

**MOUNTAIN VIEW LOS ALTOS HIGH SCHOOL DISTRICT
RESOLUTION NO. 21-05**

RESOLUTION OF THE BOARD OF TRUSTEES OF THE
MOUNTAIN VIEW LOS ALTOS HIGH SCHOOL DISTRICT
MAKING CERTAIN FINDINGS CONCERNING MITIGATION MEASURES,
ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM, AND MAKING
FINDINGS CONCERNING ALTERNATIVES, IN ACCORDANCE
WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR
THE LOS ALTOS HIGH SCHOOL LIGHTS AND PUBLIC ADDRESS SYSTEM PROJECT (SCH#
2020010295) FOR WHICH AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED

WHEREAS, the Mountain View Los Altos High School District (the "District") proposes the installation and operation of field lights and an upgraded public address (PA) system on the existing Los Altos High School track and athletic field located at 201 Almond Avenue in the City of Los Altos; and

WHEREAS, the District is the lead agency for the project, and has prepared an Environmental Impact Report (EIR) for the project pursuant to and in accordance with the California Environmental Quality Act (Public Resources Code Section 21000 et seq., "CEQA") and the Guidelines for Implementation of CEQA (Title 14, Cal. Code of Regs., Section 15000 et seq., the CEQA Guidelines); and

WHEREAS, the District's governing board ("Board") has duly certified an EIR for the project; and

WHEREAS, CEQA requires that, in connection with the approval of a project for which an EIR has been prepared which identifies one or more significant environmental effects, the decision-making agency must make certain findings regarding those effects.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Mountain View Los Altos High School District, at a meeting held on July 27, 2020, the following:

1. That the above recitals are true and correct; and
2. A mitigation monitoring and reporting program ("MMRP") has been prepared to meet the requirements of Public Resources Code Section 21081.6. This MMRP is designed to ensure compliance with project mitigation measures imposed to avoid or substantially lessen the significant effects identified in the EIR for the project; and

3. The Board was presented with, and has independently reviewed and analyzed, the Final EIR and other information in the record and has considered the information contained therein prior to acting upon or approving the project, and has found that the Final EIR represents the independent judgment of the Mountain View Los Altos High School District as lead agency under CEQA for the project; and
4. The Board finds and recognizes that the Final EIR contains additions, clarifications, modifications, and other information in its responses to comments on the Draft EIR and circulated for public review. The Board does hereby find and determine that such changes and additional information are not significant new information, as that term is defined under the provisions of CEQA, from that information disclosed in the Final EIR because such changes and additional information do not indicate that any new significant environmental impacts not already evaluated would result from the project and they do not reflect a substantial increase in severity of any environmental impact; no feasible mitigation measures considerably different from those previously analyzed in the Draft EIR have been proposed that would lessen significant environmental impacts of the project. Accordingly, the Board hereby finds and determines that recirculation of the Final EIR for further public review and comment is not warranted; and
5. The Board does hereby make the following findings with respect to the significant effects of the environment of such the project, identified in the here-in-before mentioned Final EIR, with the stipulations that all information in these findings is intended as a summary of the full administrative record supporting the Final EIR, which full administrative record should be consulted for the full details supporting these findings and which consists of, but is not limited to, the Draft EIR, the Mitigation Monitoring and Reporting Program, all testimony, documentary evidence and all correspondence submitted to the District in connection with the project, and other documents relied upon or prepared by District Staff or consultants related to the project and this Resolution.

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PASSED AND ADOPTED by the Board of Trustees of the Mountain View Los Altos High School District this 27th day of July, 2020.

AYES:

NOES:

ABSENT:

ABSTENTIONS:

Secretary to the Board of Trustees

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Attachment A MMRP (PDF Attached)

ATTACHMENT B

LOS ALTOS HIGH SCHOOL LIGHTS AND PUBLIC ADDRESS SYSTEM PROJECT SIGNIFICANT ENVIRONMENTAL IMPACTS

The following findings, including impact statements, mitigation measures, findings and facts in support of findings, are based on the full administrative record, including, but not limited to, the Draft EIR, which contains a fuller discussion of each issue.

AIR QUALITY IMPACTS

Impact AIR-2: The project, with implementation of mitigation measures, would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard.

Mitigation

MM AIR-2.1: During any construction period ground disturbance, the School District shall ensure that the project contractor implement measures to control dust and exhaust. Implementation of the measures recommended by BAAQMD as listed below would reduce the air quality impacts associated with grading and new construction to a less-than-significant level. The contractor shall implement the following best management practices that are required of all projects:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 mph.
- Replant vegetation in disturbed areas as quickly as possible.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked

by a certified mechanic and determined to be running in proper condition prior to operation.

- Post a publicly visible sign with the telephone number and person to contact at the District regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

Finding

Implementation of MM AIR - 2.1 would reduce construction-related air quality impacts to a less than significant level.

Facts in Support of Finding:

BAAQMD's basic construction mitigation measures were developed as feasible methods to reduce construction-related dust and construction-equipment exhaust to acceptable levels.

Impact AIR-3: The project, with implementation of mitigation measures, would not expose sensitive receptors to substantial pollutant concentrations.

Mitigation

MM AIR-3.1: The project shall use equipment that has low Diesel Particulate Matter or zero emissions, implementing the following measures:

- All mobile diesel-powered off-road equipment larger than 25 horsepower and operating on the site for more than two days shall meet U.S. EPA particulate matter emissions standards for Tier 4 or use engines that include particulate matter emissions control equivalent to CARB Level 3 verifiable diesel emission control devices (VDECs). Alternatively (or in combination), the use of alternatively-fueled or electric equipment (i.e., non-diesel) would be consistent with this requirement.
- Avoid diesel generator use by supplying line power to the construction site and limiting the use of diesel generators to more than 50 total hours.
- Avoid staging of construction equipment near portions of the site that are adjacent to residences.

Finding

Implementation of MM AIR - 3.1 would reduce construction-related air quality impacts to nearby sensitive receptors to a less than significant level.

Facts in Support of Finding:

Measures listed in MM AIR-3.1 would limit construction equipment to meet U.S. EPA Tier 4 emission standards and CARB's most recent certification standards would reduce the project's potential impacts to nearby sensitive receptors to a less than significant level.

BIOLOGICAL RESOURCES IMPACTS

Impact BIO-4: The project, with implementation of mitigation measures, would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

Mitigation

MM BIO-4.1: The District shall schedule construction activities to avoid the nesting season, to the extent feasible. The nesting season for most birds, including most raptors in the San Francisco Bay Area extends from February 1st through August 31st (inclusive).

If it is not possible to schedule demolition and construction between September 1st and January 31st (inclusive) to avoid the nesting season, pre-construction surveys for nesting raptors and other migratory nesting birds shall be conducted by a qualified ornithologist to identify active nests that may be disturbed during project implementation on-site and within 250 feet of the site. The pre-construction survey for nesting birds shall be conducted prior to initiation of construction, demolition activities, or tree removals no more than 14 days during the early part of the nesting season between February 1st and April 30th (inclusive) and no more than 30 days prior to initiation of these activities during the late part of the nesting season between May 1st and August 31st (inclusive).

If an active nest is found in or close enough to the project area to be disturbed by construction activities, a qualified ornithologist, in consultation with the CDFW, shall determine the extent of a construction-free buffer zone (typically 250 feet for raptors and 100 feet for other birds) around the nest, to ensure that raptor or migratory bird nests would not be disturbed during ground disturbing activities. The construction-free buffer zones shall be maintained until after the nesting season has ended and/or the

ornithologist has determined that the nest is no longer active.

Finding

Implementation of MM BIO- 4.1 would reduce impacts from the project to nesting birds to a less than significant level.

Facts in Support of Finding:

Implementation of MM BIO - 4.1 would reduce the project's impact to nesting birds through avoidance of activity during the nesting season, or completion of pre-construction surveys to avoid disturbing or destroying active nests if construction activity occurs during the nesting season.

Impact BIO-5: The project, with implementation of mitigation measures, would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

MM BIO-5.1: The proposed project shall implement the following tree protection measures:

- Prior to commencement of construction, construction fencing shall be placed around the drip line of all trees proposed for preservation.
- No grading or other construction shall occur within the drip line of any tree proposed for preservation except in conformance with a Tree Protection Plan approved by a certified arborist.
- No vehicle, equipment or materials shall be parked or stored within the drip line of any tree proposed for preservation.
- No signs, wires, or any other object shall be attached to any tree.

Finding

Implementation of MM BIO- 5.1 would reduce conflict with any local policies or ordinances protecting biological resources to a less than significant level.

Facts in Support of Finding:

Implementation of MM BIO - 5.1 would reduce the project's impact to trees through placement of construction fencing around the drip line of all trees proposed for preservation, thereby ensuring construction activity would remain an adequate distance to avoid damage to trees.

CULTURAL RESOURCES IMPACTS

Impact CUL-2: The project, with implementation of mitigation measures, would not cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5.

Mitigation

MM CUL-2.1: In the event that cultural resources are found, all work within 50 feet of the find will stop and a qualified professional archaeologist or paleontologist will examine the find. If the find is determined to be significant, treatment recommendations will be developed and implemented before earthmoving or construction activities can recommence within the designated resource area.

Finding

Implementation of MM CUL - 2.1 would reduce impacts to unknown buried archaeological resources to a less than significant level.

Facts in Support of Finding:

Implementation of MM CUL - 2.1 would reduce impacts to unknown archaeological resources if encountered during ground disturbing construction activities by informing construction personnel involved with site clearing and grading that there is a potential for discovery of archaeological materials and educating construction personnel on indicators of archaeological site deposits. If archaeological resources are encountered, impacts to these resources would be reduced by halting grading and excavation work within 50 feet of the find(s) and contacting a qualified archaeologist to evaluate the find and make sure impacts to the cultural resource(s) are avoided or mitigated.

Impact CUL-3: The project, with implementation of mitigation measures, would not disturb any human remains, including those interred outside of dedicated cemeteries.

MM CUL-3.1: If human remains are discovered during construction, construction activities that could disturb the remains and any associated artifacts would halt and the project proponent shall contact the local Coroner's Office. The Coroner shall make a determination as to whether the remains are of Native American origin or whether an investigation into the cause of death is required. If the remains are determined to be

Native American, the Coroner shall notify the Native American Heritage Commission (NAHC). The NAHC would then name a Most Likely Descendant (MLD) to advise the project proponent on the manner of exposure and removal of burials and associated grave goods, and to help designate a place for the reburial of these materials. The MLD may make any recommendations they feel are culturally appropriate which may include keeping the remains in place.

Finding

Implementation of MM CUL - 3.1 would reduce impacts to human remains to a less than significant level.

Facts in Support of Finding:

Implementation of MM CUL – 3.1 would reduce impacts to unknown buried human remains by halting construction activities that could disturb the remains and contacting the local Coroner's Office and Native American Heritage Commission. The Most Likely Descendant will assist the District to ensure the burial(s) would be handled in a sensitive manner while the project is implemented.

GEOLOGY AND SOILS IMPACTS

Impact GEO-6: The project, with implementation of mitigation measures, would not directly or indirectly destroy a unique paleontological resource or site or unique geological feature.

MM GEO-6.1: If vertebrate fossils are discovered during construction, all work on the site will stop immediately until a qualified professional paleontologist can assess the nature and importance of the find and recommend appropriate treatment. Treatment may include preparation and recovery of fossil materials so that they can be housed in an appropriate museum or university collection and may also include preparation of a report for publication describing the finds. The District will be responsible for implementing the recommendations of the paleontological monitor, and a final report documenting the implementation of the treatment program shall be prepared.

Finding

Implementation of MM GEO – 6.1 would reduce impacts to paleontological resources to a less than significant level.

Facts in Support of Finding:

Implementation of MM GEO – 6.1 would reduce impacts to paleontological resources by halting construction activities until a qualified professional paleontologist can assess the nature and importance of the find and recommend appropriate treatment.

HAZARDS AND HAZARDOUS MATERIALS

Impact HAZ-2: The project, with implementation of mitigation measures, would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

MM HAZ-2.1: The project shall implement the following mitigation measures to reduce impacts from exposure to organochlorine pesticides (OCPs), arsenic, and lead to a less than significant level:

- Prior to excavation at the project site, additional soil sampling/testing shall be completed to define the lateral and vertical extent of the impacted soil.
- The soil detected above the regulatory standards for residential uses shall be excavated and disposed off-site at a permitted facility.
- The soils that remain shall undergo confirmation sampling to ensure their concentrations are below the appropriate regulatory thresholds.

MM HAZ-2.2: Extensive dust control along with perimeter air monitoring confirmation sampling shall be implemented during all ground-disturbing construction activities to prevent spreading of asbestos fibers.

MM HAZ-2.3: The soil in the landscaped areas shall be capped with at least six inches of clean imported soils and the soils in the high traffic areas of natural turf on the project site shall be capped with at least 12-inches of clean imported soil or hardscape to limit future release of asbestos fibers. Buildings, hardscape, artificial turf, and imported NOA-free soils are acceptable caps. Excess soils with NOA, if off-hauled, will have to be disposed at an appropriately licensed landfill.

Finding

Implementation of MM HAZ – 2.1, 2.2 and 2.3, would reduce impacts from exposure to OCPs, arsenic, and lead to a less than significant level.

Facts in Support of Finding:

Implementation of MM HAZ – 2.1 would reduce impacts from residual contaminated soil by removing the contaminated soil from the site and disposing it at an appropriate disposal facility. Implementation of MM HAZ – 2.2 and 2.3 would reduce impacts to construction workers and students from NOA in on-site soils by applying dust control measures during construction and capping the site to prevent direct contact with the NOA.

Conclusion

Upon implementation of the aforementioned mitigation measures, the proposed project would not result in any significant and unavoidable impacts. Therefore, pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the EIR.

ALTERNATIVES TO THE PROJECT

An EIR must describe a range of reasonable alternatives to the project, or the location of the project, which would feasibly obtain most of the basic objectives of the project, but would avoid or substantially lessen any of the significant environmental effects of the project.

The District's objective for the project is to provide the capability to host sport events and games at the Los Altos High School campus at night when students, parents, and community members can more easily attend.

The Board may reject the alternative if it is determined that specific considerations make the alternative infeasible. Pursuant to California Public Resources Code Section 210810 and the CEQA Guidelines Section 15091 et seq., the Board adopts and makes the following findings with respect to the alternatives identified in the Final EIR, as described below.

No Project/No Development Alternative: The No Project Alternative would involve no changes to the physical environmental and thus would have no environmental effects. Under this alternative, LAHS would continue to host sporting events during the daytime/afternoon hours and host a few night games at an offsite location (e.g., Foothill College).

Finding

The No Project Alternative would avoid air pollution emissions, GHG emissions, and noise associated with construction because no lighting or PA systems would be installed. In addition, operational impacts associated with nighttime event traffic and crowd noise would be less compared to the proposed project as the number of events and attendance would increase with permanent lights. However, this alternative would involve vehicle travel to Foothill College or other offsite locations with capacity to host events. It is anticipated that overall air pollution and GHG emissions associated with vehicle travel to Foothill College, which is approximately two miles away from the site, would be greater than project emissions associated with energy use to power permanent energy-efficient lighting fixtures on the LAHS campus. The No Project Alternative would not meet any of the objectives of the proposed project. This alternative would not extend play time on the fields at the LAHS campus (Objective 1), improve safety (Objective 2), improve the PA system (Objective 3), nor provide nighttime recreational activities for students (Objectives 4 and 5). Therefore, the No Project Alternative is considered infeasible and is not adopted. Furthermore, as noted previously, pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the EIR.

Portable Lighting Alternative: The Portable Lighting Alternative would involve no physical change to the sports field but would involve the use of portable lights for night games, practices, and special events. Currently, no football games are hosted at LAHS using portable lights. Under this alternative, stadium lighting at LAHS would be provided entirely by portable lighting systems that are powered by diesel generators. This system is now in use at Mountain View High School campus, also operated by the District. The use of portable lighting systems would facilitate the same intensity of field use as is proposed by the project (i.e. up to 30 sporting events, weekly sports practices, and up to three special events). The existing PA system (comprised of three speakers attached to the press box) would be retained under this alternative.

Finding

Operational diesel emissions from the portable lights and health risks to nearby sensitive receptors would be greater than the proposed project and greater than the No Project/No Development Alternative. It is anticipated that overall air pollution and GHG emissions associated with diesel generators would be greater than emissions associated with energy use to power permanent energy-efficient lighting fixtures since the permanent system would be powered by electricity. Portable lights are typically 20 to 30 feet tall and are generally less effective than taller, pole-mounted lights at directing the beam of light onto the playing surface without creating spill light. For this reason, the increased use of portable lights would likely lead to greater light and glare impacts than the proposed project. Additionally, the use of diesel-powered generators and existing press box PA system would marginally increase the overall ambient noise conditions at the site. Because the Portable Lighting Alternative would not involve ground disturbance or construction, the alternative would reduce the project's impacts on cultural and paleontological resources and hazardous materials. While the Portable Lighting Alternative would reduce emissions resulting from construction of the proposed lighting and PA systems, these emission reductions would be offset by the increased use of diesel generators for evening events at LAHS.

The Portable Lighting Alternative would meet some, but not all, of the objectives of the proposed project. This alternative would meet Objective 1 by providing increased capacity for LAHS to host nighttime events. This alternative would also meet Objective 5 by providing additional practice times for after school sports and marching band. This alternative would not provide superior lighting conditions for athletes and spectators, as portable lighting systems would continue to be used (Objective 2). This alternative would not include an upgraded PA system (Objective 3) and would not provide athletic facilities consistent with public schools in the region (Objective 4). For these reasons, this alternative is considered infeasible and is not adopted. Furthermore, as noted previously, pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or

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substantially lessen the significant environmental effects as identified in the EIR.