San José State University
School of Social Sciences, Department of Environmental Studies
ENVS/URBP 185 Environmental Impact Assessment (EIA), Fall 2023

Course and Contact Information

Instructor:	**Ada E. Márquez**
Office Location:	WSQ Hall 111E
Telephone Main Office:	(408) 924-5450
Email:	ada.marquez@sjsu.edu
Office Hours:	By appointment on Mondays and Wednesdays
Lecture Day/Time:	In-Person: Wednesdays 3:00PM-5:45PM
Classroom:	Dudley Moorhead Hall 164
Lab/Activity 2 hours/week:	On-Line and Off-campus Activities
Prerequisites:	EnvS 01 and EnvS 124 Environmental Law, or instructor consent

Course Description

Environmental Impact Assessment (EIA) laws are among the most powerful tools currently available to identify and influence the environmental effects of human activities. These laws are soundly praised and roundly criticized by city councils, developers, and environmental advocates alike, but most of the public is simply unaware of the power these laws can give to the average citizen.

This course will teach you the basis for understanding, using and analyzing the **California Environmental Quality Act (CEQA),** one of the first and most influential environmental impact laws on the books. We will also become familiar with the federal impact assessment law, National Environmental Policy Act (NEPA).

Through a combination of lecture, field and project work, we will learn to conduct introductory assessments of the impacts of real projects such as, on our air quality, land-use, environmental health and equity, and wildlife. Moreover, the service-learning component will provide the opportunity to advocate for environmental justice, conserve natural resources, and address the complexity of climate change.

Impact assessment requires careful study of information from multiple disciplines, and it covers many environmental resources. Analyzing and producing environmental assessment documents requires significant group work, perseverance, creativity and a lot of work. Remember this is a four-unit course! Buckle your seatbelts (put on your bike helmets) for a challenging, but exhilarating, ride.

Grading: Letter Graded

Course Format: In-Person Lecture Course *and* Off Campus Technology Intensive, Canvas Online

The lecture portion is in-person with the curriculum posted via Canvas. The Lab Activity will be a combination of in-person fieldtrips, field work, and on-line service-learning activities. Students must have reliable internet connectivity and technology such as, a computer to access the Zoom government meetings and on-line tutorials. Office hours with the instructor will be virtual via Zoom.

Students can borrow laptops, iPads, and other technology at no charge from SJSU Student Computing Services | Dr. Martin Luther King Jr. Library (sjsu.edu). For student study and workspace with wifi and outlets, SJSU has numerous locations on campus Student Study and Workspace Resources | Learn Anywhere (sjsu.edu).

Students need the following:

- Internet connectivity or Wi-Fi, and technology such as a computer/laptop to access Zoom and Canvas
- Ensure your device meets Zoom system requirements System requirements for Windows, macOS, and Linux – Zoom Help Center
- Access to Canvas Learning Management system which is located at https://sjsu.instructure.com/
    - Canvas Student Resources | eCampus (sjsu.edu)
- Free access to software Software Installation Instructions | Information Technology (sjsu.edu)
    - Please have Adobe software installed Adobe Creative Cloud for Students | eCampus (sjsu.edu)
    - Microsoft Office Suite and/or the Google Apps "G-Suite" (Google Docs, Sheets, etc.). Visit Microsoft Office 365 Portal. You can access the Office 365 Portal with your SJSU email address and SJSUOne password.

Other student technology resources:

- Print Shop | Associated Students (sjsu.edu) in the Student Union
- The Spartan Floor at the MLK Library at library.sjsu.edu/services/services (Fourth floor)
- Student Computing Services at library.sjsu.edu/student-computing-services/student-computing-services-center

Course Learning Outcomes

This course will help you achieve these Departmental Learning Objectives, which are competencies we expect all our graduates to have for success:

Department LO 1 - Content Environmental Literacy: Students are able to write a logical analytical paper using good writing style and construction supported by appropriate research.
Department LO 3A - Content Environmental Literacy: Students will develop proficiency in the interdisciplinary sustainability principles that are the foundation of environmental studies; they will know the key environmental challenges facing the planet, know relevant interdisciplinary information about these challenges, and be able to develop/identify feasible solutions.
Department LO 3B- Students will be able to include environmental justice in the field of CEQA to provide solutions and assist to eliminate institutional, systemic, and other forms of racism and injustices.
Department LO 4A- Students are able to productively conduct teamwork to deliver professional quality presentations and reports.
Department LO 4C - Build local environmental sustainability and democratic participation through community service.

Upon successful completion of this course, students will be able to submit the following deliverables:
LO 1 and LO 3: Complete a preliminary environmental impact analysis, an Initial Study, under the California Environmental Quality Act (CEQA).
LO 3: Students will demonstrate skills and knowledge of applying environmental impact analyses to address the physical, social, and health impacts in disadvantaged communities.
LO 4A: Students will complete a team report and presentation that satisfies the substantive and procedural requirements per CEQA.
LO 4C: Students will submit documentation of community service by participating in government meetings and environmental volunteer work for non-profits or community, grass-roots organizations.

Texts and Readings

Required

California Environmental Quality Act (CEQA). (2023). *Statute and Guidelines. Association of Environmental Professionals.* (AEP) Provided FREE at https://www.califaep.org/statute_and_guidelines.php

Optional

Salzman, J.E, & Thompson, B.H. (2020). *Environmental Law and Policy (5th Edition).* Foundation Press. ISBN 978-1-68328-790-2.

Herson, A., & Lucks, A.L**.** (2017). *CA Environmental Law and Policy: A Practical Guide.* Point Arena, CA: Solano Press. {H &L}.

Rivasplata, T., G. Brownlow. (2020). *Practical CEQA: A Stepwise Guide to California Environmental Quality Act Compliance.* Solano Press Books, Point Arena, CA. https://solano.com/collections/featured-titles/products/practical-ceqa-a-stepwise-guide-to-california-environmental-quality-act-compliance

This book is available on Kindle for $40.00.

On Canvas, other resources will be available to use for class deliverables.

Other Sources

Governor's Office of Planning and Research (OPR) http://opr.ca.gov/
Association of Environmental Professionals https://www.califaep.org/
CEQA Portal (Topic Papers and Case Law Database) https://ceqaportal.org/
Berkeley Law Resources: https://www.law.berkeley.edu/library/
Golden Gate University Environmental Law Journal: http://digitalcommons.law.ggu.edu/gguelj/all_issues.html
American Planning Association California Chapter https://www.apacalifornia.org/
National Environmental Policy Act (NEPA) https://ceq.doe.gov/
US EPA NEPA process https://www.epa.gov/nepa

Citation Required

Formal papers are required to use the general APA Guidelines. General Format // Purdue Writing Lab
Additional instructions provided via Canvas.

Course Requirements and Assignments

1. Credit-hours statement: *University Policy S16-9*,
"Success in this course is based on the expectation that students will spend, for each unit of credit, a minimum of 45 hours over the length of the course (normally three hours per unit per week) for instruction, preparation/studying, or course related activities, including but not limited to internships, labs, and clinical practica. Other course structures will have equivalent workload expectations as described in the syllabus."

2. 3-unit Lecture: Through a combination of lecture, field and project work, we will learn to conduct introductory environmental assessments of the impacts of real land-use development projects on a variety of resource areas such as, air quality, hazardous materials, cultural resources, and wildlife. This course complies with the requirements per the California Environmental Quality Act (CEQA).

1-unit Community and Service Activity: This course incorporates community service. The lab activity will link the needs of the local community and strengthen students' environmental analytical skills. Students are required to complete the 1-unit Service Activity**,** which is approximately 2 hours weekly. (1) The deliverables include to attend government meetings. Students will select government meetings according to their individual availability. (2) Students must also complete a minimum of 10 hours of service-learning and a community service project deliverable. The instructor provides the service-learning opportunities and instructions for all the deliverables via Canvas.

To pass this course, both the Lecture and Service Lab Activity must be completed per the ENVS 185 syllabus.

Basic Tasks Service-Learning

Student Tasks
Attend/Observe a minimum of four government meetings; Prepare 4 Briefs for the Government Meetings Report
Service-learning experience provided by the instructor (minimum 6-8 hours of volunteer service); and on-line Service-Learning Deliverable

3. Originality and honesty: It is appropriate to cite others' work extensively, with attribution. ***It is never appropriate to use other authors' language or ideas, from the web or from written documents, as though they were your own.*** *If you have any questions about appropriate citation, please talk to me personally or write me a note.* Misuse of written material can result in course failure. Please do not email or call planners to help you with your assignments/deliverables. If you need help or have any questions, contact the instructor. The purpose of this course is to develop numerous professional skills and independence. University Academic Integrity Policy F15-7 [pdf] Student Conduct and Ethical Development

4. Readings**:** Please expect to attend all lecture/discussions and complete all readings *before* the class period. Completing the assigned readings will significantly improve your understanding of CEQA and other environmental laws. ENVS 185 is a fast-paced course and lecture time cannot cover everything.

5. Deliverables (writing assignments) and participation: During lectures, I will ask questions about the course materials. These questions will help determine whether I have conveyed the information adequately in lecture, whether you are keeping up with and understanding reading assignments, and they will provide for direct feedback about what you are learning through your group's lab/service assignment. In addition, we will complete in- class writing analysis assignments to strengthen your EIA skills. Be aware that we will also complete group work during our class. In-class deliverables cannot be made up unless you are ill or have other emergencies.

6. Draft documents: As in real impact assessment, the drafting process and public presentation are taken very seriously. **First draft documents are worth more than final drafts.**

7. Late Deliverables Policy: Everyone is experiencing challenges and to provide adequate feedback to all students, I do not accept late submissions. Late deliverables will be considered only for legitimate circumstances, when arranged in advance, or with a doctor's memo. If you have any concerns, please communicate with me as soon as possible.

   ENVS 185 emulates the CEQA's process and timeline. Per CEQA's Statutes and Guidelines, all environmental documents are required for submittal within regulations' timeline. Therefore, the instructor must enforce the same stringent requirements of meeting deadlines. We are also practicing being professionals.

Deliverables

Grading will be based on the following criteria: **TOTAL %**

(1 unit) Lab Activity Service Report section:
Government Plan (2) and Brief Meetings (4)

Service-Learning Deliverables **= 20**

(3 units)
Readings w/questions **= 10**

Initial Study
Individual Initial Study Draft **= 20**
In-class Peer Review Comments = 2
Final Initial Study = 6

Team Initial Study/ MND/EIR* **= 32
Team Contract (2%)
Individual Sections- Initial Study Draft (15%)
Final Team Report (10%)
Final Team Presentation (5%)

Class Participation
(Free-writes, etc.) **= 10**
Course Total = **100%**

Grading Information

The course grade will be determined based on a total 1000 possible points. Accumulated points that fall within the grade scale below determine your semester grade.

Grade	*Points*	*Percentage*
A plus	*960 to 1000*	*96 to 100%*
A	*930 to 959*	*93 to 95%*
A minus	*900 to 929*	*90 to 92%*
B plus	*860 to 899*	*86 to 89 %*
B	*830 to 859*	*83 to 85%*
B minus	*800 to 829*	*80 to 82%*
C plus	*760 to 799*	*76 to 79%*
C	*730 to 759*	*73 to 75%*
C minus	*700 to 729*	*70 to 72%*
D plus	*660 to 699*	*66 to 69%*
D	*630 to 659*	*63 to 65%*
D minus	*600 to 629*	*60 to 62%*

In-person and Zoom Office Visits

We are experiencing ongoing changes with uncertainties, and communication with the instructor is important. Please do not wait for an insurmountable problem before considering an office visit. If you would like to discuss an issue, an assignment, or a personal problem, please speak to me.

University Policies

Materials created by the instructor for the course are copyrighted per policy S12-7.
Students are prohibited from recording class activities (including class lectures, office hours, advising sessions, etc.), distributing class recordings, or posting class recordings. Materials created by the instructor for the course

(syllabi, lectures and lecture notes, presentations, deliverables, etc.) are copyrighted by the instructor regardless of format. This University policy (S12-7) is in place to protect the privacy of students in the course, as well as to maintain academic integrity through reducing the instances of cheating. Students who record, distribute, or post these materials will be referred to the Student Conduct and Ethical Development office. Unauthorized recording may violate University and State law. It is the responsibility of students that require special accommodations or assistive technology due to a disability to notify the instructor.

Classroom Protocol

Inclusive Learning Community
We are here to learn and support each other. Please be respectful, mindful, patient, and compassionate with yourself, classmates, and instructors. Students are expected to be professionals and be punctual for both on-line and in-person learning. Questions and comments about lectures or class materials are welcome anytime. Please use my Zoom office hours for assistance or personal concerns. For other SJSU's policies pertaining to Students Expectations, Rights, and Responsibilities, please read University Policy S16-15 [pdf]

Use of Camera during office hours
Students are not required to have their camera on during the Zoom office hours, but I strongly encourage your appearance on-screen. Students have permission to use an appropriate virtual background. If you have any concerns, please notify me as soon as possible for accommodations.

Recording of Zoom Classes (As needed, for guest speakers)
University Policy S12-7 [pdf] requires students to obtain instructor's permission to record the course.

The instructor cannot guarantee classes will be recorded and available for review. Unforeseen circumstances due to inadequate internet connectivity or outages may hinder recording of synchronous classes. Students are not allowed to record or share with others without instructor permission

Zoom Classroom Etiquette (As needed, for guest speakers)

- **Mute Your Microphone:** To help keep background noise to a minimum, make sure you mute your microphone when you are not speaking.
- **Be Mindful of Background Noise and Distractions:** Find a quiet place to "attend" class, to the greatest extent possible.
    - Avoid video setups and learning spaces where people may be walking behind you, people talking/ making noise, etc.
    - Avoid activities that could create additional noise, such as shuffling papers, listening to music or tv in the background, etc.
- **Position Your Camera Properly:** Be sure your webcam is in a stable position and focused at eye level.
- **Limit Your Distractions/Avoid Multitasking:** You can make it easier to focus on the meeting by turning off notifications, closing or minimizing running apps, and putting your smartphone away (unless you are using it to access Zoom).
- **Use Appropriate Virtual Backgrounds:** If using a virtual background, it should be appropriate and professional and should NOT suggest or include content that is objectively offensive or demeaning.

*Note that all federal, state, CSU system, and campus regulations on conduct including harassment and discrimination against other students or faculty apply to the online environment, just as in face-to-face instruction.

Additional Information

Dropping and Adding Classes

Students are responsible for understanding the policies and procedures about add/drop. Add/drop deadlines can be found on the current academic year calendars document on the Academic Calendars webpage. Students should be aware of the current deadlines and penalties for dropping classes Late Drops and Semester Withdrawals | Undergraduate Education (sjsu.edu).
Information about the latest changes and news is available at the Advising Hub.

Friday, September 15, 2023 Last Day to Drop Classes without a "D" Grade

University Resources for Students
Accessible Education Center
If you need course adaptations or accommodations because of a disability, or if you need to make special arrangements, please make an appointment with me as soon as possible, or see me during office hours. Presidential Directive 97-03 [pdf] requires that students with disabilities requesting accommodations register with the Accessible Education Center (AEC) to establish a record of their disability.

Counseling and Psychological Services The SJSU Counseling and Psychological Services is located on the corner of 7th Street and San Carlos in the new Student Wellness Center, Room 300B. To schedule an appointment or learn more information, visit the Counseling and Psychological Services website at sjsu.edu/counseling.

SJSU Cares Students experiencing challenges meeting their basic needs including, but not limited to, access to food, shelter, and a safe space are encouraged to contact SJSU Cares. Students who feel that their class performance may be affected by these challenges are encouraged to notify their professors, if comfortable doing so. Faculty members may be able to provide flexibility within the course for students working with a case manager.

Land Acknowledgement
Land Honor Acknowledgement provided by the CA Faculty Association (CFA) Indigenous Peoples' Caucus:

We gather as students, faculty, staff, and community of San Jose State University, situated on the traditional land of the Muwekma, Tamyen, and Ohlone Tribe past and present, and honor with gratitude the land itself and the people who have stewarded it throughout the generations. This calls us to commit to continuing to learn how to be better stewards of the land we inhabit as well. To recognize the land is an expression of gratitude and appreciation to those whose territory we reside on and a way of honoring the Indigenous people who have been living and working on the land from time immemorial. It is important to understand the long-standing history that has brought us to reside on the land and to seek to understand our place within that history. Land acknowledgments do not exist in past tense or historical context: colonialism is a current ongoing process, and we need to build our mindfulness of our present participation. Acknowledging the land is an important Indigenous protocol that we are honoring here today.

Do you know whose land you occupy? Find out at https://native-land.ca/

ENVS 185 Environmental Impact Assessment (EIA), Fall 2023

Course Schedule

This schedule is subject to change with fair notice.

Week/ Module	Date	Lecture Topics	Readings	Lecture Deliverables	(1 unit) Lab Activity
1	8/23	**Introductions to each other** and Discuss Syllabus Walk to San Jose City Hall **Provide NEW DELIVERABLE** Questions for *Understanding the Basics of Land Use and Planning: Guide to Local Planning,* (Institute for Local Government)	Read: *Understanding the Basics of Land Use and Planning: Guide to Local Planning,* (Institute for Local Government) https://www.ca-ilg.org/document/guide-local-planning, then click on pdf https://www.ca-ilg.org/sites/main/files/file-attachments/2010_-_landuseplanning.pdf?1387495993		Provide instructions for Service-Learning and Government Meetings
2	8/30	**Intro to CEQA: Overview and Exemptions**	CEQA Topic Papers (ceqaportal.org) Project Description (2020 Update)	**DUE: 9/6 INDIVIDUAL DELIVERABLE** Canvas Questions for *Understanding the Basics of Land Use and Planning: Guide to Local Planning,* (Institute for Local Government)	
3	9/6	**Notice of Exemption (NOE) – Project Examples and In-Class Analysis**	See Canvas for posted readings and Projects for NOE's	**DUE: 9/13 INDIVIDUAL DELIVERABLE** Governor's Office of Planning & Research (OPR) CEQA 202 Series: *What is a "project" under CEQA?* https://youtu.be/iNuDl5lEv9Q	**Due 9/13: Government Meeting Plan** Government Meeting (2 hours/week; Per your individual schedule)
4	9/13	**Preliminary Environmental Review: The Initial Study** *Appendix G The Environmental Checklist*	AEP 2023 CEQA Statute & Guidelines §15060 – 15065 Downtown West Mixed-Use Plan EIR	**DUE 9/27: INDIVIDUAL DELIVERABLE** Appendix G (Initial Study)	Service Learning/Lab Opportunity Biogeographic Data Branch

Week/ Module	Date	Lecture Topics	Readings	Lecture Deliverables	(1 unit) Lab Activity
		CEQA Resource Area: Biological Resources Analysis (Must bring a laptop to class) **NEW DELIVERABLE *Per CEQA Individual Appendix G Environmental Checklist (Initial Study Deliverable)***	(Google Project) | City of San José (sanjoseca.gov) Table of Contents 0 Summary of DEIR 1 Introduction of DEIR 2 Project Description of DEIR	Page 1 and Draft Project Description	Tutorials and Training (ca.gov) CNDDB Overview (Video - 32 min.)(opens in new tab): CNDDB Maps and Data (ca.gov)
5	9/20	**Field Trip**	Downtown West Mixed-Use Plan EIR (Google Project) | City of San José (sanjoseca.gov) **READ 3.02 Biological Resources** AEP 2023 CEQA Statute & Guidelines §15070-15075	**DUE 9/27: INDIVIUDAL DELIVERABLE** Appendix G (Initial Study) Page 1 and Draft Project Description	Government Meeting (2 hours/week; Per your individual schedule)
6	9/27	**CEQA Resource Area: Land use and Planning**	Downtown West Mixed-Use Plan EIR (Google Project) | City of San Jose (sanjoseca.gov) 3.09 Land Use General Plan Guidelines and Technical Advisories - Office of Planning and Research then click on **A Vision for Long-Range Planning**	**WORK on INDIVIDUAL DELIVERABLE *Per CEQA Appendix G Environmental Checklist:*** *Draft Initial Study Analyses* Due 10/11	Government Meeting (2 hours/week; Per your individual schedule)
7	10/4	**CEQA Resource Area: Air Quality Analysis**	Downtown West Mixed-Use Plan EIR (Google Project) | City of San Jose (sanjoseca.gov) 3.00 Environmental Setting Impacts and Mitigation Intro of DEIR 3.01 Air Quality	**Due 10/11 *Per CEQA Appendix G Environmental Checklist:*** *Draft Initial Study Analyses*	Air Quality Webinar link via Canvas
8	10/11	**CEQA Resource Area: Energy (or Noise)**	CEQA Topic Papers (ceqaportal.org)	Due 10/11 Per CEQA Appendix G Environmental	**Due: 10/18: Government**

Week/ Module	Date	Lecture Topics	Readings	Lecture Deliverables	(1 unit) Lab Activity
		Mitigated Negative Declaration (MND) Márquez return Initial Study comments. **Provide Instructions for Revised Individual Initial Study**	Mitigation Measures General Plan Guidelines and Technical Advisories - Office of Planning and Research then click Chapter 4:**Required Elements** **Then NOISE** General Plan Guidelines - Appendix D (ca.gov)	Checklist: Draft Initial Study Analyses	**Meeting Report Plan** Service-Learning Opportunity Check schedule
9	10/18	**Environmental Impact Reports (EIRs) (Process) and Drafting Contents of EIR** **NEW DELIVERABLE TEAM** Initial Study/MND/EIR (with instructions and due dates) TEAM CONTRACT Draft due by end of class	AEP 2023 CEQA Statute & Guidelines §15080-15097 and §15120-15132 CEQA Topic Papers (ceqaportal.org) Cumulative Impacts	**Marquez returns Draft Appendix G-Initial Study Analyses** TEAM CONTRACT Draft due by end of class	Service-Learning Opportunity Check schedule
10	10/25	**CEQA Resource Area: Hazardous Materials and Toxic Substances**	AEP 2023 CEQA Statute & Guidelines §15100-15112 Downtown West Mixed-Use Plan EIR (Google Project) | City of San Jose (sanjoseca.gov) 3.07 Hazardous Materials	**Due 10/25: Final Draft Appendix G Initial Study Analyses** **Due: Via Canvas** TEAM CONTRACT with signatures and project schedule via Excel -Márquez return comments	Canvas exercise GeoTracker *environmental data for regulated facilities in California* (Interactive Map) *https://geotracker.waterboards.ca.gov/ https://calepa.ca.gov/siteclean up/corteselist/
11	11/1	**CEQA Resource Area: Transportation** **Develop Team's Project Alternative**	AEP 2023 CEQA Statute & Guidelines §15140-15153	Work: Team Draft Environmental Impact Report (DEIR) Individual Sections	Service - Learning Opportunity Check schedule

Week/ Module	Date	Lecture Topics	Readings	Lecture Deliverables	(1 unit) Lab Activity
12	11/8	**CEQA Resource Area: Cultural, Tribal, and Archaeological Resources** **Peer-review deliverable due during class**	California Native American Heritage Commission (Laws, Local Ordinances & Codes) http://nahc.ca.gov/codes/ Downtown West Mixed-Use Plan EIR (Google Project) | City of San Jose (sanjoseca.gov) 3.03 Cultural Resources	**Due: 11/8 Questions/Show Progress- Individual EIR Sections** Per CEQA Appendix G Environmental Checklist	Service-Learning Opportunity Check schedule
13	11/15	**Márquez- Meetings with Each Team – Progress Initial Study/ DEIR**	CEQA Topic Papers (ceqaportal.org) Alternatives Readings provided via Canvas	**Due: 11/15 Individual EIR Sections and Meetings)** Per CEQA Appendix G Environmental Checklist	Service-Learning Opportunity Check schedule
14	(No Class on 11/22) Return on 11/29	**CEQA, Environmental Justice, Public Review and Comments** **New Deliverable Team Presentation Instructions**	General Plan Guidelines and Technical Advisories - Office of Planning and Research , Click on **Community Engagement and Outreach and Chapter 4, Section 8: Environmental Justice Element**	Team Draft Environmental Impact Report (DEIR) Individual Sections	Service-Learning Opportunity Or Canvas Activity Check schedule
15	12/6 (Last day of Class)	Curriculum Catch up and Team Meetings	*https://oag.ca.gov/environment/ceqa/planning then click Environmental Justice at the Local and Regional Level*	Team Draft Environmental Impact Report (DEIR) Individual Sections	Service-Learning Opportunity Check schedule

Final Exam
Friday, December 8 at 12:15 to 2:30 PM
Lecture Deliverables: Team DEIR and In-Class Team Presentation
Lab Activity: Service-Learning Brief