional Planning	38
Santa Barbara City College Marine Technology	41 (2 labs)
CSC 570 Computational Intelligence	12 (student projects)
Spring total	**292**
Total for Fiscal Year	**1122 students**

Cal Poly Faculty Utilizing the Pier for Research

Twenty Cal Poly faculty from eight departments used the CCMS pier facility and the associated resources (Scientific Diving, Scientific Boating, Flowing Seawater Facility) for research. There were approximately 100 students who participated directly in research projects at the pier, including approximately 15 graduate students and 85 undergraduate students. During the course of their work, the sixty students made approximately 900 total visits to the pier. Below is a breakdown by department of faculty conducting research at the CCMS pier facility.

Table 2. Use of the Cal Poly Pier

Department	**PI last name**	**No. undergrads**	**No. grad students**
Biology	Adams	6	2
Biology	Hardy	3	2
Biology	Kolluru	0	0
Biology	Lema	13	2
Biology	O'Leary	4	0
Biology	Liwanag	0	0
Biology	Needles	14	1
Biology	Pasulka	13	0
Biology	Ruttenberg	3	1
Biology	Tomanek	10	2
Biology	Wendt	0	0
Biology	White	22	0
Chemistry	Bockmon	9	1
Chemistry	Carroll	0	0
Math	Choboter	0	0
Physics	Bensky	0	0
Physics	Walter	3	2
Elec Eng	Benson	0	0
Mech Eng	Ridgely	0	0
Comp Sci	Kurfess	10	2
Comp Eng	Slivovsky	4	0

Major Meetings and Visitors Hosted

CCMS hosted more than 29 visits by a wide variety of Cal Poly and non-Cal Poly groups that were not associated with courses, research or public outreach. The major visits are listed below:

Community or Professional Groups, Non-profit Educational and Research Support non-Cal Poly

- State Senator Bill Monning, CODAR site visit
- KCBX Public Radio, Installation of FM signal repeater equipment
- California Regional Water Control Board
- California Science Teachers Conference Tour
- Central Coast Aquarium Society
- CA Department of Fish and Wildlife
- NMFS vessel and collections support
- Avila Community Services District
- Port San Luis Yacht Club
- Port San Luis Harbor Patrol
- Morro Bay High School Job Shadow Students
- Cal Fire, Avila Beach
- Morro Bay National Estuary Program
- Cabrillo Aquarium, animal collections and holding
- Central Coast Aquarium, provide marine organisms for display and filtered seawater for aquaria.
- Morro Bay National Estuary Program, provide vessel support in Morro Bay
- Morro Bay Bird Festival Tour
- California Dept of Health Services Paralytic Shellfish-Poisoning Program
- Dr. Chris Lowe, CSU Long Beach, Shark tagging research
- Rancho El Chorro Outdoor Education Program, provide marine organisms for display and access to filtered seawater for aquaria.
- Marine Mammal Center
- PG&E Community Outreach Program
- UCSB Marine Collectors, facilitated collection of specimens from pier structure

Cal Poly Cal Poly based groups hosted

- CCFRP Angler Appreciation BBQ and Training session
- CODAR support and data collection
- CSM Advising Center Retreat
- Cal Poly Facilities Services Staff Lunch and Tour
- Dr. Emily Taylor, Biological Sciences, writing retreat.
- Cal Poly Police Department tour

Private Industry Research Partners (Fee-For Service)

- Draper Labs and Western Range NGA Support Branch, Vandenberg AFB. Conducted gravimetric measurements.

OUTREACH AND EDUCATION

Presentations to community organizations, agencies, or elected officials:

(**undergraduate student author; *graduate student author)

Ellis, T. ** and R.K. Walter, Drivers of variability in a small coastal embayment, *CSM Parent's Weekend Research Talks*, October 2017. (talk)

Harris, H.S. Leatherback turtle health: a One Health perspective for conservation. California Leatherback Day, NOAA Fisheries/Moss Landing Marine Laboratories, Moss Landing, CA, October 2017.

Harris, H.S. Living dinosaurs: leatherback sea turtles on the central coast. Sharks after Dark, Central Coast Aquarium, Avila Beach, CA, November 2017.

Harris, H.S. Preparing for cold-stunned sea turtle response. The Marine Mammal Center, Morro Bay, CA, July 2018.

Jenkins, MF*, DE Wendt, LA Needles (2017). The Carnivore Connection: How Sea Otters, Crabs, and Encrusting Critters Relate in Morro Bay. Morro Bay Natural History Museum, Sea Otter Awareness Week. September 29th, Morro Bay, CA. (talk)

Lema, S.C., Linking conservation physiology and fisheries ecology to assess the effectiveness of Marine Protected Areas (MPAs). Invited talk, Morro Bay National Estuary Program's *Morro Bay Science Explorations* series. (June 2018)

Liwanag, H.E.M. Elephant seal resights: Citizen science at Piedras Blancas. Friends of the Elephant Seal Docent Dinner, Morro Bay, CA. August 2018.

Liwanag, H.E.M. Pinnipeds: Seals, sea lions, and walrus. California State Parks Docent Training, San Simeon, CA. July 2018.

Liwanag, H.E.M. Population studies at Piedras Blancas: Getting to know our elephant seals. Meet the Scientists, Piedras Blancas Light Station, San Simeon, CA. July 2018.

Liwanag, H.E.M. Growing up on ice: Development of Weddell seal pups in Antarctica. Talks on Tap, 7Sisters Brewing, San Luis Obispo, CA. January 2018.

Liwanag, H.E.M. Growing up on ice: Development of Weddell seal pups in Antarctica. Sharks After Dark, Central Coast Aquarium, Avila Beach, CA. January 2017.

Liwanag, H.E.M. Development of thermoregulation and diving in Weddell seals. Public science lectures, McMurdo Station, Antarctica. November and December 2017.

Roycroft, M. V.*, B. I. Ruttenberg. Parrotfish, algae, and corals: can we save the Caribbean? Friends of Buck Island Reef National Monument. Jointly presented public seminar. St. Croix, USVI. July 2017.

Ruttenberg, B. I. Cal Poly Center for Coastal Marine Science Renewable Energy Research. Invited speaker for briefing for Army Legislative Liaison and U.S. Congressional staffers on Sustainability at Cal Poly. Apr. 2018.

Ruttenberg, B. I. Cal Poly Center for Coastal Marine Science Renewable Energy Research. Invited remarks during press conference hosted by Congressman Salud Carbajal to announce "Energy Opportunity Zone Act." Avila Beach. Apr. 2018.

Tomanek, L. Climate change: How we can change? Morro Bay Bird Festival 2018.

Walter, R.K. Hydrodynamics in a seasonally low-inflow estuary following eelgrass collapse, *Morro Bay Eelgrass Mini Symposium*, June 2018. (invited talk).

Walter, R.K. What Lies Beneath: Internal Waves in the Ocean, *Central Coast Aquarium Sharks After Dark*, March 2018. (invited talk)

Waltz, G.T. Rockfish and marine protected areas: examining the effect of more than a decade of groundfish protection in San Luis Obispo County. *Morro Bay National Estuary Program Science Explorations.* (invited talk). June 2018.

White, C. Tradeoff Analysis Tool Introduction. Ocean Tipping Points Community of Practice workshop (three 180-minute instructional seminars to 34 managers of U.S. and international government agencies charged with marine ecosystem management). November 2017.

Pier Open House

CCMS held two open house events for the Cal Poly Pier facility, in Fall of 2017 and Spring of 2018. The open house showcased the research and education activities being conducted through CCMS. There were over 2500 visitors from the San Luis Obispo community and beyond that visited our Pier facility during these events.

SCHOLARLY ACTIVITIES

The faculty, staff and students at CCMS have been actively engaged in scholarly activities in the 2017 fiscal year. Many of the publications have come from collaborative efforts with other CCMS faculty and students as well as researchers from other institutions. CCMS faculty and students have presented 61 presentations at professional meetings and produced 19 papers in peer-reviewed scholarly journals/book chapters. Importantly, the majority of the presentations and papers have Cal Poly students as authors.

Presentations at Professional Meetings and Departmental Seminars

(**undergraduate student author; *graduate student author)

Aiello, E.L.*, J. Yost, J. Collins**, J.K. O'Leary, R.K. Walter, C. Doehring, and K. Willits, Understanding the decline of the Morro Bay eelgrass population and assessing the suitability of locations for its restoration, *California Native Plant Society Conservation Conference*, Los Angeles, CA, February 2018. (talk)

Aiello, E.L.*, J.K. O'Leary, R.K. Walter, K. Willits, C. Doehring, and J. Yost, Evaluation of restoration potential in Morro Bay, California under different physical conditions, *Coastal and Estuarine Research Foundation*, Providence, RI, November 2017. (poster)

Breitenbach, K.**, B. Cunningham* and N. Adams (2017). The effect of time and temperature on the release of zinc from physical sunscreens into seawater. Poster, Annual Meeting of the Western Society of Naturalists.

Chang*, S., A. Chen*, E. Chen*, T. Lennertz*, E. Nguyen*, M. Vavra*, H. Knox*, K. White*, C. Fattorini*, C. Chu*, J. Felton, L. Slivovsky, and C. White. 2017. Virtual Reality SCUBA diving. Western Society of Naturalists. Pasadena, CA. (poster)

Chapman, J. T.**, Owens, J. D.**, Fabela, F. F.**, Randles, S.**,Villatoro, R.**, May, M. A., Vasquez, M. C.; Todgham, A. E., and Tomanek, L. (2018): Effect of thermal stress and food availability on particle transport in the gill of *Mytilus californianus*.

Choboter, P., M. Garcia, R.K. Walter, J. Castillo, Calculation of the Hydrostatic Pressure Gradient in GCCOM, *AGU/ASLO Ocean Sciences Meeting*, Portland, OR, February 2018 (talk)

Cordova KL**, Glaser FL**, Hack NL*, Journey ML, Resner EJ*, Hardy KM, Beckman BR, Lema SC. Evaluating insulin-like growth factor-1 (Igf-1) as a hormonal biomarker for growth rate in Copper Rockfish (*Sebastes caurinus*). Annual meeting of the American Fisheries Society Cal-Nev Chapter, San Luis Obispo, CA (March 2018).

Cunningham, B.* and N. Adams (2017). Effects of zinc oxide sunscreens on the developing sea urchin embryos (*Strongylocentrotus purpuratus*). Poster, Annual Meeting of the Western Society of Naturalists.

Cunningham, B*. *and* N. Adams (2018). Effects of zinc oxide sunscreens on the developing sea urchin embryos (*Strongylocentrotus purpuratus*). Annual Meeting of the Society for Integrative and Comparative Biology.

DeLany, D.**, Waltz, G.T., Bellquist, L., Caselle, J., Chiu, J., Dibble, C., Fields, R., Honeyman, C., Kelmartin, I., Mason, E., Morgan, S., Mulligan, T., Satterthwaite, E.5, Semmens, B., Starr, R.M., Staton, J., Tyburczy, J., Wendt, D.E. Statewide Expansion of the California Collaborative Fisheries Research Program. *American Fisheries Society, Cal-Neva Chapter.* San Luis Obispo, CA. March 2018 (poster).

Dodgen, R.*, Waltz, G., Schaffner, A., and Wendt, D. Opening the Rockfish Conservation Area: Changing Depth Regulations Influences Species Composition and Catch Rates. *Western Groundfish Conference.* Seaside, CA. February 2018 (poster).

Fabela, F. F.**; Chapman, J.T.**, Owens, J. D.**, Randles, S.**, Villatoro, R.**, May, M.A., Vasquez, M. C., Todgham, A. E., and Tomanek, L. (2018)**:** Ciliary response in *Mytilus californianus*to food availability and sirtuin inhibition.

Farr H**, Wang YH, Ruttenberg BI, Walter RK, White C. Environmental impacts of deepwater floating offshore wind and wave facilities. Western Society of Naturalists Annual Meeting, Pasadena, CA. Nov. 2017. Poster presentation.

Farr**, H., Y-H. Wang, B. I. Ruttenberg, R. K. Walter, and C. White. 2018. Environmental Impacts of Deepwater Floating Offshore Wind and Wave Energy Facilities. American Fisheries Society. San Luis Obispo, CA. (poster)

Feezell, M. K.**, Kretschmar, A. C.**, Gonzales, S. J.**,May, M., Vasquez, M. C., Todgham, A. E., and Tomanek, L. (2018):The effect of food availability on siphon opening in the California mussel.

Garcia, M., P. Choboter, R.K. Walter, J. Castillo, Validation of the nonhydrostatic General Curvilinear Coastal Ocean Model (GCCOM) for Stratified Flows, *AGU/ASLO Ocean Sciences Meeting*, Portland, OR, February 2018 (poster)

Garcia, M., P. Choboter, R.K. Walter, J. Castillo, Validation of the nonhydrostatic General Curvilinear Coastal Ocean Model (GCCOM) for Stratified Flows, *SIAM Session at the Joint Mathematics Meeting*, San Diego, CA, January 2018 (talk)

Glaser FL**, Cordova KL**, Hack NL*, Journey ML, Resner EJ*, Hardy KM, Beckman BR, Lema SC. Response of the insulin-like growth factor (IGF) system to nutritional stress in juvenile copper rockfish *Sebastes caurinus*. Society for Integrative and Comparative Biology, San Francisco, CA (3-7 Jan 2018).

Goetze, J. S. Jupiter, J. Claudet, T. Langlois, F. Januchowski-Hartley, R. Weeks, C. White, and S. Wilson. 2018. Periodically harvested closures provide short-term fisheries benefits. International Marine Conservation Congress. Kuching, Sarawak, Malaysia. (talk)

Goodman MC**, Hannah S**, Ruttenberg BI. The relationship between geographic range extent and adult traits in coastal temperate fishes. Western Society of Naturalists Annual Meeting, Pasadena, CA. Nov 2017. Oral presentation.

Gonzales, S. J.**, Carmo, O. M. S.**, Fang, J. T.**, Kretschmar, A. C.**, Feezell, M. K.**, May, M. A., Vasquez, M. C., Todgham, A. E., and Tomanek, L. (2018): Changes in the clearance rate of *Mytilus* californianus in relation to food availability and heat stress.

Hack NL*, Waltz GT, Journey M, Wendt DE, Beckman BR, Lema SC. Insulin-like growth factor-1 (Igf1) as a hormone biomarker for assessing growth rates of rockfish in Marine Protected Areas. Annual meeting of the American Fisheries Society Cal-Nev Chapter, San Luis Obispo, CA (March 2018).

Hack, NL*, Waltz, GT, Journey, M, Wendt, DE, Beckman, BR, Lema, SC. Spatial and temporal variation in plasma insulin-like growth factor-1 (Igf1) in blue rockfish (*Sebastes mystinus*) in MPAs. Western Society of Naturalists (WSN) meeting, Pasadena, CA (16-19 Nov 2017).

Hack, N.*, Strobel, J.**, Journey, M., Beckman, B., Lema. S. Insulin-like growth factor 1 (IGF-1) as a physiological biomarker for growth rate in juvenile *Sebastes* rockfishes. American Fisheries Society (AFS) meeting, Tampa, FL (20-24 Aug 2017).

Hart, L.C.*, L. Rogers-Bennett, R.K. Walter, and J.K. O'Leary, Monthly red abalone (*Haliotis rufescens)* settlement in the Monterey Bay, *Western Society of Naturalists* Pasadena, CA, November 2017. (talk)

Harris, H.S. Sea turtles and oil spill response on the U.S. west coast. Oiled Wildlife Care Network Oilapalooza Conference, Monterey, CA, Oct 2017 (workshop leader).

Harris, H.S. Cold-stunned sea turtle response on the U.S. west coast. International Sea Turtle Symposium, Sea Turtle Medicine Workshop, Kobe, Japan, February 2018 (talk, session chair: Anatomy, Physiology, and Health Session).

Jenkins, MF, DE Wendt, LA Needles (2017). Rethinking trophic cascades: Introducing exotics into the paradigm. Western Society of Naturalists Conference. November 16th-19th, Pasadena, CA. (talk)

Koseff, J.R., S.G. Monismith, R.K. Walter, K.A. Davis, C.B. Woodson, G. Pawlak, M.E. Squibb, and J.R. Dunckley, Buoyancy fluxes in stratified flows: observations and parameterizations, *AGU/ASLO Ocean Sciences Meeting*, Portland, OR, February 2018 (talk)

Lema SC. A tale of missing fins: evidence for a rapid phenotypic shift in Amargosa pupfish following an increase in habitat temperature. Annual meeting of the American Fisheries Society Cal-Nev Chapter, San Luis Obispo, CA (March 2018).

Lippert*, M.R., D. Zacherl, M. Goodman*, and C. White. 2017. Is El Niño Driving Poleward Range Expansion of Marine Organisms? STEM Teacher and Researcher (STAR) Program. San Jose, CA. (poster)

Lippert, M.** and N. Adams (2017). The comparative effects of physical versus chemical sunscreens on fertilization of purple sea urchins (*Strongylocentrotus purpuratus*). Poster, Annual Meeting of the Western Society of Naturalists. BEST STUDENT PRESENTATION.

Liwanag, H.E.M. (2018) Baby it's cold outside: Ontogeny and thermal physiology of lizards and seals. Department of Biological Sciences, Cal Poly San Luis Obispo.

May, M. A., Vasquez, M. C., Todgham, A. E., and Tomanek, L. (2018):It takes a village: Lessons from conducting large-scale physiology experiments.
McKechnie, M.A.**, Waltz, G.T., Wendt, D.E. From 40 to 50 Fathoms: A Size Comparison of Commonly Caught Rockfish off San Luis Obispo County, California after the Extension of Recreational Fishing Depth in 2017. *American Fisheries Society, Western Chapter.* San Luis Obispo, CA. March 2018 (poster).

Miller, M.A., Harris, H.S., and Harris, M.D. Sea otter coccidioidomycosis: a unique case presentation. International Association of Aquatic Animal Medicine Conference, Pathology Workshop, Long Beach, CA, May 2018 (talk).

Monismith, S.G., J.R. Koseff, R.K. Walter, M.E. Squibb, C.B. Woodson, and K.A. Davis, Buoyancy fluxes in stratified flows: observations and parameterizations, *American Physical Society Division of Fluid Dynamics Annual Meeting*, Denver, CO, November 2017. (talk)

Palmer*, J.G., M.R. Lippert*, M. Goodman*, A. Bird**, E. Spurgeon*, G. Waltz, J. Felton, J. Palo*, K. Rodriguez*, M. Wilson*, N. Dalmau**, P. Kalan*, R. Calderon*, Z. Parra*, D. Zacherl, G. Montaño, G. Torres, K. O'Grady**, R. Beas, and C. White. 2017 Is El Niño

Driving Poleward Range Expansion of Marine Organisms? Western Society of Naturalists. Pasadena, CA. (poster)

Palmer*, J.G., M.R. Lippert*, M. Goodman*, A. Bird**, E. Spurgeon*, G. Waltz, J. Felton, J. Palo*, K. Rodriguez*, M. Wilson*, N. Dalmau**, P. Kalan*, R. Calderon*, Z. Parra*, D. Zacherl, G. Montaño, G. Torres, K. O'Grady*, R. Beas, and C. White. 2018 Is El Niño Driving Poleward Range Expansion of Marine Organisms? American Fisheries Society. San Luis Obispo, CA. (poster)

Pearson, L.E., Weitzner, E.L.*, Whoriskey, S., Tomanek, L., and Liwanag, H.E.M. (2018) Development of thermoregulatory capability in Weddell seal pups. Oral and poster presentations, Experimental Biology Annual Meeting, San Diego, CA.

Rainville, E.J.*, R.K. Walter, P.R. Leary, C.B. Woodson, S.G. Monismith, and K. Nickols, The influence of a rocky reef and giant kelp on the cross-shelf propagation of nearshore internal bores, *AGU Fall Meeting*, New Orleans, LA, December 2017. (poster) - AGU Outstanding Student Paper Award

Resner EJ*, Marsh K**, Gilbreth B**, Bonsall K**, Kumro M**, **Hardy KM** (2018) Respiratory behaviors and oxygen consumption rates during air exposure and environmental anoxia in the giant acorn barnacle, *Balanus nubilus.* Society for Integrative and Comparative Biology, San Francisco, CA (Poster)

Ruttenberg BI and Donovan MK. Ecological extinction of the Big 3: loss of the three largest species of parrotfishes from the wider Caribbean. Western Society of Naturalists Annual Meeting, Pasadena, CA. Nov. 2017. Oral presentation.

Skinner-Horne, C.**, Kucinski, Z.**, Waltz, G.T, Monk, M.H., Wendt, D.E. Data Resurrection: Can A Filleted Carcass Determine Pre-fillet Length? *American Fisheries Society, Cal-Neva Chapter.* San Luis Obispo, CA. March 2018 (poster).

Skinner-Horne, C.**, Kucinski, Z.**, Waltz, G.T, Monk, M.H., Wendt, D.E. A Potential New Source of Groundfish Age and Length Data: A Pilot Study of Pre and Post-Fillet Length From Commercial Passenger Fishing Vessels. *Cal Poly COSAM Student Research Symposium.* San Luis Obispo, CA. May 2018 (talk).

Stastna, M., A. Coutino*, R.K. Walter, A re-examination of the Richardson number criterion for the instability of stratified fluids, *Canadian Mathematical Society Winter Meeting,* Ontario, Canada, December 2017 (talk)

Stewart, J**, Y. Alvarez*, M. Ayala**, G. Goschke, N. Adams (2017). Use of Phos-tag™ labeling to identify effects of UV radiation on phosphorylation of Chk1 in the purple sea urchin, *Strongylocentrotus purpuratus*. Poster, Annual Meeting of the Western Society of Naturalists.

Strobel JS**, Cordova KL**, Hack NL*, Bersin TV*, Journey ML, Beckman BR, Lema SC Effects of fasting on the insulin-like growth factor-1 (Igf-1) system of juvenile cabezon (*Scorpaenichthys marmoratus*). Annual meeting of the American Fisheries Society Cal-Nev Chapter, San Luis Obispo, CA (March 2018).

Tomanek, L., and Vasquez, M. C. (2018):Sirtuins: Regulators of the response to heat and hypoxia stress in *Mytilus* mussels.

Valera, M.*, M. Garcia, P. Choboter, R.K. Walter, J. Castillo, Modeling nearshore internal bores and waves in Monterey Bay using the General Curvilinear Coastal Ocean Model (GCCOM), *ASIAM Session at the Joint Mathematics Meeting*, San Diego, CA, January 2018 (talk)

Vasquez, M. C., and Tomanek, L. (2018):Exposure of *Mytilus* mussels to multiple stressors reveals non-predictive interaction effects.

Voisinet, M. P.*, Vasquez, M. C., Elowe, C.*, Crocker, D. E., and Tomanek, L. (2018):Changes in the proteome of northern elephant seal pups during the postweaning fast.

Walter, R.K., E.C. Reid*, K.A. Davis, K.J. Armenta **, K. Merhoff **, and N.J. Nidzieko, Local diurnal wind-driven variability and upwelling in a small coastal embayment, *AGU Fall Meeting*, New Orleans, LA, December 2017. (lightning talk and poster)

Walter, R.K., What lies beneath: Internal waves in the nearshore coastal environment, *University of Waterloo Water Institute WaterTalks*, Waterloo, Ontario, Canada, May 2018. (invited talk)

Waltz, G.T., Bellquist, L., Caselle, J., Chiu, J., Dibble, C., Fields, R., Honeyman, C., Kelmartin, I., Mason, E., Morgan, S., Mulligan, T., Satterthwaite, E., Semmens, B., Starr, R.M., Staton, J., Tyburczy, J., Wendt, D.E. Statewide Expansion of the California Collaborative Fisheries Research Program. *Western Groundfish Conference.* Seaside, CA. February 2018 (poster).

Wang, YH, Walter RK, Farr HK**, White C, Zaleski S, Ruttenberg BI. "Spatial and temporal variations of offshore wind power and its demand-based relative value along the Central California Coast. American Geophysical Union Annual Meeting, New Orleans, LA. Dec. 2017

Weitzner, E.L.*, Pearson, L.E., Tomanek, L., Whoriskey, S., and Liwanag, H.E.M. (2018) Sink or swim: Early dive behavior in Weddell seal (*Leptonychotes weddellii*) pups. Poster presentation, Experimental Biology Annual Meeting, San Diego, CA.

Weitzner, E.L.*, Pearson, L.E., Burns, J.M., and Liwanag, H.E.M. (2018) Sealing in the heat: Modeling heat loss throughout development in harp seals. Oral presentation, Annual Meeting of the Society for Integrative and Comparative Biology, San Francisco, CA.

Wendt, D.E. Collaborative Fisheries Research. *American Fisheries Society, Cal-Neva Chapter.* San Luis Obispo, CA. March 2018 (plenary speech).

Wendt, D.E. Comprehensive Assessment of Marine Coatings at a Static Field Site in Morro Bay, California. *ONR Biofouling and Coatings Program Annual Review.* Melbourne, FL. June 2018 (talk).

Wendt, D.E., Waltz, G.T., Hunsucker, K., Swain, G. Comparing critical removal stress of bryozoans and barnacles at two static-immersion test sites. *International Congress on Marine Coatings and Fouling.* Melbourne, FL. June 2018 (talk).

White, C. 2017. Show me the money, and other metrics critical to conservation. Western Society of Naturalists. Pasadena, CA. Plenary Speaker. (talk)

Publications in Peer Reviewed Journals

Adam, T. C., A. Duran, C. E. Fuchs, M. V. Roycroft*, M. Rojas, B. I. Ruttenberg, D. E. Burkepile. 2018. Comparative analysis of diet, foraging behavior and bite mechanics reveals complex functional diversity among Caribbean parrotfishes. Marine Ecology Progress Series 597: 207-220. https://doi.org/10.3354/meps12600

Chao, Y., J.D. Farrara, H. Zhang, K.J. Armenta**, L. Centurioni, F. Chavez, J.B. Girton, D. Rudnick, and R.K. Walte**r** (2018), Development, implementation, and validation of a California coastal ocean modeling, data assimilation, and forecasting system, *Deep Sea Research Part II: Topical Studies in Oceanography*, doi:10.1016/j.dsr2.2017.04.013.

Francis, C.D., P. Newman, B.D. Taff, C. White, C.A. Monz, M. Levenhagen, A. Petrelli**, L.C. Abbott, J. Newton, S. Burson, and C.B. Cooper. 2017. Acoustic environments matter: Synergistic benefits to humans and ecological communities. Journal of Environmental Management. 203: 245-254.

Gentry**, R.R., S.E. Lester, C.V. Kappel, C. White, T.W. Bell**, J. Stevens**, and S.D. Gaines. 2017. Offshore Aquaculture: Spatial Planning Principles for Sustainable Development. Ecology and Evolution. 7: 733-743.

Goetze**, J. S., J. Claudet, F. Januchowski-Hartley, T. J. Langlois, S. K. Wilson, C. White, R. Weeks, and S. D. Jupiter. 2018. Demonstrating multiple benefits from periodically harvested fisheries closures." Journal of Applied Ecology 55: 1102-1113.

Glaser, F.L.**, Owen, K.S.**, Henkanaththegedara, S.M., Parmenter, S., Stockwell, C.A., Lema, S.C.**,** 2017. Complete mitochondrion genome of the endangered Mohave tui chub *Siphateles bicolor mohavensis* (Cypriniformes: Cyprinidae). *Mitochondrial DNA Part B* 2, 797-799.

Glynn, P.W., A. Baker, S. Banks, I. Baums, J. Cole, M. Colgan, P. Fong, P. J. Glynn; I. Keith, D. Manzelo, B. Riegl, B. I. Ruttenberg, T. Smith, M. Vera-Zambrano. 2018. State of corals and coral reefs of the Galápagos Islands (Ecuador): past, present and future. Marine Pollution Bulletin 133: 717-733.

Hack, N.L.*, Strobel, J.S.**, Journey, M.L., Beckman, B.R., Lema, S.C., 2018. Response of the insulin-like growth factor-1 (Igf1) system to nutritional status and growth rate variation in olive rockfish (Sebastes serranoides). Comparative Biochemistry and Physiology A 224, 42-52.

Kapsenberg, L., Bockmon, E.E., Bresnahan, P.J., Kroeker, K.J., Gattuso, J.-P., Martz, T.R. Advancing ocean acidification biology using Durafet® pH electrodes. Frontiers in Marine Science; Global Change and the Future Ocean, 4:321, 2017. doi:10.3389/fmars.2017.00321

Lester, S. E., R.R. Gentry**, C. V. Kappel, C. White, and S. D. Gaines. 2018. Offshore aquaculture in the United States: Untapped potential in need of smart policy. Proceedings of the National Academy of Sciences. 115: 7162-7165

Lester, S., J. Stevens**, R. R. Gentry**, C. V. Kappel, T. W. Bell, C. Costello, S. Gaines, D. A. Kiefer, C. C. Maue, J. E. Rensel, R. D. Simons, L. Washburn, and C. White. 2018. Marine spatial planning makes room for offshore aquaculture in crowded coastal waters. Nature Communications DOI: 10.1038/s41467-018-03249-1.

Oleson, K.L.L., K.A. Falinski, J. Lecky**, C. Rowe**, C.V. Kappel, K.A. Selkoe, C. White. 2017. Upstream solutions to coral reef conservation: The payoffs of smart and cooperative decision-making. Journal of Environmental Management. 191: 8-18.

Phelan, P.J., J. Steinbeck, and R.K. Walter (2018), Influence of internal bores on larval fish abundance and community composition, *Regional Studies in Marine Science*, *20*, *1-12*, doi:10.1016/j.rsma.2018.03.010.

Ruttenberg, B. I., J. E. Caselle, A. E. Estep, A. E. Johnson, K. L. Marhaver, L. J. Richter, S. A. Sandin, M. J. A. Vermeij, J. E. Smith, D. Grenda, and A. Cannon. 2018. Ecological assessment of the marine ecosystems of Barbuda, West Indies: Using rapid scientific

assessment to inform ocean zoning and fisheries management. PLoS ONE. e0189355. https://doi.org/10.1371/journal.pone.0189355

Vasquez, M. C., Beam, M., Blackwell, S., Zuzow, M. J., and Tomanek, L. (2017): Sirtuins regulate proteomic responses near thermal tolerance limits in the blue mussels *Mytilus galloprovincialis* and *Mytilus trossulus*. *Journal of Experimental Biology* 220, 4515-4534 DOI:10.1242/jeb.160325.

Walter, R.K., K.J. Armenta**, B. Shearer**, I. Robbins, and J. Steinbeck (2018), Coastal upwelling seasonality and variability of temperature and chlorophyll in a small coastal embayment, *Continental Shelf Research, 154*, doi:10.1016/j.csr.2018.01.002.

Wang, Y.-H., R. K. Walter, C. White, H. Farr*, and B. I. Ruttenberg. 2018. Assessment of Surface Wind Datasets for Estimating Offshore Wind Energy along the Central California Coast. Renewable Energy. 133: 343-353.

Wedding, L. M., J. Lecky**, J. M. Gove, H. R. Walecka, M. K. Donovan**, G. J. Williams, J-B. Jouffray**, L. B. Crowder, A. Erickson, K. Falinski, A M. Friedlander, C. V. Kappel, J. N. Kittinger, K. McCoy, A. Norström, M. Nyström, K. L. L. Oleson, K. A. Stamoulis, C. White, and K. Selkoe. 2018. Advancing the integration of spatial data to map human and natural drivers on coral reefs. PLoS ONE. 13: e0189792.

Books and Book Chapters

Stevens, J.*, S. Lester, and C. White. 2018. Ecosystem service tradeoff analysis for guiding marine spatial planning. In: Yates, K.L. & Bradshaw eds, C. Offshore Energy and Marine Spatial Planning. Routledge. Ocean Series. 299 pages.

PARTICIPATION OF CCMS WITH CONSORTIA AND NETWORKS

SAN LUIS OBISPO SCIENCE AND ECOSYSTEM ALLIANCE (SLOSEA)

www.slosea.org

The San Luis Obispo Science and Ecosystem Alliance is an integrated group of scientists, resource managers and stakeholders studying and supporting marine resources on the California Central Coast. SLOSEA formed in 2006 and brings an integrated, holistic approach to the management of marine resources on the Central Coast of California. SLOSEA engages scientific experts, resource managers, county officials and community leaders in applying innovative science to gain real-life solutions to the biggest issues facing the Central Coast and many other coastal communities. SLOSEA's vision is a healthy, resilient coastal ecosystem that provides for thriving and interacting populations of plant, animal and human communities. The SLOSEA study area includes the Morro Bay Estuary and the nearshore coast and watersheds from Cape San Martin to Point Conception. SLOSEA was established to link research at the Cal Poly Center for Coastal Marine Sciences (CCMS) to marine resource management and policy decisions along California's central coast by using a collaborative ecosystem-based approach. SLOSEA received National Recognition in 2009 for its work when it was highlighted as a "profile of progress" in marine resource management by the Joint Oceans Commission Initiative (chaired by Leon Panetta) in their report, "One Coast, One Future: Securing the Health of West Coast Ecosystems and Economies".

CALIFORNIA COLLABORATIVE FISHERIES RESEARCH PROGRAM (CCFRP)

The California Collaborative Fisheries Research Program was established in 2007 as a collaboration between the Cal Poly Center for Coastal Marine Sciences, Moss Landing Marine Labs, and the fishing communities in Port San Luis, Morro Bay, Moss Landing, and Half Moon Bay. The organization has several goals:

- conduct scientifically sound research to better inform resource managers
- collaboratively work with local fishing communities to collect fisheries data
- provide rigorous baseline/monitoring data for the evaluation of MPA performance
- better understand nearshore fish stocks and the ecosystems upon which they rely
- Educate the public about marine conservation, stewardship and research.

The program has received national attention for their its with fishermen and fishing communities. Indeed, the CCFRP recently won a statewide grant competition through the Ocean Protection Council to improve fisheries management in California, It should be noted that only one grant was awarded in this statewide competition. CCFRP has expanded to cover the entire state, and includes partners from Humboldt to San Diego.

INTEGRATED OCEAN OBSERVING NETWORKS

The Cal Poly CCMS is part of two regional ocean observing networks that are funded by NOAA. Because of our unique geographic location, we are linked to both the Southern California Coastal Ocean Observing System (SCCOOS; www.sccoos.org) and the Central and Northern California Ocean Observing System (CeNCOOS; www.cencoos.org). These two regional networks are part of the US National Integrated Ocean Observing System (http://www.ioos.noaa.gov). In general, the regional associations provide information necessary to address issues in climate change, ecosystem preservation and management, coastal water quality, maritime operations, coastal hazards, and national security. Cal Poly's CCMS collects data on nearshore surface currents along the Central Coast from a network of high-frequency (HF) radar stations, water quality in Morro Bay and San Luis Obispo Bay at our pier facility, and harmful algal blooms in San Luis Obispo Bay at our pier facility. These data are provided to the national network and are then utilized to inform industry, governmental agencies, and the general public. Ryan Walter is the lead PI for both projects and regularly attends PI science meetings. Ian Robbins and Grant Waltz are also CCMS staff supported by these projects. Dean Wendt, Director of the CCMS, has been elected to the governing council of both CeNCOOS and SCCOOS and thus represents Cal Poly's interests within these organizations.

WESTERN AND NATIONAL ASSOCIATION OF MARINE LABORATORIES

Newly appointed Director Ruttenberg serves Cal Poly's interests within both the Western Association of Marine Laboratories and the National Association of Marine Laboratories and will begin attending these meetings in FY2018-2019.

MORRO BAY COMMUNITY QUOTA FUND

Dean Wendt represents the interests of Cal Poly and CCMS as a Board Member of the Morro Bay Community Quota Fund, a local organization in Morro Bay, which holds and leases catch share to fishermen. The organization seeks to secure fishing practices along the central coast.

MORRO BAY NATIONAL ESTUARY PROGRAM

Professor Hardy represents Cal Poly's CCMS as a Member of the Executive Committee of the Morro Bay National Estuary Program facilitating the conservation and management of the Morro Bay Watershed and Estuary.

CENTRAL COAST AQUARIUM

Dean Wendt represents Cal Poly's CCMS as a Board Member (and Secretary) of the Central Coast Aquarium facilitating marine education and outreach within the local community K-12 schools. The Board meets every other month in additional to other activities throughout the year.

ORGANIZATION

DIRECTOR

Dean Wendt (through Jan 2018)
Benjamin Ruttenberg (Feb 2018-pres)

STAFF

Rob Brewster (1/3rd time)
Jason Felton
Thomas Moylan
Ian Robbins
Grant Waltz

FACULTY

Name	Department	College
Nikki L. Adams	Biological Sciences	College of Science and Mathematics
Thomas Bensky	Physics	College of Science and Mathematics
Bridget Benson	Electrical Engineering	College of Engineering
Emily Bockmon	Chemistry & Biochemistry	College of Science and Mathematics
Jennifer Carroll	Chemistry & Biochemistry	College of Science and Mathematics
Paul Choboter	Mathematics	College of Science and Mathematics
Pat Fidopiastis	Biological Sciences	College of Science and Mathematics
Clinton Francis	Biological Sciences	College of Science and Mathematics
Kristin Hardy	Biological Sciences	College of Science and Mathematics
Heather Harris	Animal Science	College of Ag., Food, & Env. Sci.
Chris Kitts	Biological Sciences	College of Science and Mathematics
Gita Kolluru	Biological Sciences	College of Science and Mathematics
Franz Kurfess	Computer Science & SE	College of Engineering
Elizabeth Lowham	Political Science	College of Liberal Arts
Sean Lema	Biological Sciences	College of Science and Mathematics
Heather Liwanag	Biological Sciences	College of Science and Mathematics
Lisa Needles	Biological Sciences	College of Science and Mathematics
Jennifer O'Leary	California Sea Grant	NOAA
Alexis Pasulka	Biological Sciences	College of Science and Mathematics
Benjamin Ruttenberg	Biological Sciences	College of Science and Mathematics
Greg Schwartz	BioResource & Ag. Engin.	College of Ag., Food, & Env. Sci.
Lars Tomanek	Biological Sciences	College of Science and Mathematics
Ryan Walter	Physics	College of Science and Mathematics
Dean Wendt	Biological Sciences	College of Science and Mathematics
Crow White	Biological Sciences	College of Science and Mathematics
Matt Zoerb	Chemistry & Biochemistry	College of Science and Mathematics

CENTER ADVISORY COMMITTEE

The following organizations are members of the CCMS Advisory Committee, although the organizations have not been officially appointed as described in our governing document. (i.e., official appointment letters from the dean). Thus, we do not have materials such as volunteer forms to submit with the annual report. In the coming year we intend to revise the center documents to permit rather than require such an advisory board.

- Morro Bay National Estuary Program
- Coastal San Luis Resource Conservation District
- Los Osos Community Advisory Council
- City of Morro Bay
- Bay Foundation
- Recreational Fishermen
- Port San Luis Harbor District
- Regional Water Quality Control Board
- Monterey Bay National Marine Sanctuary
- California State Parks
- California Department of Fish & Wildlife
- NOAA Fisheries Service
- U.S. Fish & Wildlife Service

GRANT AND CONTRACT ACTIVITY

FEE-FOR-SERVICE AND FACILITIES AND ADMINISTRATIVE COST RECOVERY

This year we had one fee-for-service contract at the CCMS pier facility with Draper Labs (for $1625) as part of a subcontract with Vanderberg Air Force Base. They gathered information on gravimetric profiles over land vs water. Table 3 below shows expenditures for our fee-for-service account. Table 4 shows activity associated with the Center's F&A Cost Recovery Account.

TABLE 3. TRANSACTION REPORT FOR FEE FOR SERVICE FY 2018 (p27-28).

TABLE 4. F&A COST RECOVERY TRANSACTION REPORT FY 2018 (p29-34).

Fiscal Year: 2018 **Periods:** 01 **to** 12

Orgkeys: 82009 **to** 82009 **Object Codes:** 000000 **to** 999999 **Key Status:** Any

SubSys: 0 **to** ZZ **Funds:** 01 **to** 90 **Division:** * **Functions:** 0001 **to** 9999 **Dept:** 0 **to** 9999

Key	Object	Post Date	Reference	Description	SS	Transaction Amount	Ann Budget	Pct	Variance	Update
82009	100000	10/5/17	TTLOH	AutoID:OMC9307H Job:1214012	OH	(38,736.57)				10/5/17
82009	100000	6/26/18	TTLCR	AutoID: JC8626CA Job: 1336310	CR	1,625.00				6/27/18
82009	100000	6/30/18	JF043929	AutoID: INA6308E Job: 1345746	JE	(98.85)				7/13/18
		*** Object Code: 100000**		**Beginning Balance:** **149,030.62**		**(37,210.42)**	**0.00**	**0.00%**	**0.00**	
				Ending Balance: **111,820.20**						
82009	121005	5/21/18	TTLAR	AutoID: SP8521AA Job: 1317989	AR	1,625.00				5/21/18
82009	121005	6/26/18	CF160097	DRAPER LABORATORY	CR	(1,625.00)				6/27/18
		*** Object Code: 121005**		**Beginning Balance:** **0.00**		**0.00**	**0.00**	**0.00%**	**0.00**	
				Ending Balance: **0.00**						
82009	151800	9/26/17	947273	AGO ENV ELECTRO Casting Kit	OH	2,690.37				10/4/17
82009	151800	9/26/17	947273	AGO ENV ELECTRO Customer Credi	OH	(4,075.50)				10/4/17
82009	151800	9/26/17	947273	AGO ENV ELECTRO LTJ Small Elec	OH	33,999.32				10/4/17
82009	151800	9/26/17	947273	AGO ENV ELECTRO Option: Cable	OH	1,484.34				10/4/17
82009	151800	9/26/17	947273	AGO ENV ELECTRO Option: EverGr	OH	1,484.34				10/4/17
82009	151800	9/26/17	947273	AGO ENV ELECTRO Option: MCIL-2	OH	69.58				10/4/17
82009	151800	9/26/17	947273	AGO ENV ELECTRO Option: PMI Ev	OH	1,019.95				10/4/17
82009	151800	9/26/17	947273	AGO ENV ELECTRO Option: Purcha	OH	1,206.03				10/4/17
82009	151800	9/26/17	947273	AGO ENV ELECTRO Option: Slip R	OH	858.14				10/4/17
		*** Object Code: 151800**		**Beginning Balance:** **43,713.96**		**38,736.57**	**0.00**	**0.00%**	**0.00**	
				Ending Balance: **82,450.53**						
82009	151901	7/31/17	TTLFA	AutoID: FADE Job: 1189911	FA	(728.56)				8/7/17
82009	151901	8/31/17	TTLFA	AutoID: FADE Job: 1201116	FA	(728.57)				9/7/17
82009	151901	9/30/17	TTLFA	AutoID: FADE Job: 1213664	FA	(728.56)				10/5/17
82009	151901	10/31/17	TTLFA	AutoID: FADE Job: 1230491	FA	(1,189.72)				11/7/17
82009	151901	11/30/17	TTLFA	AutoID: FADE Job: 1244077	FA	(1,189.71)				12/7/17
82009	151901	12/31/17	TTLFA	AutoID: FADE Job: 1256284	FA	(1,189.72)				1/8/18
82009	151901	1/31/18	TTLFA	AutoID: FADE Job: 1270788	FA	(1,189.71)				2/7/18
82009	151901	2/28/18	TTLFA	AutoID: FADE Job: 1283810	FA	(1,189.72)				3/7/18
82009	151901	3/31/18	TTLFA	AutoID: FADE Job: 1297603	FA	(1,189.71)				4/6/18
82009	151901	4/30/18	TTLFA	AutoID: FADE Job: 1311704	FA	(1,189.72)				5/7/18
82009	151901	5/31/18	TTLFA	AutoID: FADE Job: 1326474	FA	(1,189.71)				6/7/18
82009	151901	6/30/18	TTLFA	AutoID: FADE Job: 1344988	FA	(1,189.72)				7/12/18
		*** Object Code: 151901**		**Beginning Balance:** **(15,890.64)**		**(12,893.13)**	**0.00**	**0.00%**	**0.00**	
				Ending Balance: **(28,783.77)**						
82009	200000	9/26/17	TTLOH	AutoID:OMC9307H Job:1213292	OH	(38,736.57)				10/4/17
82009	200000	10/5/17	TTLOH	AutoID:OMC9307H Job:1214012	OH	38,736.57				10/5/17
		*** Object Code: 200000**		**Beginning Balance:** **0.00**		**0.00**	**0.00**	**0.00%**	**0.00**	
				Ending Balance: **0.00**						
82009	310200	6/30/18	JF044015	CENTER & INST ASSET ADJ @ 6/30	JE	(25,843.44)				7/19/18
		*** Object Code: 310200**		**Beginning Balance:** **(27,823.32)**		**(25,843.44)**	**0.00**	**0.00%**	**0.00**	
				Ending Balance: **(53,666.76)**						
82009	310500	6/30/18	JF044015	CENTER & INST ASSET ADJ @ 6/30	JE	25,843.44				7/19/18
		*** Object Code: 310500**		**Beginning Balance:** **(149,030.62)**		**25,843.44**	**0.00**	**0.00%**	**0.00**	
				Ending Balance: **(123,187.18)**						

Fiscal Year: 2018 **Periods:** 01 **to** 12

Orgkeys: 82009 **to** 82009 **Object Codes:** 000000 **to** 999999 **Key Status:** Any

SubSys: 0 **to** ZZ **Funds:** 01 **to** 90 **Division:** * **Functions:** 0001 **to** 9999 **Dept:** 0 **to** 9999

Key	Object	Post Date	Reference	Description	SS	Transaction Amount	Ann Budget	Pct	Variance	Update
82009	620200	5/21/18	AF078524	DRAPER LABORATO PAYMENT REQUES	AR	(1,625.00)				5/21/18
		*** Object Code: 620200**		**Beginning Balance:**	**0.00**	**(1,625.00)**	**0.00**	**0.00%**	**1,625.00**	
				Ending Balance:	**(1,625.00)**					
82009	828000	7/31/17	TTLFA	AutoID: FADE Job: 1189911	FA	728.56				8/7/17
82009	828000	8/31/17	TTLFA	AutoID: FADE Job: 1201116	FA	728.57				9/7/17
82009	828000	9/30/17	TTLFA	AutoID: FADE Job: 1213664	FA	728.56				10/5/17
82009	828000	10/31/17	TTLFA	AutoID: FADE Job: 1230491	FA	1,189.72				11/7/17
82009	828000	11/30/17	TTLFA	AutoID: FADE Job: 1244077	FA	1,189.71				12/7/17
82009	828000	12/31/17	TTLFA	AutoID: FADE Job: 1256284	FA	1,189.72				1/8/18
82009	828000	1/31/18	TTLFA	AutoID: FADE Job: 1270788	FA	1,189.71				2/7/18
82009	828000	2/28/18	TTLFA	AutoID: FADE Job: 1283810	FA	1,189.72				3/7/18
82009	828000	3/31/18	TTLFA	AutoID: FADE Job: 1297603	FA	1,189.71				4/6/18
82009	828000	4/30/18	TTLFA	AutoID: FADE Job: 1311704	FA	1,189.72				5/7/18
82009	828000	5/31/18	TTLFA	AutoID: FADE Job: 1326474	FA	1,189.71				6/7/18
82009	828000	6/30/18	TTLFA	AutoID: FADE Job: 1344988	FA	1,189.72				7/12/18
		*** Object Code: 828000**		**Beginning Balance:**	**0.00**	**12,893.13**	**0.00**	**0.00%**	**(12,893.13)**	
				Ending Balance:	**12,893.13**					
82009	831000	6/30/18	JF043929	2017-18 Insurance Allocation	JE	98.85				7/13/18
		*** Object Code: 831000**		**Beginning Balance:**	**0.00**	**98.85**	**0.00**	**0.00%**	**(98.85)**	
				Ending Balance:	**98.85**					
		**** Org key: 82009**		**Beginning Balance:**	**0.00**	**0.00**	**0.00**	**0.00%**	**0.00**	
				Ending Balance:	**0.00**					
		***** Report Total:**		**Beginning Balance:**	**0.00**	**0.00**	**0.00**	**0.00%**	**0.00**	
				Ending Balance:	**0.00**					

Fiscal Year: 2018 **Periods:** 01 **to** 12

Orgkeys: 82918 **to** 82918 **Object Codes:** 000000 **to** 999999 **Key Status:** Any

SubSys: 0 **to** ZZ **Funds:** 01 **to** 90 **Division:** * **Functions:** 0001 **to** 9999 **Dept:** 0 **to** 9999

Key	Object	Post Date	Reference	Description	SS	Transaction Amount	Ann Budget	Pct	Variance	Update
82918	100000	7/13/17	TTLOH	AutoID:OVM6307Z Job:1177832	OH	(1,810.01)				7/13/17
82918	100000	7/31/17	JF042069	AutoID: PS2S717A Job: 1191207	JE	(8.26)				8/8/17
82918	100000	8/31/17	JF042244	AutoID: PS2S817A Job: 1202919	JE	(81.35)				9/11/17
82918	100000	9/1/17	TTLOH	AutoID:OVM8317D Job:1199066	OH	(1,461.79)				9/1/17
82918	100000	9/29/17	TTLOH	AutoID:OVM9287Z Job:1210558	OH	(549.90)				9/29/17
82918	100000	9/30/17	JF042425	AutoID: PS2S917A Job: 1216711	JE	(35.75)				10/9/17
82918	100000	10/20/17	01022DP	Campus Programs GRS.	3	(320.00)				10/25/17
82918	100000	10/20/17	01022DP	Due To(From)Othe	2	(32.00)				10/25/17
82918	100000	10/31/17	TTLCR	AutoID: MK7O31CA Job: 1227998	CR	25.00				11/1/17
82918	100000	10/31/17	JF042618	AutoID: PS2SO17A Job: 1232188	JE	(75.61)				11/8/17
82918	100000	11/1/17	TTLOH	AutoID:OVMO317A Job:1227211	OH	(995.14)				11/1/17
82918	100000	11/15/17	TTLCR	AutoID: MK7N15CA Job: 1243718	CR	50.00				12/6/17
82918	100000	11/17/17	01024DP	Campus Programs GRS.	3	(640.00)				11/21/17
82918	100000	11/17/17	01024DP	Due To(From)Othe	2	(64.00)				11/21/17
82918	100000	11/30/17	JF042778	AutoID: PS2SN17A Job: 1245684	JE	(101.57)				12/8/17
82918	100000	12/1/17	TTLOH	AutoID:OVMN307A Job:1240490	OH	(1,327.38)				12/1/17
82918	100000	12/15/17	01026DP	Campus Programs GRS.	3	(640.00)				12/20/17
82918	100000	12/15/17	01026DP	Due To(From)Othe	2	(64.00)				12/20/17
82918	100000	12/31/17	JF042936	AutoID: PS2SD17B Job: 1257963	JE	(186.63)				1/9/18
82918	100000	1/5/18	TTLOH	AutoID:OVMD317X Job:1255303	OH	(1,228.55)				1/5/18
82918	100000	1/8/18	TTLOH	AutoID:OMCD317H Job:1256273	OH	(1,800.00)				1/8/18
82918	100000	1/8/18	TTLOH	AutoID:OVMD317P Job:1256287	OH	(271.57)				1/8/18
82918	100000	1/12/18	TTLOH	AutoID:OMC1118D Job:1259363	OH	(11.25)				1/12/18
82918	100000	1/16/18	JF042959	AutoID: J1168MHZ Job: 1260489	JE	13,920.00				1/16/18
82918	100000	1/31/18	JF043097	AutoID: J1318MRA Job: 1272474	JE	22,685.00				2/8/18
82918	100000	1/31/18	JF043100	AutoID: BKA1318F Job: 1272508	JE	(22,685.00)				2/8/18
82918	100000	1/31/18	JF043108	AutoID: PS2S118B Job: 1272643	JE	(137.46)				2/8/18
82918	100000	2/1/18	TTLOH	AutoID:OVM1318B Job:1267729	OH	(2,737.98)				2/1/18
82918	100000	2/8/18	TTLOH	AutoID:OVM1258A Job:1272179	OH	214.20				2/8/18
82918	100000	2/28/18	JF043259	AutoID: PS2S218A Job: 1284504	JE	(19.15)				3/7/18
82918	100000	3/2/18	TTLOH	AutoID:OVM3018D Job:1281179	OH	(382.98)				3/2/18
82918	100000	3/13/18	JF043280	AutoID: J8313CBS Job: 1287240	JE	(95.08)				3/13/18
82918	100000	3/31/18	JF043424	AutoID: PS2S318B Job: 1300985	JE	(4.75)				4/12/18
82918	100000	4/19/18	AA021913	AutoID: JETEMP Job: 1303005	JE	(145.00)				4/19/18
82918	100000	4/19/18	0309SANTABAR	AutoID: JETEMP Job: 1303017	JE	(7.60)				4/19/18
82918	100000	4/19/18	TTLOH	AutoID:OMC4168A Job:1303221	OH	(152.00)				4/19/18
82918	100000	4/19/18	TTLOH	AutoID:OMC4168B Job:1303221	OH	(2,900.00)				4/19/18
82918	100000	5/16/18	TTLCR	AutoID: JC8516CA Job: 1316877	CR	1,000.00				5/17/18
82918	100000	5/31/18	RMB0042113	AutoID: JETEMP Job: 1322602	JE	(41.66)				5/31/18
82918	100000	5/31/18	JF043675	AutoID: INA5318A Job: 1327231	JE	(50.00)				6/8/18
82918	100000	5/31/18	JF043675	AutoID: JETEMP Job: 1327231	JE	(2.50)				6/8/18
82918	100000	6/1/18	TTLOH	AutoID:OVM5318C Job:1322859	OH	(833.13)				6/1/18
82918	100000	6/28/18	RMB0042393	AutoID: JETEMP Job: 1337590	JE	(14.56)				6/28/18
82918	100000	6/29/18	TTLOH	AutoID:OVM6288C Job:1337702	OH	(291.28)				6/29/18
82918	100000	6/30/18	JF043788	AutoID: JETEMP Job: 1339968	JE	(2.87)				7/3/18
82918	100000	6/30/18	JF043805	AutoID: J6308VMB Job: 1341062	JE	(425.00)				7/5/18
82918	100000	6/30/18	RMB0042674	AutoID: JETEMP Job: 1344817	JE	(38.23)				7/11/18
82918	100000	6/30/18	JF043929	AutoID: INA6308E Job: 1345746	JE	(21.55)				7/13/18
82918	100000	6/30/18	JF043929	AutoID: JETEMP Job: 1345746	JE	(1.08)				7/13/18
	*** Object Code: 100000**			**Beginning Balance:**		**9,260.75**	**(4,799.42)**	**0.00**	**0.00%**	**0.00**
				Ending Balance:		**4,461.33**				

Fiscal Year: 2018 **Periods:** 01 **to** 12

Orgkeys: 82918 **to** 82918 **Object Codes:** 000000 **to** 999999 **Key Status:** Any

SubSys: 0 **to** ZZ **Funds:** 01 **to** 90 **Division:** * **Functions:** 0001 **to** 9999 **Dept:** 0 **to** 9999

Key	Object	Post Date	Reference	Description		SS	Transaction Amount	Ann Budget	Pct	Variance	Update
		*** Object Code: 151800**		**Beginning Balance:**	**9,908.83**		**0.00**	**0.00**	**0.00%**	**0.00**	
				Ending Balance:	**9,908.83**						
82918	151901	7/31/17	TTLFA	AutoID: FADE Job: 1189911		FA	(165.14)				8/7/17
82918	151901	8/31/17	TTLFA	AutoID: FADE Job: 1201116		FA	(165.15)				9/7/17
82918	151901	9/30/17	TTLFA	AutoID: FADE Job: 1213664		FA	(165.14)				10/5/17
82918	151901	10/31/17	TTLFA	AutoID: FADE Job: 1230491		FA	(165.15)				11/7/17
		*** Object Code: 151901**		**Beginning Balance:**	**(9,248.25)**		**(660.58)**	**0.00**	**0.00%**	**0.00**	
				Ending Balance:	**(9,908.83)**						
82918	198009	6/30/18	JF043788	Clr Prpy United 198009/826004		JE	(57.37)				7/3/18
		*** Object Code: 198009**		**Beginning Balance:**	**0.00**		**(57.37)**	**0.00**	**0.00%**	**0.00**	
				Ending Balance:	**(57.37)**						
82918	198035	12/31/17	USBD922917121	US BANK - INTER USB:TRAVEL GUA		OH	15.37				1/5/18
82918	198035	12/31/17	USBD922917121	US BANK - INTER USB:UNITED		OH	214.20				1/5/18
82918	198035	12/31/17	USBD922917121	US BANK - INTER USB:UNITED		OH	42.00				1/5/18
82918	198035	1/29/18	USBD922918011	US BANK - INTER USB:UNITED		OH	(214.20)				2/6/18
		*** Object Code: 198035**		**Beginning Balance:**	**0.00**		**57.37**	**0.00**	**0.00%**	**0.00**	
				Ending Balance:	**57.37**						
82918	198100	6/29/18	USBD922918061	US BANK - INTER Clearing Acct-		OH	173.00				7/5/18
82918	198100	6/29/18	USBD922918061	US BANK - INTER Clearing Acct-		OH	101.00				7/5/18
82918	198100	6/29/18	USBG665818061	US BANK - INTER USB:UNITED		OH	109.00				7/5/18
82918	198100	6/29/18	USBG665818061	US BANK - INTER USB:UNITED		OH	42.00				7/5/18
		*** Object Code: 198100**		**Beginning Balance:**	**0.00**		**425.00**	**0.00**	**0.00%**	**0.00**	
				Ending Balance:	**425.00**						

Fiscal Year: 2018 **Periods:** 01 **to** 12

Orgkeys: 82918 **to** 82918 **Object Codes:** 000000 **to** 999999 **Key Status:** Any

SubSys: 0 **to** ZZ **Funds:** 01 **to** 90 **Division:** * **Functions:** 0001 **to** 9999 **Dept:** 0 **to** 9999

Key	Object	Post Date	Reference	Description	SS	Transaction Amount	Ann Budget	Pct	Variance	Update
82918	200000	7/13/17	TTLOH	AutoID:OVM6307Z Job:1177832	OH	1,810.01				7/13/17
82918	200000	8/31/17	TTLOH	AutoID:OVM8317D Job:1198754	OH	(1,461.79)				8/31/17
82918	200000	9/1/17	TTLOH	AutoID:OVM8317D Job:1199066	OH	1,461.79				9/1/17
82918	200000	9/28/17	TTLOH	AutoID:OVM9287Z Job:1210241	OH	(549.90)				9/28/17
82918	200000	9/29/17	TTLOH	AutoID:OVM9287Z Job:1210558	OH	549.90				9/29/17
82918	200000	10/31/17	TTLOH	AutoID:OVMO317A Job:1226553	OH	(995.14)				10/31/17
82918	200000	11/1/17	TTLOH	AutoID:OVMO317A Job:1227211	OH	995.14				11/1/17
82918	200000	11/30/17	TTLOH	AutoID:OVMN307A Job:1239997	OH	(1,327.38)				11/30/17
82918	200000	12/1/17	TTLOH	AutoID:OVMN307A Job:1240490	OH	1,327.38				12/1/17
82918	200000	12/31/17	TTLOH	AutoID:OVMD317X Job:1254765	OH	(1,228.55)				1/4/18
82918	200000	12/31/17	TTLOH	AutoID:OMCD317H Job:1256016	OH	(1,800.00)				1/5/18
82918	200000	12/31/17	TTLOH	AutoID:OVMD317P Job:1256085	OH	(271.57)				1/5/18
82918	200000	1/5/18	TTLOH	AutoID:OVMD317X Job:1255303	OH	1,228.55				1/5/18
82918	200000	1/8/18	TTLOH	AutoID:OMCD317H Job:1256273	OH	1,800.00				1/8/18
82918	200000	1/8/18	TTLOH	AutoID:OVMD317P Job:1256287	OH	271.57				1/8/18
82918	200000	1/11/18	TTLOH	AutoID:OMC1118D Job:1259212	OH	(11.25)				1/11/18
82918	200000	1/12/18	TTLOH	AutoID:OMC1118D Job:1259363	OH	11.25				1/12/18
82918	200000	1/29/18	TTLOH	AutoID:OVM1258A Job:1270359	OH	214.20				2/6/18
82918	200000	1/31/18	TTLOH	AutoID:OVM1318B Job:1267316	OH	(2,737.98)				1/31/18
82918	200000	2/1/18	TTLOH	AutoID:OVM1318B Job:1267729	OH	2,737.98				2/1/18
82918	200000	2/8/18	TTLOH	AutoID:OVM1258A Job:1272179	OH	(214.20)				2/8/18
82918	200000	2/28/18	TTLOH	AutoID:OVM3018D Job:1280591	OH	(382.98)				3/1/18
82918	200000	3/2/18	TTLOH	AutoID:OVM3018D Job:1281179	OH	382.98				3/2/18
82918	200000	4/19/18	TTLOH	AutoID:OMC4168B Job:1303005	OH	(2,900.00)				4/19/18
82918	200000	4/19/18	TTLOH	AutoID:OMC4168A Job:1303017	OH	(152.00)				4/19/18
82918	200000	4/19/18	TTLOH	AutoID:OMC4168A Job:1303221	OH	152.00				4/19/18
82918	200000	4/19/18	TTLOH	AutoID:OMC4168B Job:1303221	OH	2,900.00				4/19/18
82918	200000	5/31/18	TTLOH	AutoID:OVM5318C Job:1322602	OH	(833.13)				5/31/18
82918	200000	6/1/18	TTLOH	AutoID:OVM5318C Job:1322859	OH	833.13				6/1/18
82918	200000	6/28/18	TTLOH	AutoID:OVM6288C Job:1337590	OH	(291.28)				6/28/18
82918	200000	6/29/18	TTLOH	AutoID:OVM6288C Job:1337702	OH	291.28				6/29/18
82918	200000	6/29/18	TTLOH	AutoID:OVM6258C Job:1340465	OH	(425.00)				7/5/18
82918	200000	6/30/18	JF043805	RECLASS YEAR END P CARDS	JE	425.00				7/5/18
82918	200000	6/30/18	TTLOH	AutoID:OVM6308H Job:1344817	OH	(764.54)				7/11/18
		*** Object Code: 200000**		**Beginning Balance:**	**(1,810.01)**	**1,045.47**	**0.00**	**0.00%**	**0.00**	
				Ending Balance:	**(764.54)**					
82918	310200	6/30/18	JF044015	CENTER & INST ASSET ADJ @ 6/30	JE	660.58				7/19/18
		*** Object Code: 310200**		**Beginning Balance:**	**(660.58)**	**660.58**	**0.00**	**0.00%**	**0.00**	
				Ending Balance:	**0.00**					
82918	310500	6/30/18	JF044015	CENTER & INST ASSET ADJ @ 6/30	JE	(660.58)				7/19/18
		*** Object Code: 310500**		**Beginning Balance:**	**(7,450.74)**	**(660.58)**	**0.00**	**0.00%**	**0.00**	
				Ending Balance:	**(8,111.32)**					
82918	609100	10/31/17	CF155618	AS BATCH 33567	CR	(25.00)				11/1/17
82918	609100	11/15/17	CF155892	AS BATCH 33655	CR	(50.00)				12/6/17
82918	609100	5/16/18	CF159344	AS BATCH #34720	CR	(1,000.00)				5/17/18
		*** Object Code: 609100**		**Beginning Balance:**	**0.00**	**(1,075.00)**	**0.00**	**0.00%**	**1,075.00**	
				Ending Balance:	**(1,075.00)**					

Fiscal Year: 2018 **Periods:** 01 **to** 12

Orgkeys: 82918 **to** 82918 **Object Codes:** 000000 **to** 999999 **Key Status:** Any

SubSys: 0 **to** ZZ **Funds:** 01 **to** 90 **Division:** * **Functions:** 0001 **to** 9999 **Dept:** 0 **to** 9999

Key	Object	Post Date	Reference	Description		SS	Transaction Amount	Ann Budget	Pct	Variance	Update
82918	805002	10/20/17	01022DP	Intermittent Sal	GRS.	3	320.00				10/25/17
82918	805002	11/17/17	01024DP	Intermittent Sal	GRS.	3	640.00				11/21/17
82918	805002	12/15/17	01026DP	Intermittent Sal	GRS.	3	640.00				12/20/17
		*** Object Code: 805002**		**Beginning Balance:**	**0.00**		**1,600.00**	**0.00**	**0.00%**	**(1,600.00)**	
				Ending Balance:	**1,600.00**						
82918	809020	10/20/17	01022DP	Fringe Benefits		2	32.00				10/25/17
82918	809020	11/17/17	01024DP	Fringe Benefits		2	64.00				11/21/17
82918	809020	12/15/17	01026DP	Fringe Benefits		2	64.00				12/20/17
		*** Object Code: 809020**		**Beginning Balance:**	**0.00**		**160.00**	**0.00**	**0.00%**	**(160.00)**	
				Ending Balance:	**160.00**						
		*** Object Code: 821500**		**Beginning Balance:**	**0.00**		**0.00**	**0.00**	**0.00%**	**0.00**	
				Ending Balance:	**0.00**						
82918	823001	1/11/18	25	CAL POLY FOUNDA PHONATHON FEES		OH	11.25				1/11/18
		*** Object Code: 823001**		**Beginning Balance:**	**0.00**		**11.25**	**0.00**	**0.00%**	**(11.25)**	
				Ending Balance:	**11.25**						
82918	824000	8/31/17	RMB0039751	CPSU STATE FISC V882 Voyager F		OH	29.42				8/31/17
82918	824000	12/31/17	RMB0040727	CPSU STATE FISC Fuel WO0806734		OH	9.46				1/4/18
82918	824000	1/31/18	RMB0040959	CPSU STATE FISC Fuel V882 Voya		OH	79.37				1/31/18
82918	824000	4/19/18	50162	DON MARUSKA & C Supplies & Mat		OH	2,000.00				4/19/18
82918	824000	6/30/18	RMB0042472	CPSU STATE FISC Voucher #: 007		OH	711.93				7/11/18
		*** Object Code: 824000**		**Beginning Balance:**	**0.00**		**2,830.18**	**0.00**	**0.00%**	**(2,830.18)**	
				Ending Balance:	**2,830.18**						
82918	824104	12/31/17	430	BAY FOUNDATION Lab Supplies		OH	900.00				1/5/18
82918	824104	12/31/17	444	BAY FOUNDATION Lab Supplies		OH	900.00				1/5/18
82918	824104	4/19/18	467	BAY FOUNDATION Lab Supplies		OH	900.00				4/19/18
		*** Object Code: 824104**		**Beginning Balance:**	**0.00**		**2,700.00**	**0.00**	**0.00%**	**(2,700.00)**	
				Ending Balance:	**2,700.00**						
82918	824309	1/31/18	RMB0040959	CPSU STATE FISC Backscatter Vc		OH	2,658.61				1/31/18
		*** Object Code: 824309**		**Beginning Balance:**	**0.00**		**2,658.61**	**0.00**	**0.00%**	**(2,658.61)**	
				Ending Balance:	**2,658.61**						
82918	825800	12/31/17	RMB0040727	CPSU STATE FISC V882 97 Ford E		OH	260.16				1/4/18
82918	825800	5/31/18	RMB0041929	CPSU STATE FISC O0817325 , Ref		OH	833.13				5/31/18
82918	825800	6/28/18	RMB0042201	CPSU STATE FISC O0818874 , Ref		OH	291.28				6/28/18
82918	825800	6/30/18	RMB0042472	CPSU STATE FISC O0821320 , Ref		OH	47.61				7/11/18
		*** Object Code: 825800**		**Beginning Balance:**	**0.00**		**1,432.18**	**0.00**	**0.00%**	**(1,432.18)**	
				Ending Balance:	**1,432.18**						
82918	825806	8/31/17	RMB0039751	CPSU STATE FISC V680 Ford F250		OH	1,432.37				8/31/17
82918	825806	9/28/17	RMB0040014	CPSU STATE FISC V882 97 Ford E		OH	549.90				9/28/17
82918	825806	10/31/17	RMB0040249	CPSU STATE FISC Repair V882 97		OH	995.14				10/31/17
82918	825806	11/30/17	RMB0040489	CPSU STATE FISC V882 97 Ford-B		OH	1,327.38				11/30/17
82918	825806	12/31/17	RMB0040727	CPSU STATE FISC V680 00 Ford F		OH	958.93				1/4/18
82918	825806	2/28/18	RMB0041190	CPSU STATE FISC Brakes 00 Ford		OH	382.98				3/1/18

Fiscal Year: 2018 **Periods:** 01 **to** 12

Orgkeys: 82918 **to** 82918 **Object Codes:** 000000 **to** 999999 **Key Status:** Any

SubSys: 0 **to** ZZ **Funds:** 01 **to** 90 **Division:** * **Functions:** 0001 **to** 9999 **Dept:** 0 **to** 9999

Key	Object	Post Date	Reference	Description		SS	Transaction Amount	Ann Budget	Pct	Variance	Update
		*** Object Code: 825806**		**Beginning Balance:**	**0.00**		**5,646.70**	**0.00**	**0.00%**	**(5,646.70)**	
				Ending Balance:	**5,646.70**						
82918	826004	4/19/18	0309SANTABAR	RUTTENBERG, BEN Domestic Trave		OH	152.00				4/19/18
82918	826004	6/30/18	JF043788	Clr Prpy United 198009/826004		JE	57.37				7/3/18
		*** Object Code: 826004**		**Beginning Balance:**	**0.00**		**209.37**	**0.00**	**0.00%**	**(209.37)**	
				Ending Balance:	**209.37**						
82918	828000	7/31/17	TTLFA	AutoID: FADE	Job: 1189911	FA	165.14				8/7/17
82918	828000	8/31/17	TTLFA	AutoID: FADE	Job: 1201116	FA	165.15				9/7/17
82918	828000	9/30/17	TTLFA	AutoID: FADE	Job: 1213664	FA	165.14				10/5/17
82918	828000	10/31/17	TTLFA	AutoID: FADE	Job: 1230491	FA	165.15				11/7/17
		*** Object Code: 828000**		**Beginning Balance:**	**0.00**		**660.58**	**0.00**	**0.00%**	**(660.58)**	
				Ending Balance:	**660.58**						
82918	830005	7/31/17	JF042069	ICS - MONTHLY FISCAL FEE		JE	8.26				8/8/17
82918	830005	8/31/17	JF042244	ICS - MONTHLY FISCAL FEE		JE	81.35				9/11/17
82918	830005	9/30/17	JF042425	ICS - MONTHLY FISCAL FEE		JE	35.75				10/9/17
82918	830005	10/31/17	JF042618	ICS - MONTHLY FISCAL FEE		JE	75.61				11/8/17
82918	830005	11/30/17	JF042778	ICS - MONTHLY FISCAL FEE		JE	101.57				12/8/17
82918	830005	12/31/17	JF042936	ICS - MONTHLY FISCAL FEE		JE	186.63				1/9/18
82918	830005	1/31/18	JF043108	ICS - MONTHLY FISCAL FEE		JE	137.46				2/8/18
82918	830005	2/28/18	JF043259	ICS - MONTHLY FISCAL FEE		JE	19.15				3/7/18
82918	830005	3/31/18	JF043424	ICS - MONTHLY FISCAL FEE		JE	4.75				4/12/18
82918	830005	4/19/18	AA021913	ICS - MONTHLY FISCAL FEE		JE	145.00				4/19/18
82918	830005	4/19/18	0309SANTABAR	ICS - MONTHLY FISCAL FEE		JE	7.60				4/19/18
82918	830005	5/31/18	RMB0042113	ICS - MONTHLY FISCAL FEE		JE	41.66				5/31/18
82918	830005	5/31/18	JF043675	ICS - MONTHLY FISCAL FEE		JE	2.50				6/8/18
82918	830005	6/28/18	RMB0042393	ICS - MONTHLY FISCAL FEE		JE	14.56				6/28/18
82918	830005	6/30/18	JF043788	ICS - MONTHLY FISCAL FEE		JE	2.87				7/3/18
82918	830005	6/30/18	RMB0042674	ICS - MONTHLY FISCAL FEE		JE	38.23				7/11/18
82918	830005	6/30/18	JF043929	ICS - MONTHLY FISCAL FEE		JE	1.08				7/13/18
		*** Object Code: 830005**		**Beginning Balance:**	**0.00**		**904.03**	**0.00**	**0.00%**	**(904.03)**	
				Ending Balance:	**904.03**						
82918	830010	5/31/18	JF043675	5% Gift Fee May 2018		JE	50.00				6/8/18
		*** Object Code: 830010**		**Beginning Balance:**	**0.00**		**50.00**	**0.00**	**0.00%**	**(50.00)**	
				Ending Balance:	**50.00**						
82918	831000	6/30/18	JF043929	2017-18 Insurance Allocation		JE	21.55				7/13/18
		*** Object Code: 831000**		**Beginning Balance:**	**0.00**		**21.55**	**0.00**	**0.00%**	**(21.55)**	
				Ending Balance:	**21.55**						
82918	860008	6/30/18	RMB0042472	CPSU STATE FISC PRKG Bell 06/1		OH	5.00				7/11/18
		*** Object Code: 860008**		**Beginning Balance:**	**0.00**		**5.00**	**0.00**	**0.00%**	**(5.00)**	
				Ending Balance:	**5.00**						
82918	860017	3/13/18	JF043280	ICS CD CHG#28809		JE	95.08				3/13/18
		*** Object Code: 860017**		**Beginning Balance:**	**0.00**		**95.08**	**0.00**	**0.00%**	**(95.08)**	
				Ending Balance:	**95.08**						

Fiscal Year: 2018 **Periods:** 01 **to** 12

Orgkeys: 82918 **to** 82918 **Object Codes:** 000000 **to** 999999 **Key Status:** Any

SubSys: 0 **to** ZZ **Funds:** 01 **to** 90 **Division:** * **Functions:** 0001 **to** 9999 **Dept:** 0 **to** 9999

Key	Object	Post Date	Reference	Description		SS	Transaction Amount	Ann Budget	Pct	Variance	Update
82918	962004	1/16/18	JF042959	IdcDist16-17 82918 To CCMS		JE	(36,605.00)				1/16/18
		*** Object Code: 962004**		**Beginning Balance:**	**0.00**		**(36,605.00)**	**0.00**	**0.00%**	**36,605.00**	
				Ending Balance:	**(36,605.00)**						
82918	981004	1/31/18	JF043100	Rev Incorr Transfers		JE	622.00				2/8/18
82918	981004	1/31/18	JF043100	Rev Incorr Transfers		JE	15,034.00				2/8/18
82918	981004	1/31/18	JF043100	Rev Incorr Transfers		JE	549.00				2/8/18
82918	981004	1/31/18	JF043100	Rev Incorr Transfers		JE	246.00				2/8/18
82918	981004	1/31/18	JF043100	Rev Incorr Transfers		JE	5,259.00				2/8/18
82918	981004	1/31/18	JF043100	Rev Incorr Transfers		JE	975.00				2/8/18
		*** Object Code: 981004**		**Beginning Balance:**	**0.00**		**22,685.00**	**0.00**	**0.00%**	**(22,685.00)**	
				Ending Balance:	**22,685.00**						
82918	982004	1/16/18	JF042959	1617IdcDis8291835412Ruttenberg		JE	622.00				1/16/18
82918	982004	1/16/18	JF042959	IDC DIST16-17 82918/35226WENDT		JE	15,034.00				1/16/18
82918	982004	1/16/18	JF042959	IDC DIST16-17 82918/35411 LEMA		JE	549.00				1/16/18
82918	982004	1/16/18	JF042959	IdcDist16-17 82918/35349 WOOD		JE	246.00				1/16/18
82918	982004	1/16/18	JF042959	IdcDist16-17 82918/35395WALTER		JE	5,259.00				1/16/18
82918	982004	1/16/18	JF042959	IdcDist16-17 8291835163Tomanek		JE	975.00				1/16/18
82918	982004	1/31/18	JF043097	Rev Incorr Transfers		JE	(622.00)				2/8/18
82918	982004	1/31/18	JF043097	Rev Incorr Transfers		JE	(15,034.00)				2/8/18
82918	982004	1/31/18	JF043097	Rev Incorr Transfers		JE	(549.00)				2/8/18
82918	982004	1/31/18	JF043097	Rev Incorr Transfers		JE	(246.00)				2/8/18
82918	982004	1/31/18	JF043097	Rev Incorr Transfers		JE	(5,259.00)				2/8/18
82918	982004	1/31/18	JF043097	Rev Incorr Transfers		JE	(975.00)				2/8/18
		*** Object Code: 982004**		**Beginning Balance:**	**0.00**		**0.00**	**0.00**	**0.00%**	**0.00**	
				Ending Balance:	**0.00**						
		**** Org key: 82918**		**Beginning Balance:**	**0.00**		**0.00**	**0.00**	**0.00%**	**0.00**	
				Ending Balance:	**0.00**						
		***** Report Total:**		**Beginning Balance:**	**0.00**		**0.00**	**0.00**	**0.00%**	**0.00**	
				Ending Balance:	**0.00**						

PROPOSALS SUBMITTED AND EXTERNAL FUNDING PROCURED THROUGH CCMS

The faculty associated with the CCMS submitted 10 new proposals last year for external funding of research and educational activities. Proposals went to federal agencies such as NSF, ONR, NOAA, state agencies, and private foundations. The Center had 15 active awards last year for a total of $1.67 million of new and augmented funding. The tables below detail the submitted proposals and last year's awards and augmentations during fiscal year 2018.

Proposals Accepted, Augmented, or Active

PI	Funds Received FY 17/18	Total Award	Sponsor	Project Title	Project Dates	PI Dept
Walter, Ryan	$125,000	$250,000	DOC - National Oceanic and Atmospheric Administration (NOAA) via California Sea Grant	Understanding the past and predicting the future in a California estuary: The role of sediment dynamics on eelgrass resilience in Morro Bay	3/1/18 - 1/31/20	Physics
Wendt, Dean	$192,000	$192,000	CA Ocean Protection Council via San Jose State Univ Foundation	California Collaborative Fisheries Research Program	6/1/17 - 6/30/19	Dean's Office, COSAM
Walter, Ryan		$60,000	DOC - National Oceanic and Atmospheric Administration (NOAA) via California Sea Grant	Physical drivers of nearshore hypoxia in an understudied central California location	2/1/17 - 1/31/18	Physics
Ruttenberg, Benjamin	$12,715	$28,000	City of Pismo Beach	Monitoring and Restoration of Pismo Clams	1/1/17 - 12/31/18	Biological Sciences

Wendt, Dean E.	$127,607	$252,045	DOD - Office of Naval Research	Assessment of Marine Coatings at a Central California Static Immersion Test Site	9/1/16 - 8/20/18	Office Rsrch & Econ Dev
Ruttenberg, Benjamin	$55,408	$76,776	DOC - National Oceanic and Atmospheric Administration (NOAA)	Quantifying corallivory by parrotfishes: species-specific preferences and impacts on threatened corals.	2/1/17 - 7/31/19	Biological Sciences
Ruttenberg, Benjamin	$240,609	$499,999	DOI - Bureau of Ocean Energy Management (BOEM)	Scenarios for Offshore Renewable Energy along the Central California Coast	9/13/16 - 2/28/21	Biological Sciences
Tomanek, Lars	$392,896	$591,476	National Science Foundation	Collaborative Research: RUI: Uncovering the Role of Sirtuins in Linking Food Availability and Stress Tolerance Through Multi-Scale Signaling Networks in Mussels	7/15/16 - 8/31/19	Biological Sciences
Walter, Ryan	$45,000	$165,655	DOC - National Oceanic and Atmospheric Administration (NOAA) via Monterey Bay Aquarium Research Institute (MBARI)	CeNCOOS: Integrating marine observations for marine decision makers and the general public	6/1/16 - 5/31/19	Physics

Walter, Ryan	$201,100	$402,200	DOC - National Oceanic and Atmospheric Administration (NOAA) via Scripps Institution of Oceanography	Central California high-frequency (HF) radar ocean surface current mapping (SCM) and Harmful Algal Blooms (HABs) Project	6/1/16 - 5/31/21	Physics
Liwanag, Heather	$346,358	$545,358	National Science Foundation	RUI: Growing Up on Ice: Physiological Adaptations and Developmental Plasticity in Weddell Seal Pups Across Two Extreme Physical Environments	9/15/16 - 8/31/20	Biological Sciences
Wendt, Dean		$390,559	DOC - National Oceanic and Atmospheric Administration (NOAA)	Improving the Data Available for Stock Assessments and Management of West Coast Groundfish through Collaborative Research	6/1/15 - 5/31/18	Dean's Office, COSAM
Wendt, Dean		$396,602	National Science Foundation	A Reconstructed Boat Landing for California Polytechnic State University's Center for Coastal Marine Sciences Pier Facility	9/1/15 - 8/31/19	Dean's Office, COSAM

Wood, Zoe	$86,761	National Science Foundation via Harvey Mudd College	Intelligent search and mapping of submerged cultural heritage ancient shipwrecks using autonomous underwater vehicles	9/1/15 - 8/31/18	Computer Science
White, Crow	$124,248	Gordon and Betty Moore Foundation via University of California, Santa Barbara	Ecosystem thresholds and indicators for marine spatial planning	9/1/13 - 8/31/17	Biological Sciences

Proposals Pending and Denied

PI	Status	Sponsor	Project Title	PI Dept	Submit Date	Request Amount
Needles, Lisa	Denied	CA State Coastal Conservancy	Prey limitations and sea otter recovery	Biological Sciences	9/8/17	$80,123
Wendt, Dean	Accepted in FY18	DOC - National Oceanic and Atmospheric Administration (NOAA)	Understanding How Climate Change Impacts Catch Rates and Composition of Nearshore Groundfish	Dean's Office, COSAM	1/8/18	$299,140
Ruttenberg, Benjamin	Denied	DOC - National Oceanic and Atmospheric Administration (NOAA)	Measuring species-specific impacts of herbivorous fishes in Hawaii to understand ecosystem effects of herbivore fisheries management	Biological Sciences	2/1/18	$78,081
White, Crow	Accepted for full proposal (submitted and denied in FY19)	CA Ocean Protection Council via USC Sea Grant	PRELIMINARY PROPOSAL: Tradeoff analysis for informing spatial planning of offshore wind energy development along the California Central Coast	Biological Sciences	3/15/18	$249,780
White, Crow	Denied	Harold J. Miossi Charitable Trust	Dive Beneath the Surface	Biological Sciences	5/30/18	$52,707
Pasulka, Alexis	Pending	California Sea Grant	Characterizing microbial food web response to ocean acidification a synergistic approach to coastal oceanography	Biological Sciences	4/10/18	$66,450

White, Crow	Pending	CA Dept of Fish and Wildlife via Pacific States Marine Fisheries Commission	South-Central Steelhead ARIS Sonar Monitoring of Adult Steelhead Population at San Carpoforo Creek, San Luis Obispo County	Biological Sciences	3/28/18	$169,808

California Polytechnic University - Pier Drive Lane Analysis

Prepared for
Aaron Ulm
Project Manager, Minor Projects
California Polytechnic State University
San Luis Obispo, CA, 93407

Prepared by
Cannon
1050 Southwood Drive
San Luis Obispo, CA 93401

December 6th, 2017

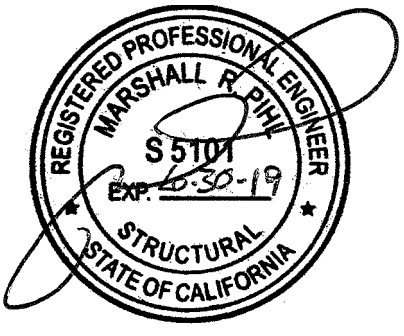


Table of Contents

1. INTRODUCTION

The Cal Poly Pier was constructed in 1984 by Unocal Corporation. The 3,000 foot long by 21.5 feet wide pier was donated to Cal Poly in 2001 and the University has been converting it to a functioning research station. The pier currently comprise of 2 segments, where the first segment supports a series of pipelines that were used for oil and gas operations, whereas the second segment comprises of a 12 feet wide roadway. The pier ends at the south end with a 160 feet x 96 feet deck area supporting buildings and equipment.

1.1 Purpose and Scope

The Cal Poly University is interested in exploring the viability of widening the existing roadway by eliminating the existing pipelines and constructing a new multi-lane access system capable of supporting larger vehicles on the pier.

Cannon's scope of services is the following:

- Review the existing pier structural drawings for general conformance
- Review the capacity of the existing roadway section and determine if the existing roadway is capable of supporting larger vehicle loads
- Evaluate the viability of replacing the existing pipelines with additional roadway segments designed specifically to support larger vehicle loads

1.2 Project Location and Description

Cal Poly Pier is located on Avila Beach Drive, just west of San Luis Creek Bridge. The Cal Poly Pier is approximately half mile long, currently consists of a roadway section and Unocal pipelines (currently abandoned in place). The roadway provides access to buildings and other research facilities and equipment at the south end of the pier.

1.3 Existing Conditions

Cal Poly pier structure is constructed on 107 pile bents supporting an access roadway system and large diameter pipelines. Each pile bent is constructed of steel piles and a steel cap beam. There are some bent groups that feature additional stiffener framing. The bents along the access length of the pier are divided into two roadway configurations. The north segment of the roadway features pre-cast concrete panels supported by steel beams spanning between bents. The south segment of the roadway features heavy steel grating supported by steel beams spanning between the bents. Diagonal steel bracing is provided along the pipe bents towards south end of the pier structure. Additional horizontal steel bracing is also part of the structure to support the heavy loads from the pipeline system.

1.4 Method of Analysis

The pier structure was analyzed as follows:

- The existing pre-cast concrete panels was analyzed to determine its capacity against HS 15-44 rated loading and the panel capacity compared against allowance of future HS 20-44 traffic load on the deck.

- The loading of existing large pipes were determined and options for replacing considered with regard to additional roadway capacities for HS -20 traffic loads.

1.5 Background and Assumptions

Analysis of the pier was limited to the longitudinal span elements along the length of the pier and pier caps only. Evaluation of the piles and pier elements other than the pre-cast concrete sections and longitudinal members along the length of the pier are not included as part of this analysis.

2. Design Analysis

2.1 Pre-Cast concrete panel capacity

The pre-cast concrete roadway panels are 13.5 feet wide by 5 feet long sections (by 8 inch thick). The sections are reinforced with # 4 bars and are supported on W24x68 structural steel members located at 7.5 feet on center and spanning between bents. The pre-cast panel sections cantilever 3.5 feet outside the steel beams. The section was analyzed for HL 15-44 rated loading (as the original design had indicated) and the design capacity was determined based on the loading.

The results indicate that the pre-cast panels meet the design capacity provided the location of the wheel loads remain along the existing W24x68 beam. A variance of the wheel load greater than one foot from the W24 beam will result in the failure of the concrete deck section.

The above loading scenario applies to HL 20-44 rated loading too.

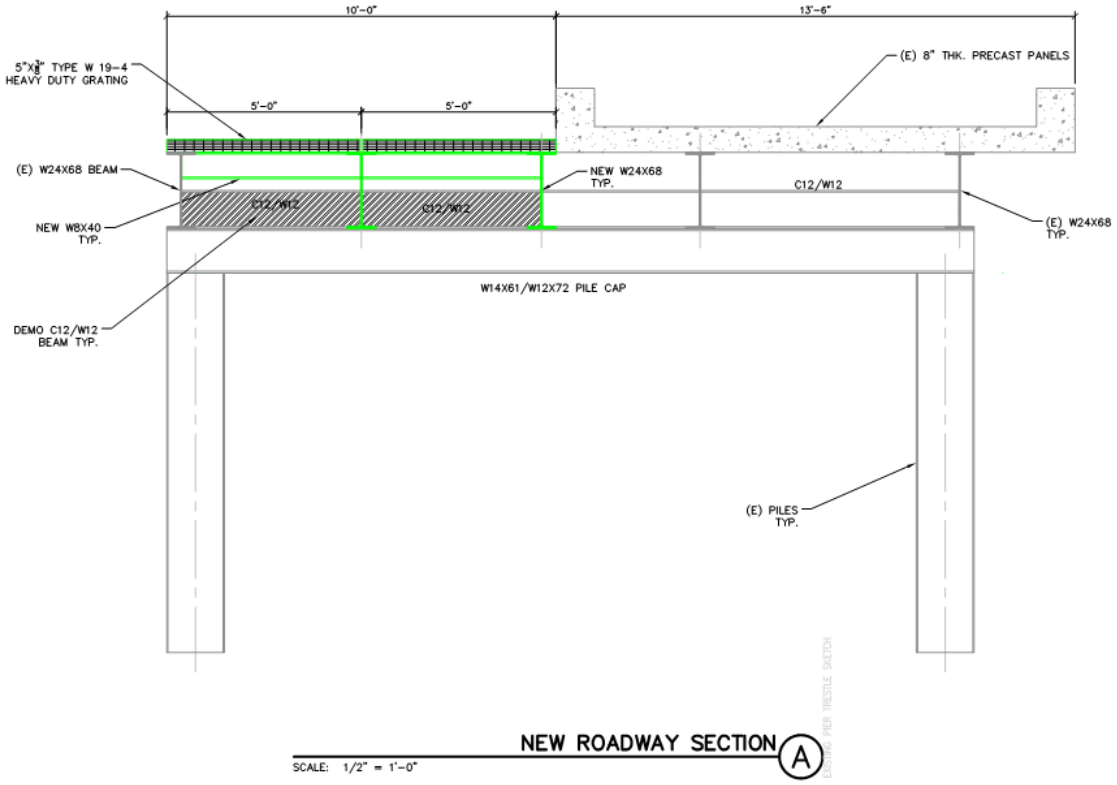
2.2 Loading analysis between current and future loads

The east side of the pier currently supports (1) 6 inch, (2) 10 inch, (2) 12 inch and (1) 16 inch pipelines, which run longitudinally adjacent to the roadway section. The above pipelines, filled with water, will result in a uniform load of 520 lbs./ft. supported at each bent. The pipelines are currently being supported on structural steel C12x30 or W12x30 beams, which are supported on the pile cap and connected to the W24x68 members (see figure below). The existing roadway section is designed for HL 15-44 rated loading, which includes in a single axle load of 12 kips on the roadway section along with a 480 lbs./ft. lane load. In comparison of the axle loads with the current pipeline system, the future loads from the roadway system will exceed the current loading criteria of the pipeline system. Installing a new roadway system will require detailed analysis of the complete pier structure, including the review of the existing steel pile capacities and its connecting elements.

2.3 New Roadway System Analysis

The west side of the pipe bridge is approximately 10 feet wide and is currently supporting the large pipelines (as mentioned above). The super structure of the pier consists of horizontal and vertical bracings. Installing a new roadway system will result in using HL 20-44 rated loading to design the members for the future traffic loads. The new roadway system can be incorporated into the pier structure after the replacement of the large pipelines and installation of new structural members as detailed below and shown in the sketch.

- Demo the existing C12/W12 member
- Install two new W24x68 members that run parallel to the existing W24 member
- Install 5” thick grating sections spanning 5 feet between the W24 members
- Provide additional bracing along the pier based on current grating roadway sections that are installed from pile bents 49 to 107



The above sketch is based on preliminary analysis performed on the pier for a new roadway system. Final design would require some integration between the two roadways and detailed analysis for design of horizontal bracing and modifications to bents.

3.0 CONCLUSION

Based on our review of the existing structure, we have concluded the following:

The existing roadway structure with pre-cast concrete panels supported by steel beams spanning between bents is sufficient to support HS20 loads with 16 kip axle loads provided the wheel loads do not deviate from the support beam alignments as mentioned in our analysis.

The existing piping runs along the pier could be replaced with a new roadway designed to support heavier vehicle loads. Modifications necessary to add the new lane would include removal of pipe supports and framing at the bents and installation of new roadway stringers, bracing, and decking.

In general, the pier bents are sufficient for the addition of a new lane. Design of a new roadway lane would include a thorough evaluation of the modified bent configurations for the new framing configuration(s).

Appendix G
Capital Planning, Design & Construction
Land Use Planning & Environmental Review

CSU CEQA Procedures

(Referenced in SUAM Section 9016)

TABLE OF CONTENTS

THE CALIFORNIA STATE UNIVERSITY

CEQA PROCEDURES

9170 THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

A. Projects involving expenditure of federal funds can be subject to the National Environmental Policy Act (NEPA) of 1969 (PL 91-190), which went into effect on January 1, 1970. Very few projects of The California State University are subject to NEPA review.

B. The California legislature adopted the California Environmental Quality Act (CEQA) (Public Resource Code, Division 13, Section 21000 et seq.) based on NEPA. The CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.) were adopted to assist public agencies with CEQA implementation. All State agencies, including the Board of Trustees of The California State University, are required to regulate their activities to ensure that the environmental quality of the State of California is protected and enhanced. The Trustees have adopted regulations (Title 5, 43850) and provided for internal procedures for implementation of CEQA by the California State University.

C. The basic purposes of CEQA are to:

1. Inform governmental decisionmakers and the public about the potential, significant environmental effects of proposed projects.
2. Identify the ways that environmental impacts can be avoided or significantly reduced.
3. Prevent significant, avoidable impacts to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the Trustees finds the changes to be feasible.
4. Disclose to the public the reasons why the Trustees approved the project if significant environmental effects are involved.

D. The legislative policy is that the State:

1. Develop and maintain a high-quality environment now and in the future, taking all action necessary to protect, rehabilitate, and enhance the environmental quality of the State.
2. Act as necessary to provide present and future residents of this state with clean air and water, enjoyment of aesthetic, natural, scenic, and historical environmental qualities, and freedom from excessive noise.
3. Prevent the elimination of fish or wildlife species due to man's activities, ensure that fish and wildlife populations do not drop below self-perpetuating levels, and to preserve for future generations representations of all plant and animal communities and examples of the major periods of California history.
4. Ensure that the long-term protection of the environment, consistent with the provision of a decent home and a suitable environment for every Californian, shall be the guiding criterion in public decisions.
5. Create and maintain conditions under which man and nature can exist in productive harmony to fulfill the social and economic requirements of present and future generations.

6. Require governmental agencies at all levels to develop standards and procedures necessary to protect environmental quality.
7. Require governmental agencies at all levels to consider qualitative factors as well as economic and technical factors and long-term benefits and costs, in addition to short-term benefits and costs, and to consider alternatives to proposed actions affecting the environment.

E. The State CEQA Guidelines apply to the University although they do not always provide specific guidance in the diversity of projects undertaken by the University. CEQA requires that the Trustees adopt their own regulations, including objectives and procedures for the evaluation of projects and for the preparation of environmental documents. The Trustees' regulations must be consistent with CEQA and comply with guidelines adopted by the State Office of Planning and Research.

F. CEQA applies in situations where the Trustees can use their judgment in deciding whether and how to approve a project. Environmental information is helpful only when the Trustees have the authority to respond to the information prior to approving a project.

G. The Procedures herein supersede the July 1985 Guidelines and make specific the Trustees' environmental quality procedures. The Procedures conform to current legislation, State CEQA Guidelines, and judicial decisions.

H. Within these Procedures, parallel sections of the State CEQA Guidelines are sometimes cited to identify the basis and authority for establishing specific regulations.

9170.01 KEY DEFINITIONS AND ABBREVIATIONS

A. An environmental terminology has evolved as a result of implementing CEQA. Below are some of the frequently used terms used in the California State University CEQA Guidelines, as well as identification of acronyms frequently used.

Assistant Vice Chancellor - Capital Planning, Design, and Construction (AVC-CPDC) – The Trustees' designated representative in the Office of the Chancellor of The California State University who is delegated the responsibility to oversee CEQA review, processes, and documents with each University campus. Actions of the AVC-CPDC as described in these guidelines include actions by authorized staff of the AVC-CPDC.

Campus Facility and Planning Office – The architectural/engineering office for each of the University campuses, responsible for the review and preparation of environmental documents, acting within their designated duties.

Environmental Review Hearing Officer/Committee – An advisory body, entrusted with the responsibility to review and make a recommendation of approval to the Trustees on all environmental impact reports and negative declarations.

Handbook - The California State University CEQA Handbook adopted by the Trustees to assist individual University campuses with the implementation of these Procedures.

State Office of Planning and Research – Also referred to as OPR, part of the Governor's office that undertakes statewide comprehensive planning and manages the state environmental review process under CEQA, among other duties. The State Clearinghouse is the division of OPR that coordinates CEQA review.

SUAM – The State University's Administrative Manual, which provides the officers and employees of The California State University with an uniform approach to the standard procedures of the system.

Trustees – The Trustees of The California State University, who serves as the CEQA lead agency for all campus projects of The California State University.

University – The campuses of The California State University upon which a project is located.

B. A list of other CEQA definitions appears herein as SUAM Section III Appendix A.

9171 RESPONSIBILITY OF TRUSTEES FOR COMPLIANCE WITH CEQA

A. A lead agency is the public agency, which has the principal responsibility for preparing environmental documents and for carrying out or approving a project, which may have a significant effect on the environment. (See Public Resources Code, Section 21000 et seq.; Title 5, Section 43850 et seq.; CEQA Guidelines, Section 15000 et seq.)

The Trustees are the lead agency for any proposed on-campus activity undertaken by them, or by an individual California State University, when physical actions such as (but not limited to) demolition, alteration, repair, remodeling, rehabilitation, construction of new facilities, or granting of a substantial entitlement are involved. The Trustees also are the lead agency if the impact of such an activity extends beyond a campus, requiring the concurrence or approval of other public bodies. The Trustees, in compliance with Section 15022 of the State CEQA Guidelines, have adopted the procedures for the evaluation of projects and the preparation of Environmental Impact Reports, Negative Declarations, and other appropriate CEQA actions.

B. The Trustees' objectives, criteria, and procedures are consistent with the provisions of the Public Resources Code and with the guidelines adopted by the State Office of Planning and Research. These SUAM paragraphs (9820 et seq.) and related Appendices implement, interpret, and make specific the provisions of the Public Resources Code and the State CEQA guidelines.

C. The Trustees may act as a responsible agency and may carry out or approve a project for which another lead agency is preparing an EIR.

D. The Trustees shall give major consideration to the effects each of their projects may have on housing and on satisfying living environments when they decide to mitigate a project in order to avoid significant environmental effects identified in an Initial Study or Environmental Impact Report (EIR). The term "satisfying living environment" includes natural environmental conditions as well as physical amenities resulting from development by man.

9171.01 OBJECTIVES OF CSU CEQA PROCEDURES

The objectives of these CSU CEQA Procedures are to ensure that:

1. Environmental concerns are taken into account as early as feasible and continued throughout the planning and development process, to enable environmental considerations to influence a project's program, design, and execution.
2. Objective evaluations are made as soon as possible to determine whether or not an action is a project and appropriate CEQA action is prepared in a timely manner.
3. Required CEQA actions are in full compliance with CEQA.
4. If the appropriate CEQA action is an Environmental Impact Report (EIR), it is prepared in a manner that will provide detailed information on any significant environmental consequences. The EIR also shall examine any feasible mitigation measures or alternatives to eliminate or avoid probable adverse environmental impacts that might result from a proposed project.
5. The Trustees are given the opportunity to consider the project objectives, consequences, and alternatives available and decide whether the project should proceed, be revised, or be abandoned.
6. Review periods are set for various CEQA actions consistent with legal requirements.

9171.02 DELEGATION OF AUTHORITY FROM TRUSTEES TO THE ENVIRONMENTAL REVIEW HEARING OFFICER/COMMITTEE

The Environmental Review Hearing Officer/Committee, under a delegation of authority from the Trustees, is the advisory body for reviewing and making recommendations on all Negative Declarations and Environmental Impact Reports (EIRs). The Environmental Review Hearing Officer/Committee has responsibility for:

1. All University public hearings on Negative Declarations and EIRs.
2. Review of University Negative Declarations and EIRs with recommendations for certification to the Trustees.

9171.03 DELEGATION OF AUTHORITY FROM TRUSTEES TO THE ASSISTANT VICE CHANCELLOR - CAPITAL PLANNING, DESIGN AND CONSTRUCTION

A. The Assistant Vice Chancellor - Capital Planning, Design, and Construction, under a delegation of authority from the Trustees, is the decision-making body for certain smaller projects and for reviewing all Negative Declarations and EIRs. The AVC-CPDC has responsibility to ensure:

1. Appropriate initial studies are conducted.
2. Necessary documents are prepared for Trustees' activities subject to CEQA.
3. Categorical exemptions and other capital project CEQA compliance activities delegated to the university administration for projects they undertake are completed in a timely manner and in compliance with all legal requirements.
4. Consultations are held with other public agencies on system-wide capital projects.
5. All necessary CEQA documents are filed timely with the State Office of Planning and Research.
6. All campus public hearings on CEQA matters are conducted.
7. All Negative Declarations and EIRs are thoroughly reviewed and recommendations for certifications are made to the Environmental Review Hearing Office/Committee.
8. Evaluations and responses are prepared to comments received by the Chancellor and Trustees from the public, state agencies, or local bodies, regarding capital development projects.
9. An annual report is prepared and submitted to the Trustees on the CEQA actions taken on their behalf.
10. Mitigation monitoring and reporting programs are implemented at each campus for which mitigation measures are adopted as part of an EIR or Negative Declaration.

B. The AVC-CPDC also will furnish assistance to a campus in the preparation of required environmental documents for campus-managed projects as requested or otherwise deemed appropriate. Environmental documents are defined in SUAM Section III Appendix G.

9171.04 DELEGATION OF AUTHORITY FROM THE ASSISTANT VICE CHANCELLOR - CAPITAL PLANNING, DESIGN AND CONSTRUCTION TO CAMPUS FACILITY AND PLANNING OFFICE

Each university's Campus Facility and Planning Office, under a delegation of authority from the Assistant Vice Chancellor - Capital Planning, Design, and Construction (AVC-CPDC), is the decision-making body for initial reviews of projects and for determinations for exemptions. The Campus Facility and Planning Office has responsibility to ensure:

1. Appropriate initial studies are prepared.
2. Necessary documents are prepared for Trustees' activities subject to CEQA.

3. Categorical exemptions and other capital project CEQA compliance activities are completed in a timely manner and in compliance with all legal requirements.
4. Consultation are held with other public agencies on systemwide capital projects.
5. All necessary CEQA documents are filed timely with the State Office of Planning and Research.
6. All campus public hearings on CEQA matters are conducted.
7. All Negative Declarations and EIRs documents are prepared according to CEQA Procedures.
8. Evaluations and responses are prepared to comments received by the Chancellor and Trustees from the public, State agencies, or local bodies, regarding capital development projects.
9. An annual report is prepared and submitted to the Trustees on the CEQA exemptions actions taken on their behalf.
10. Mitigation monitoring and reporting programs are implemented at each campus for which mitigation measures are adopted as part of an EIR or Mitigated Negative Declaration.

9172 TRUSTEES' AUTHORITY TO APPROVE OR DISAPPROVE A PROJECT

A. The Trustees may decide not to approve a project if the project will have one or more significant effects on the environment. The Trustees also have authority to approve a project even though the project would cause a significant effect on the environment, if the Trustees make a fully informed and publicly disclosed decision that:

    1. There is no feasible way to lessen or avoid the significant effect, particularly in relation to project needs. For each unavoidable significant effect identified in an EIR, the Trustees must make one of three findings, as provided in Section 9180.06.
    2. The identified benefits from the project outweigh and override the significant adverse environmental impacts of the project. To approve a project with unavoidable significant impacts, the Trustees must issue a "statement of overriding considerations," as provided in Section 9180.07.

B. The Trustees may approve a project by a third party on University lands. This third party may submit environmental information to the Trustees for use in preparing the environmental documents for the project. Although the third party may fund the contract, the EIR must be prepared under contract to the Trustees, and University staff must manage the preparation of the CEQA document with the consultant.

9173 CONSULTATION WITH STATE AGENCIES

A. When more than one public agency will be involved in the review, submission of comments, or approval of a project CEQA action, the Trustees

shall consult with such agencies as responsible agencies before transmitting to the State Office of Planning and Research a Draft EIR or a Negative Declaration. Consultation is designed to ensure that the CEQA action will reflect the concerns of all responsible agencies.

B. The first step of consultation should be accomplished as early as possible in the review process. Early consultation solves many potential problems that could arise in more serious forms later in the review process. The AVC - CPDC shall consult with representatives of the agencies to determine the scope and content of the environmental information, which the agencies may require.

C. After the Trustees have decided that an EIR is the appropriate CEQA action for a project, they shall send to the State Office of Planning and Research and to each identified state and responsible agency a Notice of Preparation stating the action proposed. Notice shall also be provided to anyone in the public who has requested such notice. If the Trustees have provided written notice to a state responsible or trustee agency but receive no reply from it, the Trustees can then presume that the responsible or trustee agency has no comment.

D. On a discretionary basis, public scoping sessions may be noticed and held.

E. A scoping meeting shall be held for projects which may affect highways or other facilities under the jurisdiction of the Department of Transportation (Caltrans), if the meeting is requested by Caltrans. The scoping meeting shall be held as soon as possible, but not later than 30 days after receiving the request from Caltrans.

F. Besides Caltrans, a scoping meeting should be held with other public agencies where there are potential problems that need to be resolved.

G. A single scoping meeting may be conducted for which all responsible agencies and interested parties receive notice.

H. A list of State agencies and their areas of expertise is contained in the *CSU CEQA Handbook, Appendix A.*

9174 EXEMPT PROJECTS

[Public Resources Code, Section 21080 and CEQA Guidelines, Section 15061, 15260-15332]

A. If the Trustee's action appears to involve approval of a project, the Trustee must first consider whether the action is exempt from CEQA review either by statute or pursuant to a categorical exemption adopted by the Trustees. If the project is statutorily exempt, then no further review is required (see CEQA Guidelines, Section 15260). If the project is categorically exempt, then the Trustees must consider whether the categorically exemption is negated by an exception to the categorical exemptions. SUAM Section III Appendix B, Exemptions, identifies categorical exemptions applicable to University projects.

B. For projects determined to be exempt, the individual University Campus Facility and Planning Offices will prepare and submit two copies of a completed Notice of Exemption Form to the State Office of Planning and Research (OPR). OPR will date stamp one copy and return it to the campus. A Notice of Exemption Form shall be completed for all exempt activities as early in the project history as is practicable. The sample Notice of Exemption Form is contained in the *CSU CEQA Handbook.*

C. An adequate Notice of Exemption must include the following:

1. A brief project description.
2. A finding that the project is exempt, including a citation of the Guidelines section under which it is exempt.
3. A brief statement of facts to support the finding.

Examples of Notices of Exemption are contained the CSU CEQA Handbook.

D. The filing of the Notice of Exemption with the State Office of Planning and Research starts a 35-day statute of limitations for legal challenges concerning the determination that a project is exempt from CEQA. If a Notice of Exemption is not filed, a 180-day statute of limitations applies.

E. The Notice of Exemption shall be posted by electronic means on the Internet at a site maintained by the University.

F. All exempt projects submitted for either Public Works Board approval of Preliminary Plans, or Trustees approval of Schematic Plans (included approvals delegated to AVC-CPDC must have a copy of the Notice of Exemption submitted with the approval request, indicating by date stamp that the 35-day appeal period for legal challenges has expired. Alternatively, a finding that 180 days has elapsed since initial project approval must be made.

G. The campus facility and planning office shall retain original OPR date stamped copies of filed Notices of Exemption for a period of time, but at a minimum until the exempt project is completed.

9174.01 STATUTORY EXEMPTIONS

A. The Legislature has granted exemptions from CEQA's requirements for certain projects. Some exemptions are complete exemptions from CEQA, and such projects are not subject to CEQA even if the project may result in significant adverse impacts on the environment.

B. Fund requests contained in the State's yearly budgetary process are statutorily exempt from the provisions of CEQA and do not require CEQA action.

C. The following summarizes statutory exemptions.

1. **Emergency Projects**

Emergency Projects, as defined in SUAM Section III Appendix B, are exempt from the requirements of CEQA, and no further CEQA action is required. As a matter of policy, a Notice of Exemption will be prepared for these projects and submitted to the State Office of Planning and Research, with OPR date-stamped copies retained by the campus.

2. **Feasibility and Planning Studies**
   Feasibility and Planning Studies, as defined in SUAM Section III Appendix B, involving only feasibility, site reservation, or other planning studies for possible future actions which the Trustees have not approved, adopted, or funded, do not require the preparation of a Negative Declaration or Environmental Impact Report, but does require consideration of environmental factors.

3. **Ministerial Projects**
   Ministerial Projects, as defined in SUAM Section III Appendix B, are exempt from the requirements of CEQA. The determination of what is "ministerial" shall be made by the Trustees based upon their analysis of their own laws, and this determination shall be made on a case-by-case basis.

   The following kinds of actions are presumed to be ministerial.

   a. Issuance by a university of on-campus permits, leases, licenses, certificates, and minor entitlements.
   b. Issuance by a university of business licenses to on-campus or university-oriented groups.
   c. Staging of cultural, athletic, recreational, and amusement events, and other customary uses of campus facilities.
   d. Approval of Master Plan boundary surveys and maps prepared by a licensed surveyor or engineer.
   e. Approval of individual utility service connections and disconnections.
   f. Minor adjustments to a campus Master Plan when the master plan architect and the university administration state in writing that the action proposed is not a project under CEQA.
   g. Removal of on-campus temporary structures as defined by Trustee policy.
   h. Maintenance of existing facilities, roads, utilities, parking lots, and fences or embankments with no substantial addition or alteration.
   i. Reservation of space on a campus Master Plan for a future activity.
   j. On-campus traffic control, direction, and routing, including control devices, graphics, and routing aids.

   If a proposed activity involves elements of both ministerial action and substantial discretionary action, the project shall be deemed to be discretionary and shall be subject to the requirements of CEQA.

4. Disapproved Projects

   CEQA does not apply to projects, which the Trustees or their designee reject or disapprove.

9174.02 CATEGORICAL EXEMPTIONS

A. The Public Resource Code, Section 21084 and the CEQA Guidelines, Article 19 allow the Trustees to adopt in their procedures and guidelines the classes of projects that have been determined by the State Office of Planning and Research to have no significant effect on the environment and that therefore are exempt from the provisions of CEQA. The list of Categorical Exemptions is presented as SUAM Section III Appendix B.

B. The Campus Facility and Planning Office will examine and review the scope of a proposed action and determine whether it falls within the class of activities set forth in SUAM Section III Appendix B to be categorically exempt from the requirements of CEQA.

9174.03 EXCEPTIONS TO CATEGORICAL EXEMPTIONS

Even if a project otherwise falls within a categorical exemption, the project does not qualify for the exemption if it meets any one of the following criteria:

1. **Location:** The following exemption classes are qualified by location considerations in that if the location is environmentally sensitive an ordinarily insignificant project may have significant impacts.

   - Class 3 - New Construction or Conversion of Small Structures
   - Class 4 - Minor Alterations to Land
   - Class 5 - Minor Alterations in Land Use Limitations
   - Class 6 - Information collection
   - Class 11 - Accessory Structures

   Where an environmental resource of hazardous or critical concern is designated, precisely mapped, and officially adopted pursuant to law by federal, State or local agencies, a categorical exemption may not be used.

2. **Cumulative Impacts:** Some categorical exemptions may be inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant: For example, annual additions to an existing building, or repeated demolitions under Class 1 – Existing Facilities.

3. **Significant Effect:** All categorical exemptions are inapplicable to an activity where there is a reasonable possibility that the activity may have a significant effect on the environment due to unusual circumstances.

4. **Scenic Highway:** A categorical exemption can not be used for a campus project which may result in damage to scenic resources within a highway officially designated as a state scenic highway.

5. **Hazardous Waste Site:** The Campus Facility Planning Office cannot rely on a categorical exemption if the project is located on a site which is included an any list of hazardous waste sites.

6. **Historical Resource:** Categorical exemptions are improper for projects that may cause a substantial adverse change in the significance of a historical resource.

9175 INTERNAL PROCEDURES FOR PREPARING AND PROCESSING TRUSTEES' CEQA ACTIONS

A. Trustees' policy requires that CEQA actions be completed early in the project to serve as a determinant in the evolution of the project design. The importance of early preparation of CEQA actions is reflected by the provisions of CEQA, Section 21102, which prohibits any state agency from requesting funds for purposes other than project planning and feasibility studies prior to completing the appropriate CEQA action.

B. The following is an outline of the procedures and responsibilities for the evaluation, preparation, and processing of the Trustees' CEQA actions.

1. The Environmental Review Hearing Officer/Committee has been delegated the responsibility to review all Final EIRs and Negative Declarations, make recommendations regarding certifications, and present recommendations to the Trustees.
2. The Assistant Vice Chancellor - Capital Planning, Design, and Construction, has been delegated the responsibility for ensuring preparation of all CEQA compliance documents, consulting and advising the Environmental Review Hearing Officer/Committee, and processing all Trustees' CEQA actions.
3. The Assistant Vice Chancellor - Capital Planning, Design, and Construction shall have the responsibility for meeting legal and Trustees' requirements for CEQA action, recommending the appropriate CEQA action for specific projects, and reviewing and processing the required reports.
4. The Assistant Vice Chancellor - Capital Planning, Design, and Construction has delegated to the individual Campus Facility and Planning Offices the responsibility for preparing and submitting to the State Office of Planning and Research the Notice of Exemption for each project the university administers that is by definition categorically exempt.
5. The Assistant Vice Chancellor - Capital Planning, Design, and Construction shall also under delegation, review all Negative Declarations or Environmental Impact Reports submitted to the State Clearinghouse and all Notices of Determination.
6. The Assistant Vice Chancellor - Capital Planning, Design, and Construction will evaluate proposed Trustees' actions and ensure that appropriate action is recommended.
7. The Environmental Review Hearing Officer/Committee and Campus Facilities and Planning Office will consult with General Counsel to confirm legal compliance with CEQA requirements.

9175.01 FILING OF NOTICE OF EXEMPTION

Categorical and Statutory exemptions require the filing of a Notice of Exemption with the State Office of Planning and Research. University administration will submit two copies of the Notice of Exemption, together with a stamped, addressed envelope and request the second copy be date-stamped and returned.

9175.02 DOCUMENTATION OF EMERGENCY PROJECT

Emergency measures require the filing with the State Office of Planning and Research of two copies of a substantiation of the emergency, and actions taken to abate it, signed by the AVC – CPDC. One copy is to be stamped by the State Office of Planning and Research and returned to AVC - CPDC for its files.

9175.03 NEGATIVE DECLARATIONS AND MITIGATED NEGATIVE DECLARATIONS

The AVC - CPDC will review CEQA documents prepared by campuses, and confer with the Campus Facility and Planning Office and/or the General Counsel prior to final document preparation. If a Negative Declaration or Mitigated Negative Declaration is the appropriate CEQA action, the Campus Facility and Planning Office will prepare the document for review and signature by the AVC - CPDC file it with the State Office of Planning and Research, and publish the required public notice. After completion of the required public review period, the AVC - CPDC will present to the Trustees for their approval the Negative Declaration or Mitigated Negative Declaration for projects that the Trustees approve. The final Negative Declaration or Mitigated Negative Declaration shall include any comments received during the review period, and the responses thereto, for submittal for Trustees' approval.

9175.04 NOTICE OF DETERMINATION FOR NEGATIVE DECLARATIONS AND MITIGATED NEGATIVE DECLARATIONS

A. The AVC – CPDC will prepare the Notice of Determination (NOD) and submit the NOD to the State Office of Planning and Research immediately upon approval of the project by the Trustees. Filing of that notice will establish the 30-day statute of limitations under CEQA.

B. The submittal shall consist of two copies of the Notice of Determination. One copy is to be stamped by the State Office of Planning and Research and returned to AVC – CPDC in a stamped and addressed envelope, which was a part of the submittal package.

9175.05 ENVIRONMENTAL IMPACT REPORTS

A. For projects that have potentially unavoidable significant adverse environmental impacts, the AVC - CPDC will consult with the Campus Facility and Planning Office, responsible agencies, and other concerned agencies such as local government during preparation of a Draft EIR. The project description shall be submitted for review early in the process. The Campus Facility and Planning Office shall provide a copy of the administrative Draft EIR to the AVC - CPDC for review and comments prior to publication of the Draft EIR. The Campus Facility and Planning Office

will submit the Draft EIR to the State Office of Planning and Research for distribution.

B. Coincident with the submittal of the Draft EIR to the State Office of Planning and Research for formal public review, the Campus Facility and Planning Office shall place a public notice in a local newspaper of general circulation stating that the Draft EIR is available for inspection and, if a public hearing will be held, with time, date, and location given. The public notice shall state a minimum period of 45 days for public review unless a shorter period for review is approved by the State Office of Planning and Research. Publication of the public notice shall establish the beginning of the review period. Notice may also be given through one of the following methods: (1) posting of notice on and off site in the same area affected by the proposed project, or (2) direct mailing to such owners as are shown on the latest equalized assessment roll.

   All of these methods of notice must be used where the project involves construction of new facilities designed to burn municipal wastes, hazardous waste, or refuse-derived fuel, or for similar existing facilities where proposed expansion would increase capacity by more than 10 percent. Such notices must also be posted for at least 30 days in the office of the county clerk of the county or counties in which the project will be located.

C. If a public hearing is to be held to obtain comment on the Draft EIR, the Campus Facility and Planning Office, in coordination with the AVC - CPDC, will arrange for:

   1. A reserved site, date and time.
   2. Court reporter and audio recording of the entire proceeding.
   3. Public address system that will accommodate the chair, staff, and a podium for speakers.
   4. Security.
   5. Parking.
   6. Local and on-campus noticing for the public hearing.
   7. Other arrangements as needed.

D. The public hearing should be chaired by the campus official who shall have as a resource a person knowledgeable about all aspects of the project. The public hearing shall be for the purpose of receiving comments and information from the public on the proposed project. The hearing shall not be a public debate or a forum to justify the pending Trustees' action. The public hearing should impose time limits on speakers and be conducted in a precise and orderly manner.

E. The Campus Facility and Planning Office will ensure preparation of the Final EIR when the period for receiving comments has closed. The Final EIR shall incorporate any revisions to the Draft EIR based on relevant information received at the public hearing and written comments, add text material as required, append replies to all comments received, and include a transcript or summary report of a hearing, together with responses to comments received at the hearing.

F. Consultation between the university administration (Campus Facility and Planning Office) and the AVC - CPDC shall occur on the Final EIR, including the responses to public comments, findings, and mitigation monitoring and reporting program. The AVC - CPDC will then submit the Final EIR to the Environmental Review Hearing Officer/Committee for review and consideration.

G. The Environmental Review Hearing Officer/Committee will present to the Trustees the Final EIR, a recommendation for certification, the findings, and mitigation monitoring and reporting program for approval.

H. After approval of the project by the Trustees, the AVC - CPDC will file the Notice of Determination with the State Office of Planning and Research. The submittal consists of two copies of the Notice of Determination, one copy of notice is to be stamped by the State Office of Planning and Research and returned to the AVC - CPDC in a stamped, addressed envelope which was a part of the submittal package as noted above.

9176 POLICY TO PREPARE PROGRAM EIR FOR CAMPUS MASTER PLAN

Campus Master Plans have been prepared for each of university campus. It is the policy of the Trustees that each campus shall have a comprehensive Program EIR for the Campus Master Plan. The Master Plan Program EIR will evaluate the cumulative impacts, growth-inducing impacts, and irreversible significant effects on the environment of subsequent campus projects to the greatest extent possible. The Program EIR will facilitate environmental review of subsequent projects on each campus. The Campus Facility and Planning Office will use the Program EIR to:

1. Make a finding that because the project is within the scope of the Campus Master Plan Program EIR, no new environmental analysis is necessary.
2. Tier the review of a project for which the Campus Master Plan Program EIR does not fully address or fails to address the proposed action.

9177 FINDINGS OF CONSISTENCY

Where a finding can be made by Campus Facility and Planning Office that a proposed project or action and the environmental effects associated with that project or action were fully and comprehensively addressed in the Master Plan Program EIR, the Campus Facility and Planning Office can adopt Findings of Consistency, and no further CEQA action shall be required. Such Findings shall clearly identify and document how the project or action has been addressed in prior CEQA documents. The Findings shall be filed with OPR as an attachment to the Notice of Determination filed for the project. The Findings of Consistency shall be maintained in a project file available for public inspection.

9178 THE INITIAL STUDY

A. The Campus Facility and Planning Office, by delegation of authority from the AVC - CPDC, shall first determine whether the activity requires preparation of an Initial Study. This includes activities which are not exempt, ministerial, or of an emergency nature. For systemwide projects, the responsibility for CEQA compliance remains with AVC – CPDC. The Initial Study shall be produced as early as is feasible in the planning process. All phases of project planning, implementation, and operation must be considered in the Initial Study of the project. The Initial Study will be the basis for making a determination whether a proposed activity may potentially have a significant effect on the environment. The Initial Study must provide documentation of the factual basis for its conclusions and determination of whether or not the proposed activity may potentially have a significant effect on the environment.

B. The Initial Study and the recommendation as to the subsequent CEQA action will be submitted to the AVC - CPDC for review. The Initial Study will include as a minimum:

1. Notice of Completion and Environmental Document Transmittal;
2. CEQA Environmental Checklist;
3. Initial Study data; and
4. A map of the action area.

All forms are contained in the *CSU CEQA Handbook*.

9178.01 PURPOSE OF THE INITIAL STUDY

A. The purposes of an Initial Study are to:

1. Eliminate unnecessary EIRs.
2. Identify possible significant environmental impacts.
3. Determine if use of a Mitigated Negative Declaration is appropriate and thereby eliminate the need for an EIR by mitigating any significant effects of a project identified in an Initial Study. Such mitigation shall be limited to changes in the project plans or an enforceable commitment by the Trustees to include the mitigation measures in the project. Also, the Trustees shall make a finding that the project with a Mitigated Negative Declaration, if approved, will not have significant effect on the environment.
4. Focus on potentially significant environmental effects if an EIR is required.
5. Provide a balanced environmental assessment early in the design of project.
6. Provide documentation of the factual basis for the finding in a Negative Declaration or Mitigated Negative Declaration that a project will not have significant effect on the environment.

B. All phases of project planning, implementation, and operation must be considered in the Initial Study for a proposed project.

9178.02 CONTENTS OF THE INITIAL STUDY

An Initial Study shall contain in brief form:

1. A description of the project, including its specific location.
2. An identification of the project environmental setting.
3. An identification of environmental effects.
4. A discussion of ways to mitigate any significant environmental impacts or effects identified.
5. An examination of whether the project is compatible with the existing Campus Master Plan and other applicable land use controls.
6. The name of the person or persons who prepared or participated in the Initial Study.
7. Identification of data sources, including previous EIRs if any, used in the review of environmental impacts and the conclusions reached in the document.

9178.03 SCOPE OF THE INITIAL STUDY

A. The Initial Study shall be prepared utilizing the Initial Study Checklist form contained in the *CSU CEQA Handbook*. Environmental issues required to be addressed, at a minimum, are:

1. Aesthetics
2. Agriculture Resources
3. Air Quality
4. Biological Resources
5. Cultural Resources
6. Geology and Soils
7. Hazards and Hazardous Materials
8. Hydrology and Water Quality
9. Land Use and Planning
10. Mineral Resources
11. Noise
12. Populations and Housing
13. Public Services
14. Recreation
15. Transportation/Traffic
16. Utilities and Service Systems
17. Mandatory Findings of Significance

B. Each environmental issue shall be thoroughly examined, and analysis and conclusions must be supported by facts, technical studies or other substantial evidence to document the findings. Cumulative impacts shall be addressed under Mandatory Findings of Significance.

9178.04 DETERMINING SIGNIFICANT EFFECT

[CEQA Guidelines, Section 15064]

A. If the analysis in the Initial Study finds substantial evidence, in light of the whole record, of potentially significant environmental effects that cannot be

mitigated, or reasonable inferences that such effects are possible, an EIR must be prepared analyzing those impacts and identifying mitigation measures to avoid or substantially reduce them. CEQA requires the preparation of an EIR whenever it can be fairly argued on the basis of substantial evidence that the project may have a significant environmental impact.

B. A "significant effect on the environment" is defined as a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic, archaeological, or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change may be considered in determining whether a physical change is significant.

9178.04.01 Thresholds of Significance

The Trustees are encouraged to adopt criteria for determining whether a given impact is significant (see CEQA Section 21082). Such criteria are frequently referred to as "thresholds of significance." The threshold of significance for a given environmental effect is that level at which the Trustees find the effects of the project to be significant. A threshold of significance is an identifiable quantitative, qualitative, or performance level of a particular environmental effect. The *CSU CEQA Handbook* establishes guidelines that will be used to identify appropriate thresholds of significance for individual projects.

9178.05 MITIGATION MEASURES

A. CEQA Section 21002 requires the Trustees to adopt feasible mitigation measures to substantially lessen or avoid otherwise significant adverse environmental impacts. Mitigation measures must be capable of:

1. Avoiding the impact altogether by not taking a certain action or parts of an action.
2. Minimizing impacts by limiting the degree or magnitude of the action and its implementation.
3. Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment.
4. Reducing or eliminating the impact over time by preservation or maintenance operations during the life of the project.
5. Compensating for the impact by replacing or providing substitute resources or environments.

B. Mitigation measures may not defer issues for future study.

C. Mitigation measures must relate to the impacts caused by the project; there must exist a clear connection between the conditions and the impacts of approving the project. Mitigation measures must also substantially advance legitimate State interests.

D. If the inclusion of a mitigation measure would itself create new significant impacts, these effects must also be reviewed. Determination of feasible and effective mitigation measures is an agency responsibility, which should not be left solely to consultants. While the consultants may provide advice on mitigation measures, the Campus Facility and Planning Office, in consultation with the AVC - CPDC is responsible for determining what mitigation measures will be recommended for Trustee adoption.

9179 NEGATIVE DECLARATIONS

A. A Negative Declaration is a written finding by the Trustees that a proposed project will not have significant impact on environment and therefore does not require the preparation of an Environmental Impact Report, giving reasons for such conclusion.

B. The Campus Facility and Planning Office shall prepare a Negative Declaration for a campus project when the Initial Study shows that there is no substantial evidence that the project may have a significant effect on the environment.

C. The Negative Declaration shall include a copy of the Initial Study and, in addition, as a minimum:

1. The location and a brief description of the project, including its commonly used name, if any.
2. A finding that the project will not have a significant effect on the environment.
3. Documentation of the reasons to support the finding.
4. Mitigation measures, if any, included in the project to mitigate potentially significant effects.
5. A monitoring and reporting program for the mitigation measures.

9179.01 PREPARING AND PROCESSING A NEGATIVE DECLARATION

A. For individual campus projects, the Campus Facility and Planning Office will prepare or cause to be prepared both the Initial Study and the Negative Declaration. The Campus Facility and Planning Office will file copies of the draft Negative Declaration with the State Office of Planning and Research.

B. For systemwide capital projects, the AVC – CPDC shall be responsible for preparation of required CEQA documents.

C. To encourage wide public involvement, the campuses will make environmental information available in electronic format on the Internet, on a web site maintained or utilized by the California State University.

D. The State Office of Planning and Research will circulate the Negative Declaration for comments and review by state agencies and other interested parties.

9179.01.01 Projects Approved By The Trustees

For projects requiring approval by the Trustees, sufficient copies of the Negative Declaration will be provided for action by the Trustees. Distribution of the final Negative Declaration with the attached Initial Study is as follows:

1. Twenty-five copies for the Trustees' requirements.
2. Three copies to the AVC-CPDC.
3. Five copies to the Environmental Review Hearing Officer/Committee.

9179.01.02 Projects Approved By The Assistant Vice Chancellor - Capital Planning, Design, And Construction

For projects to be approved by the AVC - CPDC, the distribution is as follows:

1. Five copies to the Environmental Review Hearing Office/Committee.
2. Twenty-five copies for the Trustees' requirements.

9179.02 PUBLIC NOTICE FOR A NEGATIVE DECLARATION

A. A public notice of intent to adopt a Negative Declaration shall be published by the campus staff in a newspaper of general circulation within the university campus local area, which may be affected by the proposed project. Such notice shall be published concurrently with the submittal to the State Office of Planning and Research and, in any event, not less than the minimum time required by CEQA prior to its final adoption. The publication date shall be the same date or no earlier than the date the document is received at the State Office of Planning and Research. A copy of the public notice shall be included in the final document. An example of public notice is included in the *CSU CEQA Handbook*.

B. The campus also shall give notice of the Negative Declaration to all organizations and individuals who have previously requested such notice, as required under CEQA.

C. The campus may, at its discretion, provide additional notice by one of the following means:

    1. Posting a notice on campus and off-site in the area where the project is to be located.
    2. Mailing notices directly to owners of the property contiguous to the project.
    3. Placing the notice in a campus paper.
    4. Preparing local news releases.
    5. Posting of notice in electronic format on the Internet.

D. Posting a notice on campus and mailing notices are also required for new facilities proposed to burn campus waste or hazardous waste or refuse-

derived fuel; or for existing facilities burning such materials where capacity would be increased by more than 10 percent.

E. The public notice must include the following:

1. A description of the proposed project.
2. Identification of where to obtain copies of the document.
3. Identification of the public review period.
4. Notice of any public hearings scheduled on the document.

F. An example of a legal advertisement for a Public Notice for a Negative Declaration is contained in the *CSU CEQA Handbook*.

9179.02.01 Responsibility For Placing Public Notices

A. For campus projects, the Campus Facility and Planning Office will be responsible for ensuring placement of the public notices required under these regulations. The Campus Facility and Planning Office in conjunction with university administration may prepare local news releases regarding the projects in addition to the formal legal notices.

B. Costs for the legal advertisement will be borne by the Campus Facility and Planning Office when the CEQA action is not part of a capital outlay project for which funding is in place.

9179.03 APPROVAL OF A NEGATIVE DECLARATION

A. The Environmental Review Hearing Officer/Committee shall review the proposed Negative Declaration together with any comments received during the public review process, and shall make a recommendation to the Trustees. The Trustees shall approve the Negative Declaration if they find on the basis of the Initial Study, and any comments received, that no substantial evidence has been presented that the project will have a significant effect on the environment. When the Trustees have approved a Negative Declaration, the AVC - CPDC or designee shall file the project Notice of Determination with the State Office of Planning and Research.

B. For projects where the AVC – CPDC is the decision-making body by delegation of the Trustees, the AVC - CPDC shall approve the Negative Declaration and file the Notice of Determination. By approving the Negative Declaration, the AVC - CPDC shall make the finding, on the basis of the Initial Study and any comments received, that no substantial evidence has been presented that the project will have a significant effect on the environment.

9179.04 RECIRCULATION OF A NEGATIVE DECLARATION PRIOR TO ADOPTION [CEQA Guidelines, Section 15073.5]

A. A Negative Declaration shall be required to be recirculated when the document must be substantially revised after notice has been given but the Negative Declaration has not been adopted.

B. Recirculation shall occur in the same manner as the initial circulation.

C. For the purposes of this section, a "substantial revision" shall mean:

1. A new, avoidable significant effect is identified, and new mitigation measures are required, or
2. The AVC – CPDC determines that measures originally proposed will not reduce impact below a level of significance, and new measures or project revisions must be pursued.

9179.05 ADDENDUM TO AN ADOPTED NEGATIVE DECLARATION

The AVC - CPDC, may prepare an addendum to an adopted Negative Declaration if only minor technical changes or additions to the adopted Negative Declaration are necessary or none of the conditions calling for the preparation of a Subsequent EIR or Negative Declaration has occurred (see Section 9180.11 of these Procedures).

9179.06 MITIGATED NEGATIVE DECLARATIONS

A. A Mitigated Negative Declaration instead of an EIR shall be prepared when the Initial Study has identified significant effects of a project that have been clearly mitigated to a point where no significant environmental effects will occur.

B. The mitigation under this section shall be limited to changes in the project resulting from either revisions in the project plans or an enforceable commitment from the Trustees to include the mitigation measures in the project.

C. When a Mitigated Negative Declaration has been approved, the Trustees (or the AVC - CPDC, whichever has the responsibility) shall make a finding that the mitigated project as approved will not have a significant effect on the environment and that the project be constructed with the mitigation measures as well. A mitigation monitoring and reporting program is also required.

9179.07 NOTICE OF DETERMINATION

A. Following a decision by the Trustees to carry out or approve a project for which a Negative Declaration or Mitigated Negative Declaration has been prepared and properly reviewed, a Notice of Determination for the Negative Declaration or Mitigated Negative Declaration shall be filed with the State Office of Planning and Research by the AVC - CPDC.

B. The Notice of Determination shall include:

1. An identification of the project, including its commonly used name, if any.
2. A brief description of the project.
3. The date on which the project was approved.

4. The finding that the project will not have a significant effect on the environment.
5. A statement that a Negative Declaration has been prepared pursuant to the provisions of CEQA.
6. The address where a copy of the Negative Declaration may be examined.

C. The filing of the Notice of Determination with the State Office of Planning and Research starts a 30-day statute of limitations on court challenges to the approval of the project under CEQA. An example of the Notice of Determination is contained in the *CSU CEQA Handbook.*

9179.08 MONITORING AND REPORTING PROGRAM

A mitigation monitoring and reporting program is required to track the implementation of mitigation measures adopted as part of a Mitigated Negative Declaration. Until mitigation measures have been completed, AVC-CPDC is responsible for insuring that implementation of the measures occurs in accordance with the program. The actions required after approval of the project are prescribed in the adopted monitoring program. An example of a Mitigation Monitoring and Reporting Program is contained in the *CSU CEQA Handbook.*

9180 ENVIRONMENTAL IMPACT REPORT (EIR)

An Environmental Impact Report (EIR) is an informational document considered by the Trustees prior to their approval or disapproval of a project. The purpose of an EIR is:

1. To provide the Trustees, other public agencies, and the public with detailed information about the effects, which a proposed project is likely to have on the environment;
2. To list ways in which the significant effects of such a project might be minimized; and
3. To indicate alternatives to such a project.

9180.01 TIERING

A. Environmental Impact Reports should be tiered whenever feasible. The use of tiering is intended to allow agencies to avoid repetitiveness, wasted time, and unnecessary premature speculation by preparing a series of EIRs on related project.

B. CEQA Section 21068.5 defines tiering as the coverage of general matters and environmental effects in an EIR prepared for a policy, plan, or program, followed by narrower or site-specific environmental impact reports and/or negative declarations which incorporate by reference the discussion in any prior environmental impact report and which concentrate on the environmental effects which are capable of being mitigated or were not analyzed as significant effects in the EIR.

9180.02 TYPES OF ENVIRONMENTAL IMPACT REPORTS

To improve efficiency of environmental reviews, as well as to avoid needless redundancy and duplication, different types of EIRs may be prepared for various projects. The different types of EIRs authorized by CEQA and these Procedures include the following that are pertinent to California State University campuses.

1. **Project EIR** – An EIR which examines the environmental impacts of a specific development project.

2. **Program EIR** – An EIR which may be prepared on a series of actions that can be characterized as one large project and are related.

3. **Master EIR** – An EIR for specific kinds of projects involving broad policy decisions.

4. **Subsequent EIR** – An EIR for a project where there are new significant impacts or new information or substantial changes in the environmental setting, which was not covered, in a previous EIR.

5. **Supplement to an EIR** – A supplement to a previously prepared EIR if any of the conditions requiring a subsequent EIR exist, and only minor additions or changes would be necessary to make the previous EIR adequate.

6. **Addendum to an EIR** – Additional information provided following EIR certification which does not introduce new impacts and is only required for technical changes or additions.

9180.03 USE OF THE EIR FOR PROJECT PLANNING

A. CEQA requires more than the mere preparation of environmental documents. The EIR by itself does not control the way in which a project can be designed or carried out; it is a legally required planning document. When an EIR shows that a project would cause substantial adverse changes in the environment, the Trustees must respond to the information by one or more of the following methods:

   1. Changing a proposed project.
   2. Imposing conditions on the approval of the proposed project.
   3. Adopting plans or procedures to control a broader class of projects to avoid the adverse changes.
   4. Choosing an alternative way of meeting the same need.
   5. Determining that there are overriding economic, legal, social, technological, or other benefits of a project which outweigh the adverse effects and that there are no prudent viable alternatives.

B. The determination in an EIR that a project will have a significant effect on the environment is an important finding and must be made by the California State University. This determination shall not be delegated to a consultant, although consultants may advise and shall represent University determinations in the EIR document.

9180.04 DRAFT ENVIRONMENTAL IMPACT REPORT

A. If an Initial Study indicates that a proposed project may have a significant effect on the environment, the Trustees must prepare or cause to be prepared a Draft Environmental Impact Report (Draft EIR). A Draft EIR also should be prepared whenever it can be fairly argued on the basis of substantial evidence that the project may have a significant effect on the environment. If there is serious public controversy concerning the environmental effect of a project, this can be an indication that an EIR should be prepared. (NOTE: A controversy not related to an environmental issue does not require the preparation of an EIR, but it may be tactically advisable as controversy can lead to environmental litigation.)

B. The EIR procedure is well defined and starts with the preparation of a Draft EIR. Both the Draft and the Final EIR normally will be prepared for campus projects by Campus Facility and Planning Office or consultant under direction of Campus Facility and Planning Office. The AVC - CPDC is responsible for such services for all systemwide projects.

C. If a consultant has been retained for EIR preparation, the Campus Facility and Planning Office will direct the consultant in the EIR procedure, including consultation with governmental agencies and with concerned groups. The AVC - CPDC will be available for consultation and advice.

D. Upon completion of the Draft EIR, a copy shall be provided by the campus to the AVC - CPDC for review prior to its publication. Five copies will be furnished to AVC - CPDC.

E. The Campus Facility and Planning Office shall be responsible for all phases of production of the Draft and Final EIR. All costs are the responsibility of the University administration.

9180.04.01 Notice Of Preparation/Scoping

A. Prior to beginning substantial work on the EIR, the campus shall send to each responsible agency, each federal agency involved in approving for funding the project, and each trustee agency responsible for natural resources affected by the project a Notice of Preparation stating that an EIR will be prepared. In addition, all local agencies that may have specific interest in the project or be directly or indirectly impacted should receive the Notice of Preparation/Scoping (NOP). The NOP shall circulate for a 30-day public review period.

B. Each campus has compiled a list in cooperation with AVC - CPDC which details the appropriate agencies to be contacted. The NOP shall provide the responsible agencies with sufficient information describing the project and the environmental effects to enable the responsible agencies to make a meaningful response. A sample Notice of Preparation Form is contained in the *CSU CEQA Handbook*.

C. A scoping meeting shall be called for projects which may affect highways or other facilities under the jurisdiction of the Department of Transportation (Caltrans), if the meeting is requested by Caltrans. The scoping meeting shall be called as soon as possible, but not later than 30 days after receiving the request from Caltrans.

D. Use of a public scoping session during the NOP period can assist in focusing topics for concentrated study in the Draft EIR, although such sessions are optional.

E. The Draft EIR cannot be circulated for public review prior to the end of the 30-day NOP comment period.

9180.04.02 Content Of EIRs

A. An EIR is an informational document that will inform the Trustees of the significant environmental effects of the project, identify possible ways to reduce or avoid the significant effects, and describe reasonable alternatives to the project.

B. A Draft EIR shall contain the following elements:

1. a. ***CSU Cover***
   b. ***Table of Contents or Index***: An EIR shall contain a table of contents or an index to assist readers in finding the analysis of different subjects and issues.

2 ***Introduction***: The Introduction to the EIR shall contain background information about the project and the EIR.

3. ***Executive Summary of the Proposed Project and Its Impacts***: The EIR shall contain a summary of the proposed project and its consequences. The language of the summary should be as clear and simple as reasonably practical.

4. ***Project Description***: The description of the project shall contain the following information as needed for evaluation and review of the environmental impact: the location and boundaries, objectives of project, project characteristics, and statement of intended uses. The statement of objectives includes the underlying purpose, a list of permits and the other approvals required to implement the project, and a list of related environmental review and consultation requirements. The construction aspects of the project shall also be described.

   The project description shall also identify features incorporated into the project to avoid or substantially lessen environmental impacts. The description is critical to the EIR process and should be reviewed with the General Counsel for projects expected to involve controversy.

5. ***Description of Environmental Setting***: An EIR must include a description of the physical environmental conditions in the vicinity of the

project, as they exist at the time the Notice of Preparation is published, from both a local and regional perspective.

6. ***Environmental Impact***: All phases of the project must be considered when evaluating its impact on the environment: planning, acquisition, relocation, demolition and site clearance, construction of public improvements, disposition and development and operation. The following subjects shall be discussed, preferably in separate sections or paragraphs.

    a. Thresholds of Significance – Criteria for determining whether a given impact is significant.
    b. Significant Environmental Effects of the Project.
    c. Any Significant Environmental Effects Which Cannot be Avoided if the Project is Adopted.
    d. Mitigation Measures Proposed to Minimize the Significant Effects. Measures must be feasible changes to substantially lessen or avoid significant environmental effects consistent with constitutional requirements, such as the "nexus" and "rough proportionality" standards.

7. ***Alternatives to the Project***: Alternatives capable of reducing or avoiding the significant effects associated with the project shall be presented and analyzed. As appropriate, an alternative location for the project shall be examined. The discussion shall also address alternatives considered but rejected from further analysis. The environmentally superior alternative shall be identified. If the "no project" alternative is the environmentally superior alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.
8. ***Analysis of Long-Term Effects***

    a. ***Cumulative Impacts*** - Cumulative impacts shall be discussed when they are significant. The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not be in as great detail as is provided for the effects attributable to the project alone. The discussion should be guided by the standards of practicality and reasonableness.

        Cumulative impacts can include future master-planned projects; projects of ancillary and off-campus; and projects which have been approved for future development in the area, where such projects, along with the proposed project, will produce an impact.
    b. ***Growth-Inducing Impacts***. Discuss the ways the project could foster economic or population growth or induce construction of new housing.
    c. ***Significant Irreversible Environmental Changes Which Would*** be Involved in the Project.
    d. ***Unavoidable Significant Environment Impacts***.
    e. ***Areas of No Significant Impact***. The discussion in the Initial Study regarding areas of no significant impact shall be briefly summarized.

9. ***Economic and Social Effects***- Economic or social information may be included in an EIR or may be presented in whatever form the Trustees desire. Economic or social effects of a project shall not be treated as significant effects on the environment.

10. ***Organizations and Persons Consulted.***

11. ***Preparers of the EIR.***

B. The EIR shall discuss environmental effects in proportion to their severity and probability of occurrence. Effects dismissed in an Initial Study as clearly insignificant and unlikely to occur need not be discussed further in the EIR unless the Trustees subsequently receives information inconsistent with the finding in the Initial Study.

9180.04.03 Determining Significant Effect

A "significant effect on the environment" is defined as a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic, archaeological aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change may be considered in determining whether a physical change is significant.

9180.04.04 Internal Review Of A Draft EIR

All Draft EIRs shall be reviewed by the AVC - CPDC before they are sent to the State Clearinghouse. Administrative drafts of the document shall be sent to the AVC- CPDC. The project architect, if one has been appointed, also should be asked for comments.

9180.04.05 Public Notice For A Draft EIR - Notice Of Completion and Availability

A. CEQA requires public notice of the availability of a Draft EIR. The notice sets forth the review period and identifies where the Draft EIR may be reviewed. The Campus Facility and Planning Office will ensure placement of the public notice in a newspaper of general circulation in the local university campus area affected by the proposed project. This notice will be placed at the same time the Notice of Completion transmittal and Draft EIR is submitted to the State Clearinghouse. The Campus Facility and Planning Office shall give a similar notice to all organizations and individuals who have previously requested such notice.

B. As part of the public notice process for Draft EIR availability, the campus may also do one or more of the following:

1. Post notices on and off the campus where the project is to be located.
2. Direct mail notices to owners of property adjacent to the project.
3. Place a similar notice in the campus newspaper.
4. Prepare local news releases.

5. Post the notice electronically via the Internet.

C. Posted notices and direct-mail notices are required for new facilities proposed to burn campus waste or hazardous waste or refuse-derived fuel; or for existing facilities burning such materials where capacity would be increased by more than 10 percent.

This public notice must include the following:

1. A description of the proposed project.
2. Identification of where to obtain copies of the Draft EIR.
3. Identification of the public review period.
4. Notice of any public hearings scheduled on the Draft EIR.

An example of a Public Notice for a Draft EIR is contained in the *CSU CEQA Handbook*.

E. All EIRs shall be reviewed through the State Office of Planning and Research. The forms required to be sent to OPR with the Draft EIR are contained in the *CSU CEQA Handbook*.

9180.04.06 Distribution Draft EIR

A. Copies of the Draft EIR will be printed for distribution as follows:

1. Fifteen copies to the State Office of Planning and Research.
2. Five copies for the AVC-CPDC in-house staff.
3. Two copies to the university library.
4. One copy to each local library serving the project area.
5. One copy each to adjacent cities and counties.

B. The State Office of Planning and Research will circulate the Draft EIR for comments and review by State agencies.

9180.04.07 Length Public Review Period

A. The public review period for a Draft EIR is at least 45 days from publication and should not be longer than 90 days. The Draft EIR and legal notice should state the name and address of the office to which all comments in the Draft EIR must be sent to for consideration.

B. Public comments submitted after the ending date may be considered if a significant impact is presented which was not previously addressed.

9180.04.08 PUBLIC HEARING ON DRAFT EIR

A. No public hearing is required on a Draft EIR. However, each campus may elect to conduct a hearing during the designated public review period for the purpose of obtaining oral public comments on the Draft EIR. The Campus Facility and Planning Office shall consult with the AVC - CPDC regarding whether a hearing should be conducted.

B. If a public hearing is to be conducted for the Draft EIR, it will be held on the campus. The Campus Facility and Planning Office, with assistance from AVC - CPDC, shall schedule the activity and make all preparations required. The notice provided for the hearing should state the starting and ending dates for the review period which the Campus Facility and Planning Office will receive comments.

C. The hearing should be scheduled at least 10 days after the Draft EIR has been filed with the State Clearinghouse. It is usually convenient to schedule hearings in the middle of the public review period. This time frame allows added opportunity for consideration of issues raised in the hearing as the Final EIR is being prepared. A sample Public Notice for a Public Hearing is contained in the *CSU CEQA Handbook*.

9180.05 FINAL EIR

A. The Final EIR shall be prepared after the close of the Draft EIR review period and the receipt of all timely comments from both the public and state agencies.

B. The Final EIR shall contain as a minimum:

1. The Draft EIR, with revisions shown in a clear fashion or a DEIR textually rewritten consistent with the response to comments.
2. All comments and recommendations received on the Draft EIR, either verbatim or in summary.
3. A list of persons, organizations, and public agencies commenting on the Draft EIR.
4. The responses of the Trustees to significant environmental issues raised in the review and consultation process.
5. The transcript of the public meeting and responses to the objections or alterations to the action proposed during the hearing.

C. The Final EIR shall be produced by revising the Draft EIR as necessary to reflect changes resulting from responses to the comments received on the Draft EIR. The response shall describe the disposition of significant environmental issues raised (e.g., revisions to the proposed project to mitigate anticipated impacts or objections). When major issues raised place the Trustees' position at variance with public environmental recommendations and objections, the comments must be addressed in detail. The responses must give reasons why specific comments and suggestions were not accepted and must, if a significant environmental impact is determined to exist, present factors of significant importance warranting an override of the public recommendations.

D. The Final EIR may be a complete new document with the above information included or may consist of a second volume that carefully identifies changes in text to the Draft EIR and adds the above materials, principally the responses to comments, supporting facts and conclusions, and recommendations for the Final EIR.

E. CEQA requires the Trustees to have valid reasons to support their decisions. Courts have invalidated the action when agencies have made decisions without preparing written findings, which clearly support the decision based on information in the written administrative record.

9180.05.01 Disposition of a Final EIR

A. Upon completion of the Final EIR, the campus shall submit copies to the city(ies) and county(ies) that may be affected by the project.

B. Copies of the Final EIR shall be furnished to public agencies who commented on the Draft EIR and may be furnished also to organizations or groups that commented. The Final EIR is a public record available for inspection by the public. Costs to recoup the costs of reproduction may be charged to individuals requesting copies.

9180.06 ADOPTION AND FINDINGS

[CEQA Guidelines Section 15091]

A. The Trustees shall not approve or carry out a project for which the Final EIR identifies one or more significant environmental effects unless the Trustees make one or more of the following Findings in writing for each significant effect, accompanied by a statement of the facts supporting each Finding. The Final EIR should include the information supporting the Findings that are made.

1. Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effects identified in the Final EIR. These Findings shall be supported by substantial evidence in the record.

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. The agency must be specifically identified.
3. Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or project alternatives identified in the Final EIR.

B. The Finding in item 2 above shall not be made if the Trustees, in making the Finding, have concurrent jurisdiction with another agency to deal with identified, feasible mitigation measures or alternatives.

9180.07 STATEMENT OF OVERRIDING CONSIDERATIONS

[CEQA Guidelines Section 15093]

A. CEQA requires that the Trustees balance the benefits of a proposed project against its unavoidable environmental effects in determining whether to approve the project. If the Trustees take an action resulting in potentially

adverse environmental effects without adequate justification supporting the decision, the action could be invalidated.

B. When the decision is made to allow the occurrence of potential significant adverse effects identified in the Final EIR without mitigation, the Trustees must state in writing the reasons that support such action, based on information in the Final EIR and other information in the administrative record.

C. The Trustees' Finding and Statement of Overriding Considerations must be included in the project approval and must be mentioned in the Notice of Determination filed for the project.

D. There must be substantial evidence in the record supporting the facts asserted in the Statement of Overriding Considerations. This statement is not a substitute for the Findings requirements.

9180.08 REPORTING OR MONITORING PROGRAM

[CEQA Guidelines Section 15097]

A mitigation reporting or monitoring program is required to enable campus staff to track the implementation of mitigation measures adopted as part of an EIR. The plan should be designed to insure effectiveness of the mitigation measures as intended. The actions required after approval of the project are prescribed in the adopted monitoring program. An example of a monitoring program is contained in the *CSU CEQA Handbook*.

9180.09 NOTICE OF DETERMINATION

[CEQA Guidelines Section 15093]

A. After the Trustees have approved a project for which a Final EIR has been prepared, the Notice of Determination will be filed with the State Office of Planning and Research by AVC-CPDC. The Notice of Determination must be filed within five working days of the Trustees' action approving the project.

B. The Notice of Determination shall include:

1. An identification of the project by its common name, where possible.
2. A brief description of the project.
3. The date when the Trustees approved the project.
4. The determination of the Trustees whether the project in its approved form will have a significant effect on the environment.
5. A statement that the EIR was prepared and certified pursuant to the provisions of CEQA.
6. Whether mitigation measures were made a condition of the approval of the project.
7. Whether findings were made pursuant to Title 5, Section 15091 of the CEQA.

8. Whether a statement of overriding considerations was adopted for the project.
9. The address where a copy of the final EIR and the record of project approval may be examined.

C. The filing of the Notice of Determination starts a 30-day statue of limitations on court challenges to the approval under CEQA. A Notice of Determination form is provided in the *CSU CEQA Handbook*.

9180.10 RECIRCULATION OF EIR PRIOR TO CERTIFICATION

A. A Draft EIR must be recirculated and the public review period repeated when "significant new information" is added to the EIR prior to certification. "Significant new information" is defined as follows:

1. A new significant impact environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
2. A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
3. 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 proponents decline to adopt it.
4. The Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

B. Recirculation is a difficult issue for which the advice of consultants, the AVC - CPDC, and the General Counsel's office may be sought.

C. The pertinent comments on the significant environmental issues shall be addressed in an EIR that has been recirculated.

9180.11 SUBSEQUENT ENVIRONMENTAL DOCUMENT

A. If the Trustees or the appropriate designee determine that additions to a previously certified EIR are necessary to ensure the EIR's continuing validity, one of three documents shall be prepared:

1. Subsequent EIR.
2. Supplements to an EIR.
3. Addendum to the EIR.

B. The choice of which to prepare depended on the degree of significant changes that are necessary. Subsequent EIRs are rarely used and require major revisions to the original EIR. Supplements to EIRs require moderate changes to the EIR, and an Addendum to an EIR is used when only minor changes are necessary. For detailed criteria for each process refer to the following subsections.

9180.11.01 Subsequent EIR

A. Where an EIR has been previously prepared and certified, a Subsequent EIR is required to be prepared and certified in connection with the project when the Trustees find on the basis of an Initial Study that:

1. Substantial changes are proposed to be made to the project which will require important revisions of the EIR due to the involvement of new significant environmental impacts not considered in the EIR.
2. Substantial changes have occurred with respect to the circumstances under which the project is being undertaken, (for example, a substantial deterioration in the air quality where the project is located or the new listing or designation of a threatened or endangered species), which will require important revisions in the EIR due to the involvement of new significant environmental impacts not covered in the EIR.
3. A substantial increase in the severity of previously identified significant effects has occurred.
4. New information of substantial importance to the project becomes available, and the information was not known and could not have been known at the time the EIR was certified as complete, and the new information shows any of the following:

    a. The project will have one or more significant effects not discussed in the EIR.
    b. Significant effects previously examined will be substantially more severe than shown in the EIR.
    c. Mitigation measures or alternatives, which were not previously considered in the EIR, or were previously found not to be feasible would be feasible, and would substantially lessen one or more significant effects on the environment.

B. A Subsequent EIR receives the same notice and public review as required for all EIRs.

9180.11.02 Supplement to an EIR

A. Where an EIR has been prepared and certified, and the Trustees find on the basis of an Initial Study that a proposed project would result in any of the conditions described in subsection 9830.11.01, and only minor additions or and changes would be necessary to make the EIR or previous Subsequent EIR adequate to apply to the project, a Supplement to the EIR shall be prepared setting forth such additional information or data. The Supplement to the EIR need contain only the information necessary to make the EIR or previous Subsequent EIR adequate for the proposed project.

B. If the preparation and adoption of a Supplement to an EIR is required, the Trustees shall follow all provisions and procedures for preparation of an EIR, including consultation, public notice and review, public hearing, and certification.

C. A Supplement to an EIR may be circulated by itself without recirculating the previously certified EIR or Subsequent EIR. Prior to approving the proposed project, the Trustees shall consider the previously certified EIR or Subsequent EIR as revised by the Supplement to the EIR. Prior to project approval, the Trustees must satisfy the same requirements for Findings as required for a first-tier EIR.

9180.11.03 Addendum to an EIR

Where an EIR has been prepared and certified and the Trustees find on the basis of an Initial Study that in connection with a proposed project:

1. None of the conditions described in subsection 9830.11.01 calling for preparation of a Subsequent EIR has occurred, and
2. Only minor technical changes or additions are necessary to make the previously certified EIR, Subsequent EIR, or Supplement an EIR adequate under CEQA, and
3. The changes to the EIR or previous Subsequent EIR or Supplement to an EIR made by the Addendum do not raise important new issues about the significant effects on the environment, then the University shall prepare an Addendum to the previously certified EIR. An Addendum need not be circulated for public review but can be included in or attached to the Final EIR or previous Subsequent EIR or Supplement to an EIR. The Trustees shall consider the Addendum with the Final EIR prior to approving the proposed project.

9181 TIME LIMITS

9181.01 TIME LIMITS FOR CEQA REVIEW

Action	Time Limit
Applications for project, subject Trustees' review, by third parties.	Public agencies have 30 days to review applications for permits and entitlements for use of completeness, including a needed CEQA documentation. The Trustees generally are not involved in these kinds of applications, which are common for cities and counties.
Notice of Exemption	Notice of Exemption is filed with OPR. The filing establishes a 35-day statute of limitations on the decision. No other public review is required.
Notice of Intent to Adopt Negative Declaration	Notice of Intent is filed with the State Clearinghouse. The filing establishes a minimum 30-day public review period. A period of longer than 30 days may be established at the discretion of the AVC-CPDC.
Notice of Preparation (NOP) For EIR	Agencies have 30 days after receiving an NOP to respond, after which time comments may be

	disregarded, including request for a meeting.
Responsible agency requests meeting with Lead Agency to determine required scope of EIR.	Lead Agency must meet with requesting agency as soon as possible and within 30 days. (This may extend the period of review.)
Notice of Completion/Notice of Availability (NOC/NOA) of Draft EIR	As soon as a Draft EIR is completed, the NOC/NOA must be filed, but failure to file will not invalidate a project.
Draft EIR Public Review	A minimum 45-day public review period is required. Recommended maximum is 90 days.
Notice of Determination (NOD) for EIR or Negative Declaration	Filing date with State Office of Planning and Research starts a 30-day statute of limitations for legal challenges.

9181.02 STATUTE OF LIMITATIONS

A. CEQA establishes time limits for the filing of a challenge to any CEQA action of a lead agency. The time periods for filing court challenges are as follows:

Action	Limit
Filing a Notice of Determination in compliance with Sections 9179.07 (for a Negative Declaration or Mitigated Negative Declaration) or 9180.09 (for a Final EIR).	30 days
Filing a Notice of Exemption in compliance with Section 9175.01 (Statutory or Categorical Exemptions).	35 days
Where none of the other statute of limitations periods apply after either: 1. The Trustees' decision to carry out or approve the project. 2. Commencement of the project if the project is undertaken without a formal decision by the Trustees.	180 days

B. If a project is substantially altered after the EIR is certified and no Subsequent or Supplemental EIR has been prepared, nor has any other required public notice occurred, the 180-day period begins when the party challenging approval of the project knew or should have known of the changes to the project.

C. If a project is controversial, waiting until the statutory period is over before committing resources to the project should be considered.

9182 PUBLIC REQUESTS

9182.01 PUBLIC INSPECTION OF ENVIRONMENTAL DOCUMENTS

A. The Trustees are responsible for making environmental documents prepared under their authority as a lead agency available to the public for inspection. Members of the general public requesting copies of any environmental document may be charged for the actual cost of reproducing that copy. Copies of all CEQA reports requested by the public shall be furnished by the Campus Facility and Planning Office.

B. The Campus Facility and Planning Office shall file copies of environmental documents in their office, in the university library, and the local public libraries. Documents should also be available electronically through the Internet.

C. The AVC - CPDC shall maintain a copy of the file for 60 days after approval by the Trustees. The Campus Facility and Planning Office shall keep all such environmental documents for two years after approval by the Trustees, or until project completion, whichever is greater.

9182.02 REQUESTS FOR FUTURE CEQA REPORTS

A. Certain individuals or groups will request to receive all future reports at a specific campus or for certain types of projects. These requests, if received by the AVC-CPDC, will be sent to the individual Campus Facility and Planning Office for their future reference. The Campus Facility and Planning Office where an action is proposed will be responsible for furnishing these reports, and shall ask yearly if those individuals and groups wish to continue to receive reports. No response would be sufficient reason to cease sending future reports.

B. All copies of reports to the public shall be furnished by the Campus Facility and Planning Office responsible for the project. The AVC-CPDC is not required to issue any environmental documents to any party making the request.

SUAM SECTION III, CSU CEQA PROCEDURES
APPENDIX A
DEFINITIONS

The definitions contained in this Appendix apply to terms used throughout the CSU CEQA Procedures and CSU CEQA Handbook unless a term is otherwise defined in a particular section.

Addendum – Addendum means an Addendum to an EIR, Negative Declaration, or Mitigated Negative Declaration prepared pursuant to, respectively, Sections 9179 and 9179.06 of the CSU CEQA Procedures.

AVC-CPDC – The Assistant Vice Chancellor for Capital Planning, Design, and Construction, Chancellor's Office, The California State University.

Applicant – A person who proposes to carry out a project which needs a lease, permit, license, certificate, or other entitlement for use or financial assistance from one or more public agencies when that person applies for the governmental approval or assistance.

Approval – Approval has the following meanings:

A. The decision by The California State University (CSU) Trustees or their designees which commits CSU to a definite course of action in regard to a project intended to be carried out by any person. The exact date of approval of any project is a matter determined by CSU rules, regulations, and ordinances. Legislative action in regard to a project often constitutes approval.
B. With private projects, approval occurs upon the earliest commitment to issue or the issuance by the CSU Trustees or their designees of a discretionary contract, grant, subsidy, loan, or other form of financial assistance, lease, permit, license, certificate, or other entitlement for use of the project.

Board (of Trustees) – The Board of Trustees of The California State University (see Trustees).

California Environmental Quality Act – The California Environmental Quality Act (CEQA), California Public Resources Code Sections 21000 *et seq*.

Campus Master Plan – A comprehensive descriptive plan for long-term physical improvements to campus facilities.

Categorical Exemption – Categories of projects that generally do not have significant environment impacts. Categorical exemptions are listed in Appendix B of the State University Administrative Manual and are based on parallel regulations contained in the State of California CEQA Guidelines (Government Code Title 14, Chapter 3).

Cogeneration – Cogeneration is the sequential use of energy for the production of electrical and useful thermal energy. The sequence can consist of thermal use followed by power production, or the reverse, subject to the following standards:

A. At least five percent of the cogeneration project's total annual energy output shall be in the form of useful thermal energy.
B. Where useful thermal energy follows power production, the useful annual power output plus one-half the useful annual thermal energy output equals not less than 42.5 percent of any natural gas and oil energy input.

Cultural Resource -

Cumulative Impacts – Two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts. The individual effects may be changes resulting from a single project or a number of separate projects. The cumulative impact from several projects is the change in the environment that results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.

Decision-making Body – Either the Trustees or their designee permitted by law to approve or disapprove the project at issue. The AVC-CPDC is the decision-making body for all projects for which it has delegation from the Trustees.

Discretionary Action or Project – An action defined as a project which requires the exercise of judgment or deliberation on the part of the Trustees in the process of approving or disapproving a particular activity, as distinguished from situations where the Trustees merely have to determine whether there has been conformity with applicable statutes, ordinances, or regulations.

Effects – "Effects" and "impacts" as used in the CSU CEQA Procedures and Handbook are synonymous.

A. Effects include:
    1. Direct or primary effects which are caused by the project and occur at the same time and place.
    2. Indirect or secondary effects which are caused by the project and are later in time or farther removed in distance, but are still reasonably foreseeable. Indirect or secondary effects may include growth-inducing effects and other effects related to induced changes in the pattern of land use, population density, or growth rate, and related effects on air and water and other natural systems, including ecosystems.

A. Effects analyzed under CEQA must be related to a physical change.

Emergency – Emergency means a sudden, unexpected occurrence, involving a clear and imminent danger, demanding immediate action to prevent or mitigate loss of, or damage to life, health, property, or essential public services. Emergency includes such occurrences as fire, flood, earthquake, or other soil or geologic movements, as well as such occurrences as riot, accident, or sabotage.

Emergency Project –

A. A project or projects undertaken, carried out, or approved by the Trustees or their designee to maintain, repair, restore, demolish, or replace property or facilities damaged or destroyed as a result of a disaster proclaimed by the Governor.
B. Emergency repairs to public service facilities necessary to maintain service.
C. Specific actions necessary to prevent or mitigate an emergency.

Environment – The physical conditions that exist within the area which will be affected by a proposed project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historical or aesthetic significance. The area involved shall be the area in which significant effects would occur either directly or indirectly as a result of the project. The "environment" includes both natural and man-made conditions.

Environmental Checklist Form – A standardized form used as part of the University's environmental review process to analyze and identify potential environment effects associated with a specific project or group of projects under consideration. See Appendix D of the CSU CEQA Handbook.

Environmental Documents – Initial Studies, Negative Declarations, draft and final EIRs, documents prepared as substitutes for EIRs, and Negative Declarations under a program certified pursuant to Public Resources Code Section 21080.5, and documents prepared under the federal National Environmental Policy Act (NEPA) and used the CSU in the place of an Initial Study, Negative Declaration, or an EIR.

Environmental Impact Report – An Environmental Impact Report (EIR) is a detailed statement prepared under CEQA describing and analyzing the significant environmental effects of a project and discussing ways to mitigate or avoid the effects. The term EIR may mean either a draft or a final EIR depending on the context.

A. Draft EIR means an EIR containing the information specified in Section 9180.04 of the State University Administrative Manual.
B. Final EIR means an EIR containing the information contained in the draft EIR, comments either verbatim or in summary received in the review process, a list of persons commenting, and the response of the Lead

Agency to the comments received. The final EIR is discussed in detail in Section 9180.05 of the State University Administrative Manual.

Environmental Impact Statement – An Environmental Impact Statement (EIS) is an environmental impact document prepared pursuant to the National Environmental Policy Act (NEPA). NEPA uses the term EIS in the place of the term EIR which is used in CEQA.

Feasible – Capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.

Feasibility and Planning Studies – An activity involving only study or examination for possible future actions which the Board of Trustees has not approved, adopted, or funded.

Findings of Consistency - A determination made pursuant to Section 9177 of the State University Administrative Manual that the environmental consequences of a specific action or group of actions has adequately been addressed in prior CEQA documentation.

Findings of Fact - A Statement adopted by the Trustees that identifies specific findings made with regard to a particular project and its associated environmental effects, including consideration of alternatives to that project.

Initial Study – A preliminary analysis prepared by the Lead Agency to determine whether an EIR or a Negative Declaration must be prepared, or to identify the significant environmental effects to be analyzed in an EIR. Use of the Initial Study is discussed in Section 9178 of the State University Administrative Manual.

Jurisdiction by Law

A. The authority of Trustees:
    1. To grant a permit or other entitlement for use;
    2. To provide funding for the project in question; or
    3. To exercise authority over resources which may be affected by the project.
B. The Trustees will have jurisdiction by law with respect to a project when location over which the Trustees have primary jurisdiction over the area involved is:
    1. The site of the project;
    2. The area in which the major environmental effects will occur; and/or
    3. The area in which reside those citizens most directly concerned by any such environmental effects.
C. Where the Trustees, in having jurisdiction by law, must exercise discretionary authority over a project in order for the project to proceed, the Trustees are also a Responsible Agency.

Lead Agency – The public agency that has the principal responsibility for carrying out or approving a project. The Lead Agency will decide whether an EIR or Negative Declaration will be required for the project and will cause the document to be prepared.

Local Agency – Any public agency other than a state agency, board, or commission. Local agency includes but is not limited to cities, counties, charter cities and counties, districts, school districts, special districts, redevelopment agencies, local agency formation commissions, and any board, commission, or organizational subdivision of a local agency when so designated by order or resolution of the governing legislative body of the local agency. Subdivisions of local agencies are considered local agencies. Certain state agencies (but not CSU) may also be considered local agencies.

Local Clearinghouse – The local group of non-state governmental agencies, that, by charter, plan and oversee items of local concern, including CEQA actions for projects within their area of jurisdiction.

Master EIR – A Master EIR (MEIR) is an alternative to a Project EIR, Staged EIR, or Program EIR for certain projects that form the basis for later decision making. It is intended to streamline later environmental review or approval included within the project, plan, or program analyzed in the MEIR. Accordingly, a MEIR shall, to the greatest extent feasible, evaluate the cumulative impacts, growth-inducing impacts, and irreversible significant effects of subsequent projects on the environment. Detailed requirements pertain to MEIRs, which are discussed in the CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, Article 11.5, Sections 15175 through 15179.5).

Master Environmental Assessment – A Master Environmental Assessment (MEA) is a special comprehensive study, or a database compiled from existing studies, or both, containing a complete organized description of an area's resources. Its purpose is to provide information necessary for later environmental studies and documents, or for a single large-scale environmental plan, such as for a long-range development plan.

Ministerial Project – Ministerial describes a governmental decision involving little or no personal judgment by the Trustees as to the wisdom or manner of carrying out the project. The Trustees merely apply the law to the facts as presented but use no special discretion or judgment in reaching a decision. A ministerial decision involves only the use of fixed standards or objective measurements, and the public official cannot use personal or subjective judgment in deciding whether or how the project should be carried out.

Mitigated Negative Declaration – A Mitigated Negative Declaration (MND) is a Negative Declaration prepared for a project when the Initial Study identifies potentially significant effects on the environment, but (1) revisions in the project plans or proposals made by, or agreed to before the proposed Negative Declaration and Initial Study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effect on the environment would occur, and (2) there is no substantial evidence in light of the whole record before the public agency that the project, as revised, may have a significant effect on the environment.

Mitigation – Mitigation generally means to reduce, abate, soften or make less hostile or harsh. Under CEQA and NEPA, mitigation specifically mean:

A. Avoiding the impact altogether by not taking a certain action or parts of an action,
B. Minimizing impacts by limiting the degree or magnitude of the action and its implementation,
C. Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment,
D. Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action,
E. Compensating for the impact by replacing or providing substitute resources or environments.

Mitigation Monitoring (and Reporting) Program – A program that the Lead Agency must adopt to ensure that mitigation measures identified in a Mitigated Negative Declaration or an EIR are implemented. Mitigation Monitoring (and Reporting) Program is discussed in Section 9180.08 of the State University Administrative Manual.

Multiple or Phased Projects – If individual projects are, or a phased project is, to be undertaken, and if the total undertaking comprises a project with significant environmental effect, the Lead Agency must prepare a single EIR for the ultimate project. When an individual project is a necessary precedent for action on a larger project, or commits the agency to a larger project with significant environmental effect, an EIR must address itself to the scope of the larger project.

National Environmental Policy Act (NEPA) – A federal act enacted in 1970 that established national policy and guidance regarding prevention of damage to the environment (42 USC 4321; 40 CFR 1500.1).

Negative Declaration - A written statement by the Trustees as a Lead Agency briefly describing the reasons that

a proposed project, not exempt from CEQA, clearly will not have a significant effect on the environment and therefore does not require the preparation of an EIR.

Notice of Completion – A Notice of Completion (NOC) is a brief notice filed with OPR as soon as a Draft EIR is completed and ready to be released for review public. OPR has prepared a standardized form to be used as the NOC.

Notice of Determination – A Notice of Determination (NOD) is a brief notice to be filed by the Trustees after they approve or determine to carry out a project that is subject to the requirements of CEQA. The Trustees need not be the Lead Agency to file an NOD. OPR has prepared a standardized form to be used as the NOD.

Notice of Exemption – A Notice of Exemption, sometimes referred to as an "Exemption", is a brief notice which may be filed by the Lead Agency after it has decided to carry out or approve a project and has determined that the project is exempt from CEQA as being ministerial, categorically exempt, an emergency, or subject to another exemption from CEQA. OPR has prepared a standardized form to be used as the Notice of Exemption

Notice of Preparation – A Notice of Preparation (NOP) is a brief notice sent by the Lead Agency to notify the Responsible Agencies, Trustee Agencies, and involved federal agencies that the Lead Agency plans to prepare an EIR for the project. The purpose of the notice is to solicit guidance from those agencies as to the scope and content of the environmental information to be included in the EIR. The NOP should be sent to individuals and organizations that have requested so, or that may have an interest in the project. OPR has prepared a standardized form to be used as the NOP.

Office of Planning and Research – The California Governor's Office of Planning and Research (OPR) is the clearinghouse for projects of statewide or regionwide significance and state projects. OPR is responsible for preparation and development of principles, objectives, criteria, and definitions to implement CEQA. OPR's State Clearinghouse is responsible for distributing environmental documents to state agencies, departments, boards, and commissions for review and comment. Upon request, OPR provides assistance in determining the various Responsible Agencies, Trustee Agencies, and any federal agencies that have responsibility for carrying out or approving a proposed project. OPR will resolve disputes as to which agency is the Lead Agency for a project and provide information about CEQA in general.

Person – A person includes any person, firm, association, organization, partnership, business, trust, corporation, limited liability company, company, district, city, county, city and county, town, the state, and any of the agencies or political subdivisions of such entities.

Phased (Tiered) EIR – When preparing a series of EIRs on related projects, the Trustees can use "tiering" to avoid repetition. The first EIRs in such a series are broad and general in scope. Later EIRs are narrow in scope and often detailed to site-specific issues. These documents typically incorporate the earlier analyses by reference and add specific details regarding the particular project(s) in question.

Piecemealing - The act of dividing a project into smaller components to avoid or simplify the CEQA review process. California courts have found piecemealing to violate the purpose and intent of CEQA.

Private Project - A private project is a project that will be carried out by a person other than a government agency, but the project will need a discretionary approval from one or more government agencies for: (a) a contract or financial assistance, or (b) a lease, permit, license, certificate, or other entitlement for use. Most CSU projects are not private projects.

Program EIR –

A. Program EIR may be prepared for a series of actions that either/or are related

B. Geographically
C. As part of a chain of actions
D. In connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program, or
E. As individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects that can be mitigated in similar ways.

Program EIRs are advantageous because they

A. Provide more exhaustive consideration of effects and alternatives than is practical in an EIR on an individual actions,
B. Ensure consideration of cumulative impacts that might be slighted on a case-by-case basis,
C. Avoid duplicative reconsideration of basic policy considerations,
D. Allow the Lead Agency to consider broad policy alternatives and program-wide mitigation measures at an early time when the agency has greater flexibility to deal with basic problems or cumulative impacts, and
E. Allow reduction in paperwork.

Project – A project is the whole of an action that has a potential to result in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and that is any of the following:

A. An activity directly undertaken by the Trustees including but not limited to public works construction and related activities, clearing or grading of land, substantial improvements to existing structures, and the adoption and amendment of campus Master Plans and long-range development projects or elements thereof.
B. An activity undertaken by a person that is supported in whole or in part through the Trustees' contacts, grants, subsidies, loans, or other forms of assistance from one or more public agencies.
C. An activity involving the Trustees' issuance to a person of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies.

Projects do not include:

A. Anything specifically exempt by state law (such as emergency repairs), unless it potentially could result in a significant effect on the environment.

B. Insubstantial adjustments to an existing Campus Master Plan or other long-range development plan, unless the adjustment potentially could result in a significant effect on the environment.
C. Proposals for legislation to be enacted by the State Legislature.
D. Continuing administrative or maintenance activities, such as purchases for supplies, personnel-related actions, general policy and procedure making (except as they are applied to specific instances covered above or potentially could result in significant effects on the environment).
E. The submittal of proposals to a vote of the people of the state or of a particular community, unless the proposal potentially could result in a significant effect on the environment.
F. The creation of government funding mechanisms or other government fiscal activities, which do not involve any commitment to any specific project that may result in a potentially significant physical impact on the environment.
G. Government organizational or administrative activities that are political or do not involve physical changes in the environment (such as the reorganization of campus administration).
H. On-campus information booths and kiosks, public transportation waiting shelters, feasibility and planning studies, on-campus signs for information, traffic direction, advertising events, general campus graphics, or other minor activities, unless a potentially physical effect on the environment could result.

The term "project" refers to the activity that is being approved and may be subject to several discretionary

approvals by governmental agencies. The term "project" does not mean each separate governmental approval.

Public Agency – A public agency is any state agency, board, or commission and any local or regional agency, such as CSU. This term does not include state courts or federal agencies.

Public Involvement – Under CEQA, the Trustees must solicit and respond to comments from the public and other agencies concerned with the project.

Rare, Endangered, or Threatened Species – "Species" as means a species or subspecies of animal or plant or a variety of plant. A species of animal or plant is:

A. "Endangered" when its survival and reproduction in the wild are in immediate jeopardy from one or more causes, including loss of habitat, change in habitat, overexploitation, predation, competition, disease, or other factors.
B. "Rare" when either:
    1. Although not presently threatened with extinction, the species is existing in such small numbers throughout all or a significant portion of its range that it may become endangered if its environment worsens; or
    2. The species is likely to become endangered within the foreseeable future throughout all or a significant portion of its range and may be considered "threatened" as that term is used in the Federal Endangered Species Act.
C. A species of animal or plant shall be presumed to be endangered, rare or threatened, as it is listed in:
    1. Sections 670.2 or 670.5, Title 14, California Code of Regulations; or
    2. Title 50, Code of Federal Regulations Section 17.11 or 17.12 pursuant to the Federal Endangered Species Act as rare, threatened, or endangered.
D. A species not included in any listing identified above shall nevertheless be considered to be endangered, rare or threatened, if the species can be shown to meet the criteria in subsection above.
E. This definition shall not include any species of the Class Insecta which is a pest whose protection under the provisions of CEQA would present an overwhelming and overriding risk to man as determined by:
    1. The Director of Food and Agriculture with regard to economic pests; or
    2. The Director of Health Services with regard to health risks.

Responsible Agency – A Responsible Agency is a public agency that proposes to carry out or approve a project, for which a Lead Agency is preparing or has prepared an EIR or Negative Declaration. For the purposes of CEQA, the term "Responsible Agency" includes all public agencies other than the Lead that which have discretionary approval power over the project.

Secretary of the Interior's Standards – *An abbreviated title for the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guideline for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings.* A federal publication of the Department of the Interior that provides guidance for minimizing impact on historic resources.

Significant Effect on the Environment – A significant effect on the environment is a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant.

Staged EIR – When a large capital project requires a number of discretionary approvals from government agencies and one of the approvals will occur more than two years before construction begins, a Staged EIR may

be prepared covering the entire project in a general form. The staged EIR shall evaluate the proposal in light of current and contemplated plans and produce an informed estimate of the environmental consequences of the entire project. The aspect of the project before approval shall be discussed with a greater degree of specificity. When a Staged EIR has been prepared, a Supplement to the EIR shall be prepared when a later approval is required for the project, and the information available at the time of the later approval would permit consideration of additional environmental impacts, mitigation measures, or reasonable alternatives.

State Agency – A state agency is a government agency in the executive branch of the California state government or an entity that operates under the direction and control of an agency in the executive branch of state government and is funded primarily by the state treasury. State agencies are differentiated from local agencies because different CEQA requirements may apply depending on whether a state or local agency is involved. CSU is a state agency.

State Clearinghouse – Refer to Office of Planning and Research.

Statutory Exemption – The legislature has created a class of statutory exemptions to CEQA, which are listed in the CEQA Guidelines (California Public Resources Code, Title 14, Chapter 3, Article 18, Sections 15260 through 15285). Statutorily exempt projects generally do not require full CEQA review, only completion and processing of a Notice of Exemption. Exemptions may not be applicable if a project could result in a potentially significant effect on the environment. OPR has prepared a standardized form to be used for Statutory Exemptions.

SUAM – The State University's Administrative Manual (SUAM) is an internal document designed to provide the officers and employees of CSU with a uniform approach to standard systemic procedures. It is intended as a reference source that brings together systemwide and statewide policies, procedures, regulations, and information issued by the Office of the Chancellor and other state agencies.

Subsequent Mitigated Negative Declaration – When an EIR has been certified for a project or a Mitigated Negative Declaration or Negative Declaration has been adopted, a Subsequent Mitigated Negative Declaration should be prepared under one or more of the following circumstances:

A. Substantial changes are proposed in the project that will require major revisions of the previous EIR or Mitigated Negative Declaration or Mitigated Negative Declaration due to the involvement of new mitigable significant environmental effects or substantial increase of previously identified effects;
B. Substantial changes occur with respect to the circumstances under which the project is undertaken that will require major revisions to the previous EIR or Mitigated Negative Declaration or Negative Declaration due to the involvement of new mitigable significant environmental effects or a substantial increase in the severity of the previously identified effects;
C. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified or the Mitigated Negative Declaration of Negative Declaration was adopted shows any of the following:
    1. Significant effects previously examined will be substantially more severe than shown in the previous EIR or Mitigated Negative Declaration, but can be mitigated;
    2. Subsequent Mitigated Negative Declarations require the same circulation and review process as Mitigated Negative Declaration.

Subsequent EIR – When an EIR has been certified for a project or a Mitigated Negative Declaration or Negative Declaration has been adopted, a Subsequent EIR should be prepared under one or more of the following circumstances:

A. Substantial changes are proposed in the project that will require major revisions of the previous EIR or

Mitigated Negative Declaration or Mitigated Negative Declaration due to the involvement of new significant environmental effects or substantial increase of previously identified effects;

B. Substantial changes occur with respect to the circumstances under which the project is undertaken that will require major revisions to the previous EIR or Mitigated Negative Declaration or Mitigated Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified effects;
C. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified or the Mitigated Negative Declaration of Negative Declaration was adopted shows any of the following:
    1. The project will have one or more significant effects not discussed in the previous EIR or Mitigated Negative Declaration or Negative Declaration;
    2. Significant effects previously examined will be substantially more severe than shown in the previous EIR or Mitigated Negative Declaration;
    3. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measures or alternative, or
    4. Mitigation measures or alternatives that are considerably different from those analyzed would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measures or alternative.

Subsequent EIRs require the same circulation and review process as EIRs, except that no NOP is required.

Substantial Evidence – Substantial evidence per CEQA means enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached. Whether a fair argument can be made that the project may have a significant effect on the environment is to be determined by examining the whole record before the lead agency. Argument, speculation, unsubstantiated opinion or narrative, evidence that clearly is erroneous or inaccurate, or evidence of social or economic impacts that do not contribute to or are not caused by physical impacts on the environment does not constitute substantial evidence. Substantial evidence shall include facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts. Some cases suggest that a higher standard, the so-called "fair argument standard," applies when a court is reviewing an agency's decision whether or not to prepare an EIR.

Supplement to an EIR – The Lead Agency may choose to prepare a Supplement to an EIR rather than a Subsequent EIR if any of the following conditions exist:

A. Any of the conditions requiring a Subsequent EIR
B. Only minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation

The Supplement to the EIR need contain only the information necessary to make the previous EIR adequate for the project as revised. A Supplement to an EIR may be circulated by itself without recirculating the previous Draft or Final EIR. When the Lead Agency decides whether to approve the project, the decision-making body shall consider the previous EIR as revised by the Supplement to the EIR. A CEQA finding shall be made for each significant effect shown in the previous EIR as revised.

Tiering – Tiering refers to the coverage of general matters in broader EIRs (such as the Campus Master Plan) with subsequent narrower EIRs or ultimately site-specific EIRs incorporating by reference the general discussions and concentrating solely on the issues specific to the EIR subsequently prepared. Tiering is appropriate when the sequence of EIRs is:

A. From a general plan, policy, or Program EIR to a program, plan, or policy EIR of lesser scope or to a Project EIR;

B. From an EIR on a specific action at an early stage to a Subsequent EIR or a Supplement to an EIR at a later stage. Tiering in such cases is appropriate when it helps the Lead Agency focus on the issues that are ripe for decision and exclude from consideration issues already decided or not yet ripe.

This definition of "tiering" is modeled closely after the definition in the federal NEPA regulations. Tiering is needed in order to provide increased efficiency in the CEQA process. It allows agencies to deal with broad environmental issues in EIRs at planning stages and then to provide more detailed examination of specific effects in EIRs on later development projects that are consistent with or implement the plans. For example, later EIRs are excused by the tiering concept from repeating the analysis of the broad environmental issues examined in the Campus Master Plan Program EIR.

Trustee Agency – A Trustee Agency is a state agency having jurisdiction by law over natural resources that are held in trust for the people of the State of California. Agencies are designated as Trustee Agencies when they administer lands to protect the natural resources on those lands or where a law gives the agency responsibility for protecting the state's interest in a natural resource. Trustee Agencies include:

A. The California Department of Fish and Game (CDFG) with regard to the fish and wildlife of the state, to designated rare or endangered native plants, and to game refuges, ecological reserves, and other areas administered by the department;
B. The State Lands Commission with regard to state owned "sovereign" lands such as the beds of navigable waters and state school lands;
C. The State Department of Parks and Recreation with regard to units of the State Park System;
D. The University of California with regard to sites within the Natural Land and Water Reserves System.

Trustees – The Trustees of The California State University or their designated representatives in the Office of the Chancellor of The California State University who are delegated to authority to in behalf of the Trustees.

Urbanized Area – An urbanized area, as designated as urbanized by the U.S. Bureau of the Census, is a central city or a group of contiguous cities with a population of 50,000 or more, together with adjacent densely populated areas, having a population density of at least 1,000 persons per square mile.

University – The campuses of The California State University upon which the project is located and the University President and other University official acting within the scope of their designated duties.

Williamson Act Contract – A contract between a private property owner and a city or county, drafted and entered into pursuant to the Land Conservation Act of 1965 (Williamson Act) that restricts land uses to those compatible with agricultural or open space use in exchange for reduced property taxes. See Government Code Title 5, Division 1, Part 1, Chapter 7.

SUAM SECTION III, CSU CEQA PROCEDURES
APPENDIX B
LIST OF CATEGORICAL EXEMPTIONS

1. CATEGORICAL EXEMPTIONS - AUTHORITY AND APPLICABILITY

1. 1 Authority

The State of California Environmental Quality Act (Public Resources Code, Section 21000 et seq.) establishes the requirement (see Section 21084) that the CEQA Guidelines (California Code of

Regulations, Title 14, Chapter 3, Section 15000 et seq.) include a list of classes of projects which have been determined not to have a significant effect on the environment and therefore are exempt from the provisions of CEQA. This Appendix B has been established in response to that mandate and to parallel Article 19, Categorical Exemptions, of the State CEQA Guidelines.

1.2 Applicability

Each campus of the California State University system has been required to prepare a long-range Master Plan for the development of that campus, and to adopt appropriate environmental documentation for the Master Plan. Where a Program EIR has been prepared pursuant to Section 9176 of these regulations, any Master Plan project addressed in that Program EIR that is proposed for implementation and/or construction shall reviewed per the regulations set forth in Section 9177 and the CSU CEQA Handbook. In instances where a project is not addressed in the Master Plan EIR, this Appendix shall be consulted to determine whether the project is subject to the provisions of CEQA.

The classes of projects identified in this Appendix do not have a significant effect on the environment, and they are declared to be categorically exempt from the requirement for the preparation of environmental documents.

1.3. Relation To Ministerial Projects

Section 21080 of the Public Resources Code exempts from the application of CEQA those projects over which the Board of Trustees of The California State University (Trustees) or Chancellor's Office exercises only ministerial authority. Since ministerial projects are already exempt, categorical exemptions should be applied only where a project is not ministerial, as defined by the CSU's regulations.

2. EXCEPTIONS TO CATEGORICAL EXEMPTIONS

Subsequent sections of this Appendix identify the classes of projects defined to be categorically exempt. The following exceptions apply:

2.1 Location

Classes 3, 4, 5, 6, and 11 shall be qualified by consideration of where the project is to be located. A project that under most circumstances would not have an environmental effect may result in impact within a particularly sensitive environment. Therefore, these classes are considered to apply all instances, except where the project may affect an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal or state agencies.

2.2 Cumulative Impact

All exemptions for all classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time, is significant

2.3 Significant Effect

A categorical exemption shall not be used for an activity where a reasonable possibility exists that the activity will have a significant effect on the environment due to unusual circumstances

2.4 Scenic Highways

A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a

highway officially designated as a state scenic highway. This does not apply to improvements, which are required as mitigation by an adopted negative declaration or certified EIR

2.5 Hazardous Waste Sites

A categorical exemption shall not be used for a project located on a site, which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

2.6 Historical Resources

A categorical exemption shall not be used for a project that may cause a substantial adverse change in the significance of a historical resource.

3. ADDITIONS TO LIST OF CATEGORICAL EXEMPTIONS

3.1 Additional Activities within Existing Classes

The Trustees may, at any time, add specific activities to an existing class of categorical exemptions, provided that any such additional activity is consistent with both the letter and the intent expressed in the class.

3.2 New Class of Exemptions

The Trustees may, at any time, request that a new class of categorical exemptions be added or an existing one deleted. This request must be made in writing to the State of California Office of Planning and Research and shall contain detailed information to support the request. The granting of such request shall be by amendment to the State CEQA Guidelines and subsequently, to the amendment of this Appendix.

4. CLASS 1. EXISTING FACILITIES

Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time the action is proposed. The types of existing facilities itemized below are not intended to be all-inclusive of the types of projects, which might fall within Class 1. The key consideration is whether the project involves negligible or no expansion of an existing use. Examples include but are not limited to:

Interior or exterior alterations involving such things as interior partitions, ceilings and floors, plumbing, and electrical systems and conveyances;

Existing facilities of both investor and publicly-owned utilities used to provide electric power, natural gas, sewerage, or other public utility services;

Existing campus streets, sidewalks, gutters, curbs, bicycle and pedestrian trails, and similar facilities (this includes road grading for the purpose of public safety);

Restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety, unless it is determined that the damage was substantial and resulted from an environmental hazard such as earthquake, landslide, or flood;

Additions to existing structures, provided that the addition will not result in an increase of more than:

(1) 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less; or

(2) 10,000 square feet if: (i) The project is in an area where all public services and facilities are available to allow for maximum development permissible in the Campus Master Plan and (ii) the area in which the project is located is not environmentally sensitive;

Addition of safety or health protection devices for use during construction of or in conjunction with existing structures, facilities, or mechanical equipment, or topographical features including navigational devices;

New copy on existing on and off-campus signs;

Maintenance of existing landscaping, native growth, and water supply reservoirs (excluding the use of pesticides, as defined in Section 12753, Division 7, Chapter 2, Food and Agricultural Code);

Division of existing multiple-student rental units into student apartments;

Demolition and removal of the following individual small structures:

(a) Up to three on-campus single-family residences;

(b) On-campus apartments and duplexes where not more than six dwelling units will be demolished;

(c) A store, offices, restaurants, and miscellaneous structures designed for an occupant load of 30 persons or less; and

(d) Accessory (appurtenant) structures including garages, carports, patios, storage and collection areas, parking lots with 25 or fewer spaces, swimming pools, and fences;

Minor repairs and alterations to existing dams and appurtenant structures under the supervision of the Department of Water Resources;

Conversion of a single family residence to office or classroom use;

Installation, in an existing facility occupied by a medical waste generator, of a steam sterilization unit for the treatment of medical waste generated by that facility, provided that the unit is installed and operated in accordance with the Medical Waste Management Act (Section 117600, et seq., of the Health and Safety Code) and accepts no offsite waste

Use of a single-family residence as a small-family day-care home, as defined in Section 1596.78 of the Health and Safety Code.

5. CLASS 2. REPLACEMENT OR RECONSTRUCTION

Class 2 consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced, including but not limited to:

A. Replacement or reconstruction of existing instruction, laboratory, research, health service, or similar buildings to provide earthquake resistant structures which do not increase capacity more than 50 percent;

B. Replacement of an on-campus commercial structure with a new structure of substantially the same size, purpose, and capacity;

C. Replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity;

D. Conversion of overhead electric utility distribution system facilities to underground, including connection to existing overhead electric utility distribution lines where the surface is restored to the condition existing prior to the undergrounding.

6. CLASS 3. NEW CONSTRUCTION OR CONVERSION OF SMALL STRUCTURES

Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. Examples of this exemption include, but are not limited to:

A. Up to three on-campus single-family residences.
B. Up to three on-campus duplex or similar multi-family residential structures, totaling no more than six dwelling units.
C. Faculty offices, small classrooms, or small commercial structure not exceeding 10,000 square feet in floor area, provided such use does not involve the use of significant amounts of hazardous substances, all necessary public services and facilities are available, and the surrounding area is not environmentally sensitive.
D. Water main, sewage, electrical, gas, and other utility extensions, including street improvements, of reasonable length to serve such construction.
E. Accessory structures, including garages, carports, patios, greenhouses, information and security booths, swimming pools, and fences.
F. An accessory steam sterilization unit for the treatment of medical waste at a facility occupied by a medical waste generator, provided that the unit is installed and operated in accordance with the Medical Waste Management Act (Section 117600, et seq., of the Health and Safety Code) and accepts no offsite waste.

7. CLASS 4. MINOR ALTERATIONS TO LAND

Class 4 consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes. Examples include, but are not limited to:

A. Grading on land with a slope of less than 10 percent, except that grading shall not be exempt in a waterway, in any wetland, in an officially designated (by federal or state government action) scenic area, or in officially mapped areas of severe geologic hazard such as an Alquist-Priolo Earthquake Fault Zone or within an official Seismic Hazard Zone, as delineated by the State Geologist;
B. New gardening or landscaping, including the replacement of existing conventional landscaping with water-efficient or fire-resistant landscaping;
C. Filling of earth into previously excavated land with material compatible with the natural features of the site;
D. Alterations to campus agricultural crop land, including modifications to irrigation and drainage systems, except drainage affecting wetlands;
E. Minor temporary use of land having negligible or no permanent effects on the environment, including carnivals, cultural or sports events, flea market sales, car washes, etc.;
F. Minor trenching and backfilling where the surface is restored;
G. Maintenance dredging where the spoil is deposited in a spoil area authorized by all applicable state and federal regulatory agencies;
H. The creation of bicycle lanes on existing rights-of-way;
I. Fuel management activities within 30 feet of structures to reduce the volume of flammable vegetation, provided that the activities will not result in the taking of endangered, rare, or threatened plant or animal species or significant erosion and sedimentation of surface waters. This exemption

shall apply to fuel management activities within 100 feet of a structure if the public agency having fire protection responsibility for the area has determined that 100 feet of fuel clearance is required due to extra hazardous fire conditions.

8. CLASS 5

There are no Class 5 exemptions.

9. CLASS 6. INFORMATION COLLECTION

Class 6 consists of basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. These may be strictly for information-gathering purposes, or as part of a study leading to an action which the Trustees or Office of the Chancellor has not yet approved, adopted, or funded.

10. CLASS 7

There are no Class 7 exemptions.

11. CLASS 8

There are no Class 8 exemptions.

12. CLASS 9. INSPECTIONS

Class 9 consists of activities limited entirely to inspections to check for performance of an operation, or quality, health, or safety of a project.

13. CLASS 10. LOANS

Class 10 consists of loans made by the Trustees for the purchase of existing structures where the loan will not be used for new construction, and the purchase of such mortgages by financial institutions. Class 10 includes but is not limited to:

A. Loans made by the Department of Housing and Urban Development or Education for on-campus facilities;
B. Purchase of mortgages from financial and lending institutions by the Public Employees' Retirement System and the State Teachers' Retirement System; and
C. Mortgage loans made by the Trustees directly to borrowers, provided the borrowers comply with CEQA prior to the funding of the loan.

14. CLASS 11. ACCESSORY STRUCTURES

Class 11 consists of the construction or placement of minor structures accessory to existing facilities, including but not limited to:

A. On-campus signs;
B. Small parking lots (up to 24 spaces);

C. Placement of seasonal or temporary use items such as mobile food units, portable restrooms, or similar items in generally the same locations from time to time in facilities designed for public use;
D. Information booths or kiosks;
E. Bus shelters; and
F. Sculptures or works of art.

15. CLASS 12. SURPLUS PROPERTY SALES

Class 12 consists of sales of surplus property, except for parcels of land affecting areas of statewide, regional, or areawide concern. However, even if the surplus property to be sold is located in any such area, its sale is exempt if:

A. The property does not have significant value for wildlife habitat or other environmental purposes; and
B. Any of the following conditions exist:
   (1) The property is of such size, shape, or inaccessibility that it is incapable of independent development or use; or
   (2) The property to be sold would qualify for an exemption under any other class of categorical exemption in these Guidelines; or
   (3) The use of the property and adjacent property has not changed since the time of purchase by the public agency

16. CLASS 13

There are no Class 13 exemptions.

17. CLASS 14. MINOR ADDITIONS TO SCHOOLS

Class 14 consists of minor additions to existing university campuses within the existing university campus where the addition does not increase original student FTE capacity by more than 25% or 10 classrooms, whichever is less. The addition of portable classrooms is included in this exemption

18. CLASS 15

There are no Class 15 exemptions.

19. CLASS 16. TRANSFER OF OWNERSHIP OF LAND TO CREATE PARKS

Class 16 consists of the acquisition, sale, or other transfer of land in order to establish a park where the land is in a natural condition or contains historical or archaeological resources and either: (a) the management plan for the park has not been prepared, or b) the management plan proposes to keep the area in a natural condition or preserve the historic or archaeological resources. CEQA will apply when a management plan is proposed that will change the area from its natural condition or cause substantial adverse change in the significance of the historic or archaeological resource

20. CLASS 17. OPEN SPACE CONTRACTS OR EASEMENTS

Class 17 consists of the establishment of agricultural preserves, the making and renewing of open space contracts under the Williamson Act (Government Code Section 51200 et. seq.), or the acceptance of easements or fee interests in order to maintain the open space character of the area. The cancellation of such preserves, contracts, interests, or easements is not included and will normally be an action subject to the CEQA process.

21. CLASS 18. DESIGNATION OF WILDERNESS AREA

Class 18 consists of the designation of wilderness areas under the California Wilderness System.

22. CLASS 19. ANNEXATIONS OF EXISTING FACILITIES AND LOTS FOR EXEMPT FACILITIES

21.2 Annexations to a CSU campus of areas containing existing public or private structures developed to the density allowed by the current applicable zoning or pre-zoning of the affected governmental agency; provided, however, that the extension of utility services to the existing facilities would have a capacity to serve only the existing facilities.

22.2 Annexations of individual small parcels of the minimum size for facilities exempted by Section 6. New Construction or Conversion of Small Structures.

23. CLASS 20. CHANGES IN ORGANIZATIONS OF CSU

Class 20 consists of changes in the organization or reorganization of the CSU governing and/or administrative structure where the changes do not change the geographical area in which previously existing powers are exercised.

24. CLASS 21. ENFORCEMENT ACTIONS BY REGULATORY AGENCIES

Class 21 consists of:

30.1.1.1.1.1.1Actions by the Trustees, Office of the Chancellor, or other regulatory office to enforce or revoke a lease, permit, license, certificate, or other entitlement for use issued, adopted, or prescribed by the Trustees, Office of the Chancellor, or other regulatory office; or the enforcement of a law, general rule, standard, or objective, administered or adopted by the Trustees, Office of the Chancellor, or other regulatory office. Such actions include, but are not limited to:

(1) The direct referral of a violation of lease, permit, license, certificate, or entitlement for use or of a general rule, standard, or objective to the Attorney General or District Attorney, as appropriate, for judicial enforcement;

(2) The adoption of an administrative decision or order enforcing or revoking the lease, permit, license, certificate, or entitlement for use or enforcing the general rule, standard, or objective.

B. Law enforcement activities by peace officers acting under any law that provides a criminal sanction.

C. Construction activities undertaken by the CSU taking the enforcement or revocation action are not included in this exemption.

25. CLASS 22. EDUCATIONAL OR TRAINING PROGRAMS INVOLVING NO PHYSICAL CHANGES

Class 22 consists of the adoption, alteration, or termination of educational or training programs, which involve no physical alteration in the area affected, or which involve physical changes only in the interior of existing CSU or training structures.

26. CLASS 23. NORMAL OPERATIONS OF FACILITIES FOR PUBLIC GATHERINGS

Class 23 consists of the normal operations of existing facilities for public gatherings for which the facilities were designed, where there is a past history of the facility being used for the same or similar kind of purpose. For the purposes of this section, *past history* shall mean that the same or similar kind of activity has been occurring for at least three years and that there is a reasonable expectation that the future occurrence of the activity would not represent a change in the operation of the facility. Facilities included within this exemption include, but are not limited to, athletic facilities, stadiums, convention centers, auditoriums, amphitheaters, planetariums, and swimming pools.

27. CLASS 24. REGULATIONS OF WORKING CONDITIONS

Class 24 consists of actions taken by the Trustees to regulate any of the following:

A. Employee wages;
B. Hours of work; or
C. Working conditions where there will be no demonstrable physical changes outside the place of work.

28. CLASS 25. TRANSFERS OF OWNERSHIP OF INTEREST IN LAND TO PRESERVE EXISTING NATURAL CONDITIONS AND HISTORICAL RESOURCES

Class 25 consists of transfers of ownership in interests in land in order to preserve open space, habitat, or historical resources. Examples include, but are not limited to:

A. Acquisition, sale, or other transfer of areas to preserve existing natural conditions, including plant or animal habitats;
B. Acquisition, sale, or other transfer of areas to allow continued agricultural use of the areas;
C. Acquisition, sale, or other transfer to allow restoration of natural conditions, including plant or animal habitats;
D. Acquisition, sale, or other transfer to prevent encroachment of development into flood plains;
E. Acquisition, sale, or other transfer to preserve historical resources.

29. CLASS 26. ACQUISITION OF HOUSING FOR HOUSING ASSISTANCE

Class 26 consists of actions by the Trustees, Office of the Chancellor, or other regulatory office to implement an adopted Housing Assistance Plan by acquiring an interest in housing units. The housing units may be either in existence or possessing all required permits for construction when the Trustees, Office of the Chancellor, or other regulatory office makes its final decision to acquire the units.

30. CLASS 27. LEASING NEW FACILITIES

30.1 Class 27 consists of the leasing of a newly constructed or previously unoccupied privately owned facility by the Trustees where the Trustees have determined that the building was exempt from CEQA. To be exempt under this Section, the proposed use of the facility:

A. Shall be in conformance with existing state plans and policies and any adopted campus master plan; and
B. Shall be substantially the same as that originally proposed at the time the building permit was issued; and
C. Shall not result in a traffic increase of greater than 10% of front access road capacity; and
D. Shall include the provision of adequate employee and visitor parking facilities

30.2 Examples of Class 27 include, but are not limited to:

A. Leasing of administrative offices in newly constructed office space;
B. Leasing of student service offices in newly constructed commercial or similar space;
C. Leasing of administrative and/or student service offices in newly constructed research or industrial space.

31. CLASS 28

There are no Class 28 exemptions.

32. CLASS 29. COGENERATION PROJECTS AT EXISTING FACILITIES

Class 29 consists of the installation of cogeneration equipment with a capacity of 50 megawatts or less at existing facilities, meeting the conditions described in this section.

A. At existing industrial facilities, the installation of cogeneration facilities will be exempt where such facilities will:

(1) Result in no net increases in air emissions from the facility, or will produce emissions lower than the amount that would require review under the new source review rules applicable in the county; and
(2) Comply with all applicable state and federal air quality laws.

B. At commercial and institutional facilities, the installation of cogeneration facilities will be exempt if the installation will:
(1) Meet all the criteria described in subsection A;
(2) Result in no noticeable increase in noise to nearby residential structures;
(3) Be contiguous to other commercial or institutional structures.

33. CLASS 30. MINOR ACTIONS TO PREVENT, MINIMIZE, STABILIZE, MITIGATE OR ELIMINATE THE RELEASE OR THREAT OF RELEASE OF HAZARDOUS WASTE OR HAZARDOUS SUBSTANCES

A. Class 30 consists of any minor cleanup actions taken to prevent, minimize, stabilize, mitigate, or eliminate the release or threat of release of a hazardous waste or substance which are small or medium removal actions costing $1 million or less. No cleanup action shall be subject to this Class 30 exemption if the action requires the onsite use of a hazardous waste incinerator or thermal treatment unit, with the exception of low-temperature thermal desorption, or the relocation of residences or businesses, or the action involves the potential release into the air of volatile organic compounds as defined in Health and Safety Code Section 25123.6, except for small-scale in situ soil vapor extraction and treatment systems which have been permitted by the local Air Pollution Control District or Air Quality Management District.

B. All actions must be consistent with applicable state and local environmental permitting requirements including, but not limited to, air quality rules such as those governing volatile organic compounds and water quality standards, and approved by the regulatory body with jurisdiction over the site.
   C. Examples of such minor cleanup actions include, but are not limited to:
      (1) Removal of sealed, non-leaking drums or barrels of hazardous waste or substances that have been stabilized, containerized and are designated for a lawfully permitted destination;
      (2) Maintenance or stabilization of berms, dikes, or surface impoundments;
      (3) Construction or maintenance of interim or temporary surface caps;
      (4) Onsite treatment of contaminated soils or sludges, provided the treatment system meets Title 22 requirements and local air district requirements;
      (5) Excavation and/or offsite disposal of contaminated soils or sludges in regulated units;
      (6) Application of dust suppressants or dust binders to surface soils;
      (7) Controls for surface water run-on and run-off that meets seismic safety standards;
      (8) Pumping of leaking ponds into an enclosed container;
      (9) Construction of interim or emergency ground water treatment systems;
      (10) Posting of warning signs and fencing for a hazardous waste or substance site, provided such signs and fencing meet legal requirements for protection of wildlife.

34. CLASS 31. HISTORICAL RESOURCE RESTORATION/REHABILITATION

Class 31 consists of projects limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation, or reconstruction of historical resources in a manner consistent with *Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings* (Weeks and Grimmer, 1995).

35. CLASS 32. IN-FILL DEVELOPMENT

Class 32 consists of projects characterized as in-fill development meeting the conditions described in this section

A. The project is consistent with an adopted campus master plan or other applicable plan.
B. The proposed development occurs on university lands on a project site of no more than five acres substantially surrounded by urban uses.
C. The project site has no value as habitat for endangered, rare or threatened species.
D. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, water quality, or historic resources.
E. The site can be adequately served by all required utilities and public services.

ATTACHMENT 2

Center for Coastal Marine Sciences
California Polytechnic State University
San Luis Obispo, CA 93407

February 05, 2020

California Polytechnic State University, San Luis Obispo
Pier Facility

Port San Luis Harbor District
3950 Avila Beach Drive
P.O. Box 249
Avila Beach, CA 93424

Subject: Proposed Operations and Maintenance Projects, Cal Poly Pier

The Cal Poly Center for Coastal Marine Sciences is undertaking a phased program to renovate the pier facility and associated land side infrastructure. Cal Poly is submitting five proposed projects in this application for review and assessment of compliance with any applicable CEQA guidelines. The Port San Luis Harbor District is the lead agency.

The following repair and replace projects are planned (see attached project descriptions):

1. Pier Painting
2. Remove of Abandoned Oil Piping
3. Electrical Conduit and Potable Water Line Replacement
4. Pile Wrap Replacement
5. Seawall Replacement

Sincerely,

Tom Moylan
Marine Operations Manager

Proposed Operations and Maintenance Projects, Cal Poly Pier

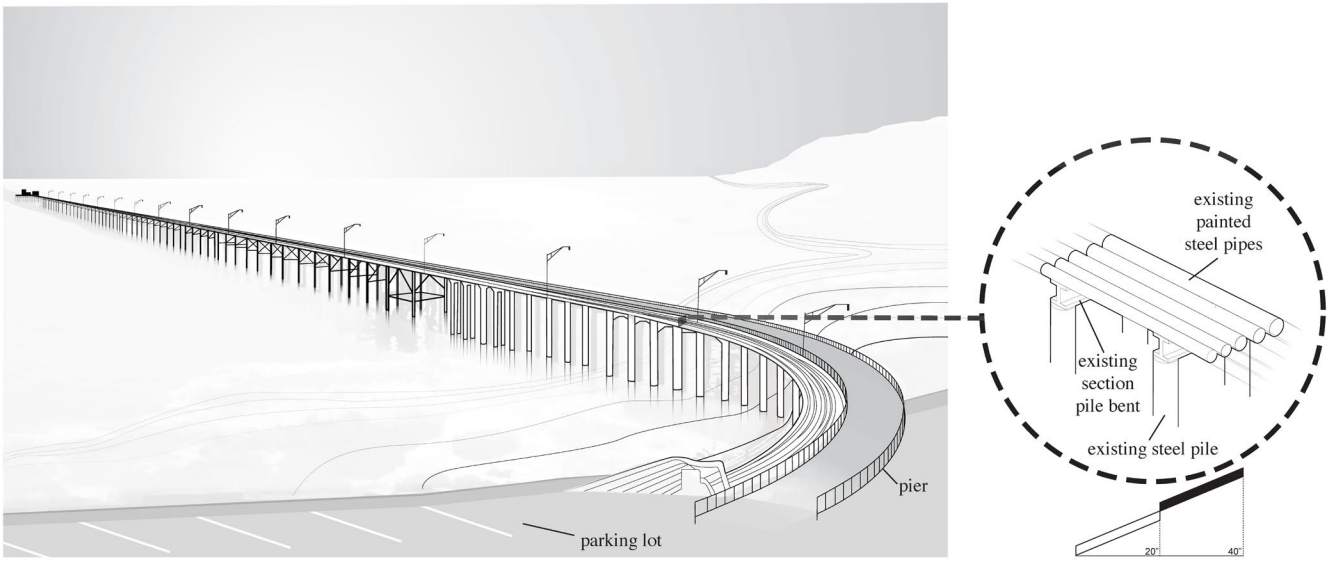
1. Pier Painting

The pier is constructed entirely of steel, with concrete surfaces used on a portion of the roadway and at the south end of the pier. All of the steel pile and steel beam support structure of the pier is painted to protect the steel from the marine environment. Maintaining this coating is essential to the longevity of the structure. Maintenance or repairs will not exceed the existing the footprint of the pier and repairs will be made with materials similar to the existing construction. No contact will be made with the water or sea floor surrounding the pier.

2. Oil Pipeline Removal

Historically, pipe was used to transfer petroleum products between ship and shore. This painted steel pipeline remains on the pier. The pipe was cleaned, pressurized with an inert gas, and sealed by Union Oil of California Corporation prior to donation to California Polytechnic University, San Luis Obispo in 2001. The pipe surface requires upkeep and re-coating. Removal of the pipe would eliminate the significant required upkeep and allow access to pier structure currently blocked by pipe for maintenance. Removal will not exceed the existing land area footprint and repairs will be made with materials similar to the existing construction. No contact will be made with the water or sea floor surrounding the pier.

Figure 1. Obsolete Pipeline and Support Structure

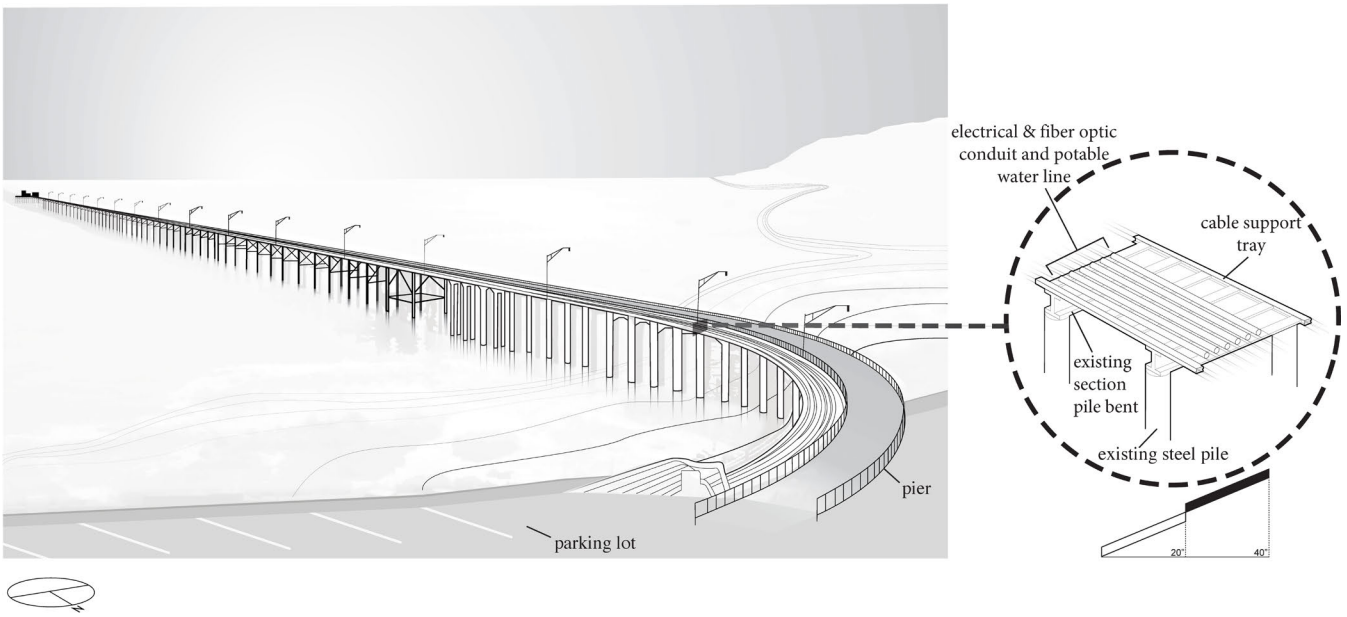


Title: Cal Poly Pier Oil Pipeline	**Water Body:** San Luis Obispo Bay	**City:** Avila Beach	
Activity: Maintenance and Repair	**County:** San Luis Obispo	**MHW:** 4.68'	**Scale:** perspective

3. Electrical and Fiber Optic Conduit and Water Line

Routine upkeep of the existing utility (electrical, sewer, water) infrastructure is required. Electrical and water supply utilities that run between the parking area and offshore platform are currently in need of repair, rehabilitation, or replacement (Figure 2). Maintenance and repair will not exceed the existing land area footprint and repairs will be made with materials similar to the existing construction. No contact will be made with the water or sea floor surrounding the pier.

Figure 2. Utility Line Location and Support

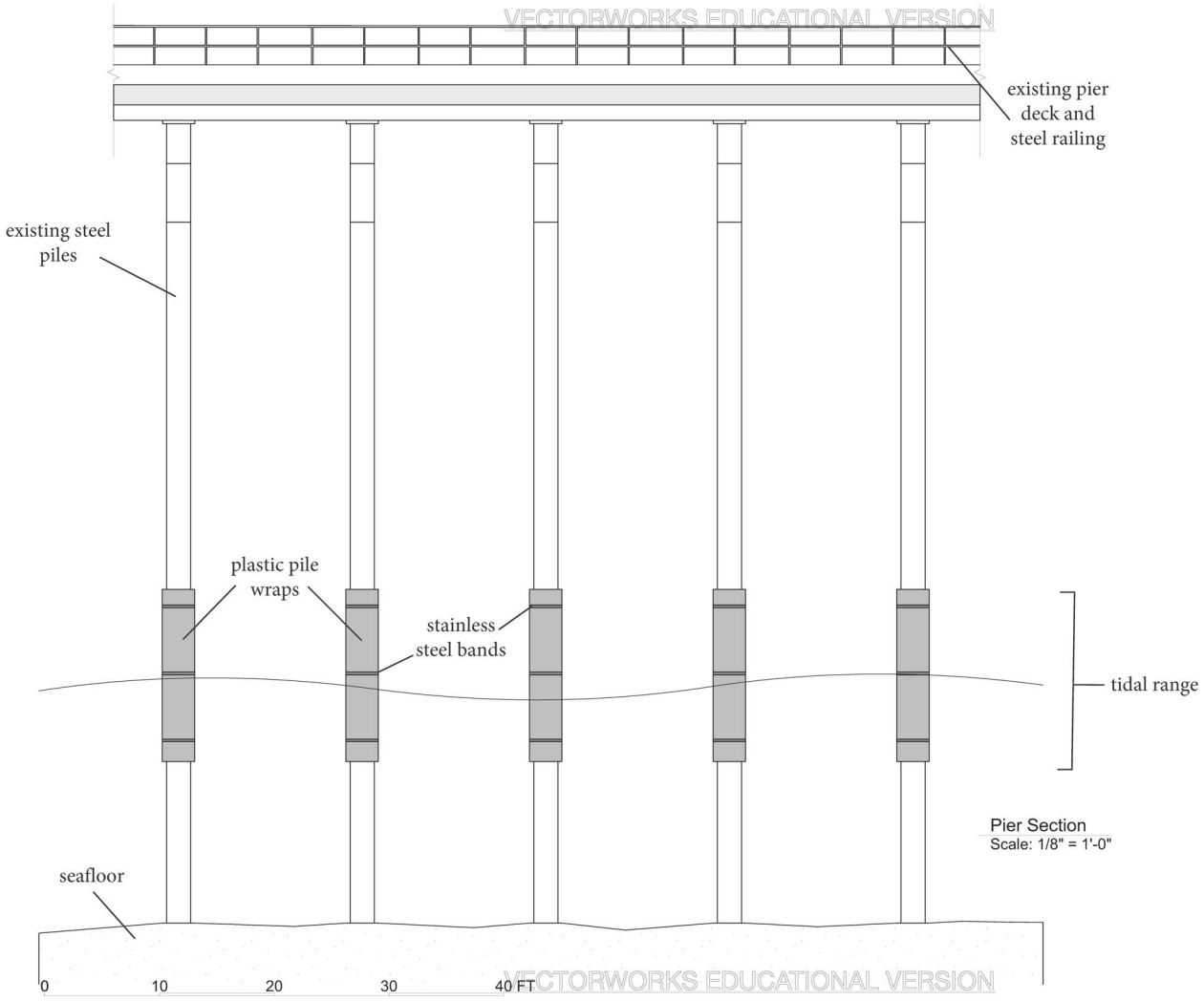


Title: Cal Poly Pier Utility Support	**Water Body:** San Luis Obispo Bay	**City:** Avila Beach	
Activity: Maintenance and Repair	**County:** San Luis Obispo	**MHW:** 4.68'	**Scale:** perspective

4. Piles and Pile Wraps

In the tidal zone (mean low water to mean high water), most of the steel pier piles are fully encased in protective plastic wrap (Figure 3). The pile wraps reduce corrosion by protecting the steel in the corrosive air/sea interface zone. To maintain protection of the piles, the pile wraps require inspection, repair, and possible replacement. Maintenance and repair will not exceed the existing land area footprint and repairs will be made with materials similar to the existing construction.

Figure 3. Pier Protective Wraps

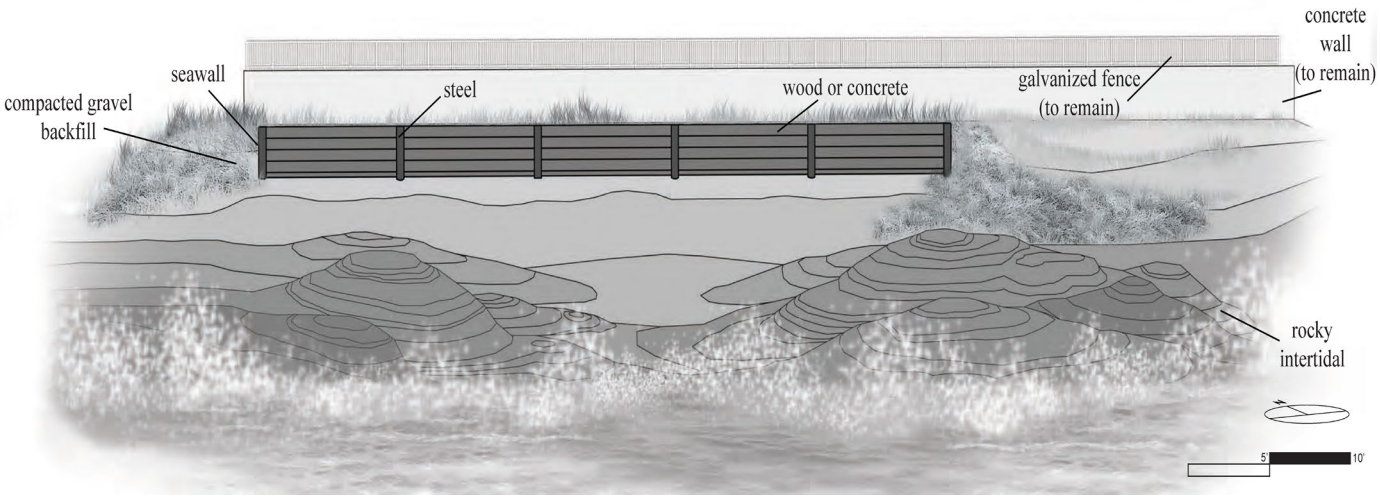


Title: Cal Poly Pier Pile Wraps	**Water Body:** San Luis Obispo Bay	**City:** Avila Beach	
Activity: Maintenance and Repair	**County:** San Luis Obispo	**MHW:** 4.68'	**Scale:** 1" = 15'

5. Seawall

The existing seawall is constructed of steel bollards supporting wood planking (Figure 4). The area behind the wall is backfilled with gravel. The seawall is designed to prevent erosion and other damage due to wave action. Repair, rehabilitation, or replacement of sections of the seawall is required to maintain the structure. Defective sections of wall are to be removed and replaced with steel, wood timber or cast-in-place concrete. Maintenance and repair will not exceed the existing land area footprint and repairs will be made with materials similar to the existing construction. No contact will be made with the water or sea floor surrounding the pier.

Figure 4. Existing Seawall and Parking Lot Fencing



Title: Cal Poly Pier Seawall	**Water Body:** San Luis Obispo Bay	**City:** Avila Beach	
Activity: Maintenance and Repair	**County:** San Luis Obispo	**MHW:** 4.68'	**Scale:** 1" = 10'

IN THE BOARD OF HARBOR COMMISSIONERS OF
PORT SAN LUIS HARBOR DISTRICT
COUNTY OF SAN LUIS OBISPO
STATE OF CALIFORNIA

Port San Luis, California February 25, 2020

RESOLUTION 20-06

ADOPTING A CATEGORICAL EXEMPTION FOR THE CAL POLY PIER OPERATIONS AND MAINTENANCE

WHEREAS, the Cal Poly Pier is located in tidelands granted to the Port San Luis Harbor District; and

WHEREAS, the activities associated with the Cal Poly Pier Operations and Maintenance constitute a project as defined by relevant provisions of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.); and

WHEREAS, the Board of Commissioners, acting as lead agency, has determined that the activities, described in the associated staff report are Categorically Exempt in accordance with Section 15301 of the State CEQA Guidelines (Title 14 California Code of Regulations, Section 15000 et seq.) relating to the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination; and

WHEREAS, based on the staff analysis, oral and written testimony, the Board of Commissioners finds, after due study, deliberation and based on its independent judgment, that the following circumstances exist:

1. The proposed activities described in the associated staff report are substantially consistent with the purpose and intent of the Port Master Plan, the Local Coastal Program, the Coastal Zone Land Use Ordinance, and the Port San Luis Harbor District Code of Ordinances.

2. On the basis of the whole record, there is no substantial evidence that the project will have a significant effect on the environment.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Port San Luis Harbor District as follows:

1. The Board of Commissioners hereby adopts a categorical exemption and authorizes Port San Luis Harbor District Staff to record said exemption with the County Clerk.

Approved and adopted this 25th day of February 2020. I, the undersigned, hereby certify that the Harbor Commission for the Port San Luis Harbor District did duly adopt the foregoing Resolution Number 20-06 by a motion, seconding of the motion, and by the following vote:

AYES 5 NOES Ø ABSENT Ø ABSTAIN Ø

Bill Barrow, President

Attest: Mary Matakovich, Secretary

P.O. BOX 249 · AVILA BEACH
CALIFORNIA 93424
(805) 595-5400 · Fax 595-5404
www.portsanluis.com

NOTICE OF EXEMPTION

Project Title: Cal Poly Pier Operations and Maintenance

Project Location: Cal Poly Pier
Avila Beach, CA 93424

Description of Project: Operations and maintenance to Cal Poly Pier includes pier painting, pipeline removal, utility line maintenance, pile repair/replacement, and seawall repairs.

Name of the Person or Agency Carrying Out the Project: Port San Luis Harbor District

Public Agency Approving the Project: Port San Luis Harbor District

Exempt Status: Categorically Exempt in accordance with Section 15301 of the State CEQA Guidelines. Section 15301 exempts the operation, repair, maintenance, permitting, leasing, licensing, or minor alterations of existing public or private structures involving negligible or no expansion of use

Reasons Why Project is Exempt: Repairs are to existing facilities involving negligible or no expansion of use

Lead Agency Contact Person: Chris Munson, Facilities Manager
Port San Luis Harbor District
(805) 595-5419, chrism@portsanluis.com

This Notice of Exemption has been filed by the public agency approving the project.

Lead Agency Signature	2/27/20 Date	Facilities Manager Title
Crystahl Taylor Consultant Signature	2/19/20 Date	Senior Project Manager Title

State of California - Department of Fish and Wildlife

2019 ENVIRONMENTAL FILING FEE CASH RECEIPT

DFW 753.5a (REV. 12/01/18) Previously DFG 753.5a

RECEIPT NUMBER: 40-02272020-041

STATE CLEARINGHOUSE NUMBER *(If applicable)*: NA

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY	LEAD AGENCY EMAIL	DATE
PORT SAN LUIS HARBOR DISTRICT	CHRISM@PORTSANLUIS.COM	02/27/2020

COUNTY/STATE AGENCY OF FILING	DOCUMENT NUMBER
COUNTY OF SAN LUIS OBISPO	

PROJECT TITLE

CAL POLY PIER OPERATIONS AND MAINTENANCE

PROJECT APPLICANT NAME	PROJECT APPLICANT EMAIL	PHONE NUMBER
PORT SAN LUIS HARBOR DISTRICT	CHRISM@PORTSANLUIS.COM	(805) 595-5419

PROJECT APPLICANT ADDRESS	CITY	STATE	ZIP CODE
PO BOX 249	AVILA BEACH	CA	93424

PROJECT APPLICANT *(Check appropriate box)*

☐ Local Public Agency ☐ School District ☒ Other Special District ☐ State Agency ☐ Private Entity

CHECK APPLICABLE FEES:

☐ Environmental Impact Report (EIR)	$3,271.00	$
☐ Mitigated/Negative Declaration (MND)(ND)	$2,354.75	$
☐ Certified Regulatory Program (CRP) document - payment due directly to CDFW	$1,112.00	$

☒ Exempt from fee

- ☒ Notice of Exemption (attach)
- ☐ CDFW No Effect Determination (attach)

☐ Fee previously paid (attach previously issued cash receipt copy)

☐ Water Right Application or Petition Fee (State Water Resources Control Board only)	$850.00	$
☒ County documentary handling fee		$ $50.00
☐ Other		$

PAYMENT METHOD:

☐ Cash ☒ Credit ☐ Check ☐ Other **TOTAL RECEIVED** $ $50.00

SIGNATURE	AGENCY OF FILING PRINTED NAME AND TITLE
X Sandy Currens	Sandy Currens, Deputy County Clerk-Recorder

Filed in County Clerk's Office

Tommy Gong
San Luis Obispo - County Clerk-Recorder

40-02272020-041

02/27/2020
FISH
Pages: 2
Fee: $ 50.00

By scurrens, Deputy

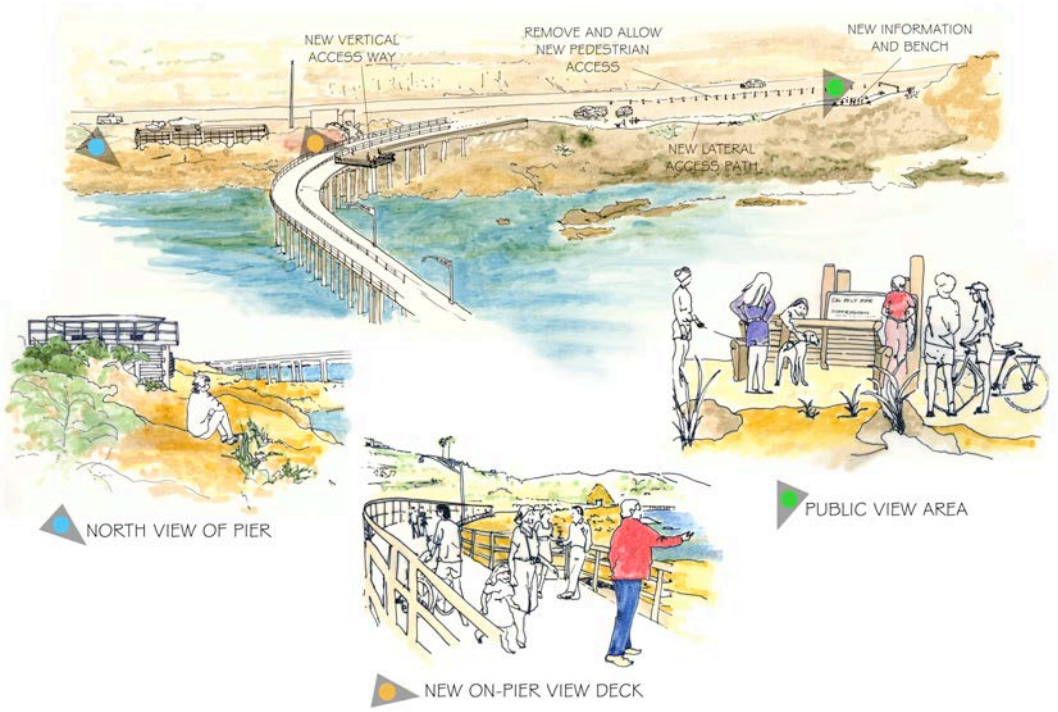
ORIGINAL - PROJECT APPLICANT COPY - CDFW/ASB COPY - LEAD AGENCY COPY - COUNTY CLERK DFW 753.5a (Rev. 12012018)

California Polytechnic State University
San Luis Obispo

Center for Coastal Marine Sciences
Public Access Plan for the Cal Poly Pier at Avila Beach

December, 2005

CONCEPTUAL PUBLIC ACCESS PLAN



Introduction

The Cal Poly Pier at Avila Beach serves as a marine science education and research facility supporting activities of the University's Center for Coastal Marine Sciences. Cal Poly is eager to provide public access to the pier consistent with its education and research mission, security concerns including the safety of the general public and our scientific equipment and experiments, and the financial and human resources of the marine program.

Cal Poly is confident it can provide a quality educational and exploratory experience for the public through this access plan. On the pier platform, visitors can become informed of the many and increasing number of research programs conducted by the Center for Coastal Marine Sciences. Many of these programs benefit the marine ecology of the Central Coast and State of California as well as others that involve national and international collaborations to study the oceans of the world.

Cal Poly has the opportunity to develop the pier and the Center for Coastal Marine Sciences into a nationally recognized marine science education and research center.

Maintenance of the pier is supported primarily by a $3 million endowment that produces about $135,000 of operating expense each year. This covers lease payments to the Harbor District, utilities, and routine maintenance, but is not sufficient to provide for major improvements or significant maintenance projects, such as painting of the pier.

History of the Pier. The current pier, and its wooden predecessor, were both used for petroleum products transshipment during most of the last century. The purpose and design of the pier were clearly not conducive to public access and no public use was permitted. After Unocal terminated its operations in Avila Beach, the pier was gifted to Cal Poly for educational and marine research use. In 2001, the Coastal Commission approved CDP No. 3-01-015 to allow the conversion of the industrial facility to education and research functions. The pier is located on tidelands under the jurisdiction of the Port San Luis Harbor District and the District approved a "ground lease" for these new uses.

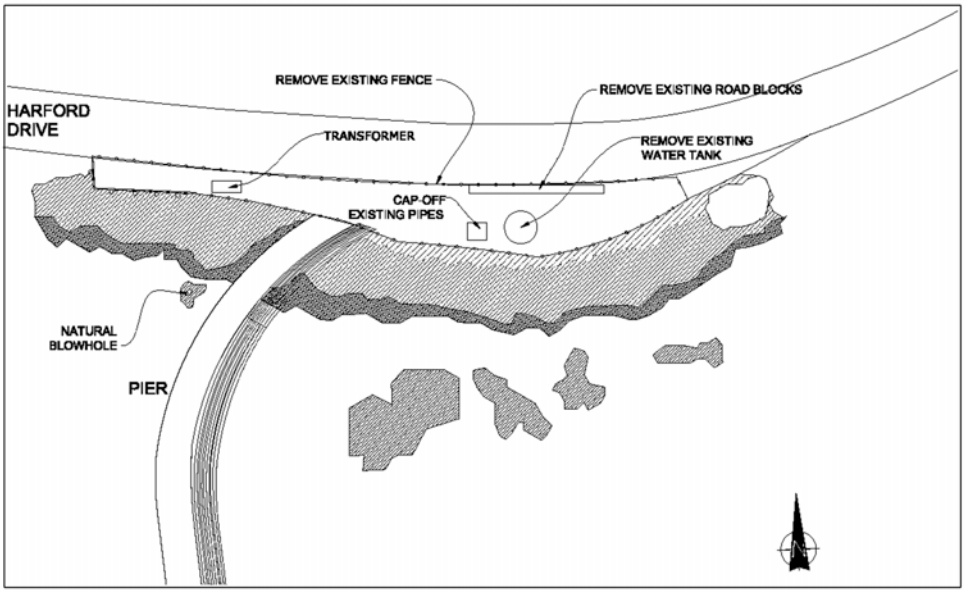
Previously Submitted Public Access Plan. Pursuant to CDP 3-01-015 Cal Poly first submitted a public access plan for the former Unocal Pier in August 2002. In 2005, Cal Poly applied for an amendment (CDP 3-01-015-A1) to allow a flowing seawater laboratory on the pier platform. This amendment was approved with a condition that Cal Poly update its access plan to incorporate improvements to the pier, and to the adjacent land parcel, owned by Unocal, that provides access to the pier.

Public Access Program

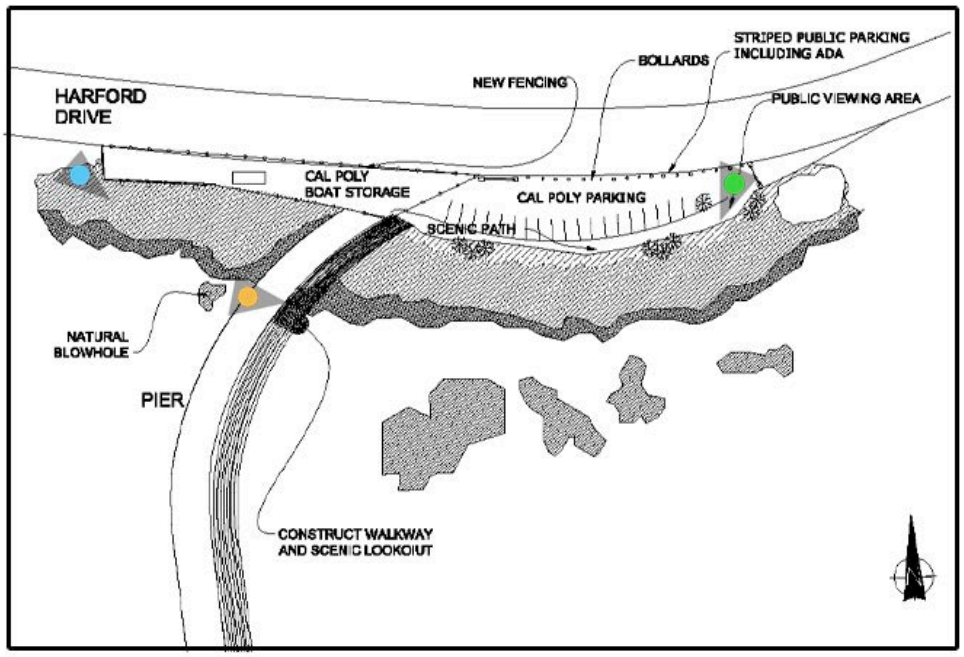
The major components of the access plan pursuant to CDP 3-01-015-A1, with the approved timetable for implementation, follows:

Components and Timetable for Implementation

Action Plan Item		Responsible Party	Timing
1.	**Controlled access to deck and lab**. Cal Poly will (continue) to provide monitored public access to the pier. At a minimum, public tours will be offered on at least a quarterly basis and will be noticed through local media (e. g: public service announcements). Based on demand, and on available staff/faculty/student resources, frequency may be increased.	Cal Poly	Suspended during construction of the flowing seawater lab. Resumed upon completion of construction.
2.	**Request formally from Unocal for permission to** a) allow public access across the landside parcel (APN 076-174-010); b) remove existing fencing (and install new security fencing); c) place an informational sign or kiosk, bench and view area; d) remove the fire water tank.	Cal Poly with support from CCC staff, if necessary	As soon as practical, but not later than 12/31/05
3.	**Apply to the PSL Harbor District to gain necessary approvals for the enhanced access plan.**	Cal Poly with support from CCC	As soon as practical but not later than 12/31/05.
4.	**If permission from Unocal and PSLHD is granted, Cal Poly will apply for grant funding.**	Cal Poly to prepare applications. CCC to help identify potential sources and provide support to CP's application.	As soon as practical.
5.	**Once permissions are granted and funding secured, Cal Poly will make the improvements described in item 2, above.**	Cal Poly	8/10/07 and contingent on permissions.
6.	**Cal Poly will provide a limited vertical pedestrian pathway with seating and viewing areas in the current locations of the petroleum transport pipes.** This element must be contingent on permits and permissions, as well as feasibility, including an engineering assessment as to the structural integrity of the pier for accepting this type of addition.	Cal Poly.	As soon as practical but not later than any project requiring a CDP.



DEMO PLAN



PROPOSED IMPROVEMENTS

The Cal Poly public access program is designed to provide opportunities to experience the pier and to learn about Center for Coastal Marine Sciences research programs and the ecology of the Central Coast. The program allows reasonable and safe access by the public without detracting from the primary research function of the pier.

1. Controlled Access to the Pier and Deck.

The following describes the programs to provide ongoing public access to the entire pier and deck:

Open Houses. At least quarterly, and in accordance with the terms of the Port San Luis Harbor District Ground Lease to Cal Poly, Cal Poly will open the entire pier area to the public. Notice will be given through the CCMS website and local media. Based on demand and resources, the frequency of these opportunities could be increased and also scheduled on special occasions. The open house activities will be hosted primarily by Cal Poly students with the support of the faculty and staff. Among the activities that may be offered during these open houses:

- *Kilometer Walk to the Pier Platform:* Visitors can walk along the vehicular road from the pier base to the platform at their own pace and observe the bird and sea life as well as the view of the harbor and coastline. For those unable to make the walk, transportation will be arranged.

- *Educational Opportunities on the Pier Platform:* As the student/faculty research program grows, so will the educational opportunities for the public.

    - *Observation of Select Local Marine Organisms:* Once the seawater circulation system is constructed and operating, the public can view those local marine organisms maintained for research in the holding tanks. During low tide, and under safe conditions, visitors can take the stairs under the pier and view the organisms such as starfish that have taken up residence on the pilings.

    - *Viewing of Bird and Sea Life from the Platform:* San Luis Bay is home to a wide variety of birds and marine mammals; the pier also affords a close-up view of a kelp bed.

    - *Video in the Pier Classroom:* The public can view video presentations about the programs of the Cal Poly Center for Coastal Marine Sciences in the classroom on the pier.

    - *Introduction to Research Programs on the Pier:* Student hosts will show and describe active research projects currently pursued by our faculty and students. Recent projects have included studies on penetration of ultraviolet light into the water, identification of natural sunscreens produced by marine organisms, bioluminescence, fisheries populations and genetics, harbor conditions including weather and ocean characteristics, data from Cal Poly's involvement in national and international ocean monitoring programs, larval nutrition, harmful algae blooms, invasive species, development of non-toxic marine coatings, and

the Autonomous Underwater Vehicle Program (a small, unmanned submersible).

Other Educational Field Trips and Mini-Conferences. Cal Poly will continue to conduct special field trips, mini-conferences, and educational activities for schools and public organizations, as requested, and based on the availability of our students and staff. Opportunities are similar to those described under “Open House”.

2. Landside Public Access Enhancements.

Cal Poly supports the California Coastal Commission suggestion of providing greater public access to the land at the base of the pier. All parties recognize there are constraints outside of Cal Poly’s direct control that the University and Coastal Commission will jointly endeavor to overcome. Most notably, Cal Poly does not own this parcel. Strategies for dealing with these constraints are discussed later in this plan.

Currently a high fence blocks this area from the general public. Improved access includes the following (see demolition and improvement plans, page 5, above):

- Removal of the current fencing and redesign with bollards that allows pedestrian access across the site. Security fencing/gates will be retained at the pier entry, and around equipment such as electrical transformers and the Cal Poly boats.

- Removal of fire tank and fire pump.

Existing fire water tank is no longer needed and blocks visual access along Harford Drive.

- Installation of a bench and a view area with permanent binoculars or other scopes at the eastern end of the site. Bench will be constructed of concrete or other materials that can be maintained in the salt-spray environment. (See below.)

- Informational sign describing the history of the pier, the local marine environment and the work of the Cal Poly Center for Coastal Marine Sciences on the pier. This sign will be located adjacent to the bench and will be made of wooden frame with transparent plastic covers that can be removed to update the information. Alternative materials may be used provided that they can be maintained in the salt-spray environment. (See below.

PUBLIC VIEW AREA
CONCEPTUAL DESIGN

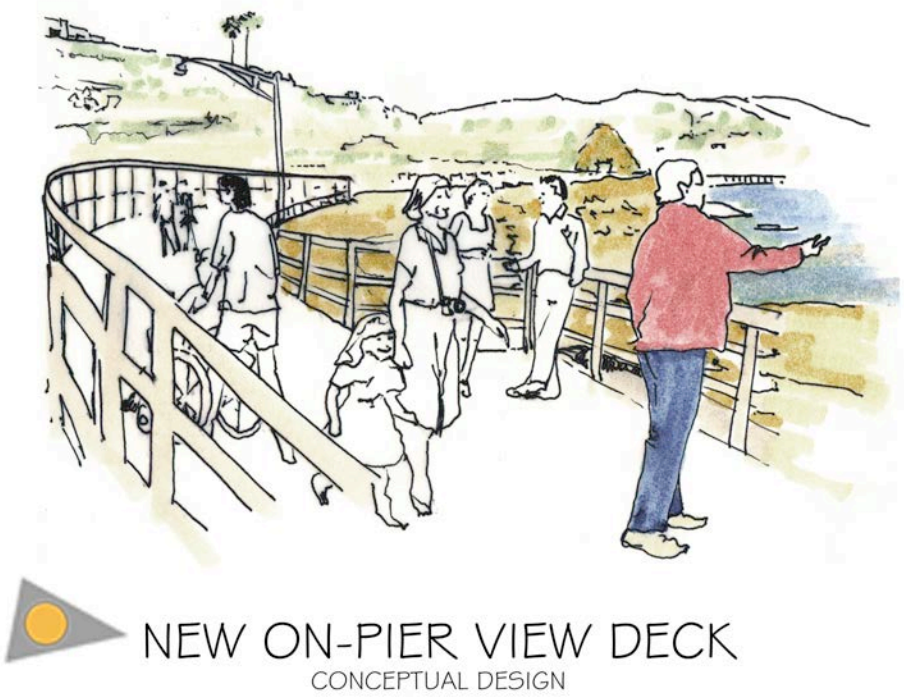
- Handicapped accessibility will be provided to and at the site of the bench, view area and informational sign in the form of asphalt path to the site and a concrete platform.

- Public parking (at least three spaces) will be provided in the form of streetside striped spaces. The space nearest the informational sign, bench and view area will be designated and signed as handicapped only.

- With appropriate community permissions, Cal Poly will place an information sign in Avila Beach proper describing the Cal Poly Pier and the work of the Cal Poly Center for Coastal Marine Sciences.

3. On-pier Vertical Access. In addition to the landside improvements, public access to the pier itself will be enhanced if feasible.

Pedestrian On-Pier Walkway. If found feasible, a pedestrian walkway will be built parallel to the vehicle deck, at least 100 feet seaward from the base of the pier. This deck will include seating and view opportunities. See below for the conceptual design.



4. Other Public Use of the Pier

Cal Poly Educational and Research Use of the Pier. Public use of the pier has increased from essentially none when used by the Unocal Corporation to significant levels even as of today. Not the least of these uses has been the transformation of the industrial pier to a facility of public higher education. For example, more than a thousand Cal Poly students a year from all over California, the United States, and many parts of the world take laboratory classes at the facility during each of our academic

quarters. Students perform research experiments every day in partnership with their faculty and staff mentors.

The Center for Coastal Marine Sciences will continue to supervise student projects including ones designed to enhance the experiences of visitors to the pier. These projects could include signage describing the area, the bird and sea life that frequent the pier, the laboratory class experiments conducted on site, and on-going research projects. Videos and slide shows could be developed for the classroom. And computer monitors could display real time conditions of the air and water at the pier and the data collected from Cal Poly sensors in the Pacific Ocean and Central Coast that are part of national and international efforts to monitor the oceans.

Public Access Improvements

CENTER FOR
COASTAL MARINE SCIENCES
CAL POLY STATE UNIVERSITY

CONCEPTUAL DESIGN

Constraints and Overcoming Them

Cal Poly and the Coastal Commission both recognize that providing improvements to the landside parcel and to the pier involve overcoming certain constraints.

The landside improvements are on property owned by Unocal and not by Cal Poly. Therefore, permission from Unocal will be needed prior to installation of the landside improvements. Cal Poly will formally request permission from Unocal not later than the end of 2005.

The pier, while owned by Cal Poly, sits on tidelands managed by the Port San Luis Harbor District. Cal Poly has a lease with PSLHD; vertical access is not presently included among the specifically allowed uses, except in the form of controlled activities as described earlier in this plan. Cal Poly will formally request permission from PSLHD not later than the end of 2005. However, engineering analyses must be performed to determine the structural design of the vertical access and conformance with current safety standards. Because the precise timing and design of the improvements are not yet known, application for the lease amendment will not occur until later.

Cal Poly commits to working with Coastal Commission staff to 1) identify and apply for funding opportunities, 2) request permission for these improvements/uses from Unocal, and 3) applying for the necessary permits/lease modifications from the PSL Harbor District.