

# **APPENDIX A**

## ***Notice of Preparation and Comment Letters***

# NOTICE OF PREPARATION

**To:** Mountain View Planning &  
Zoning  
500 Castro St,  
Mountain View, CA 94041

**From:** Mountain View/Los Altos Union High School District  
1299 Bryant Avenue  
Mountain View, CA 94040  
Contact: Mike Mathiesen, Associate Superintendent  
(650) 940-4667

## **Subject: Notice of Preparation of a Draft Environmental Impact Report**

The Mountain View/Los Altos Union High School District (District) will be the Lead Agency and will prepare an environmental impact report for the project identified below. The District welcomes your input regarding the scope and content of the environmental information that is relevant to your area of interest, or to your agency's statutory responsibilities in connection with the proposed project. If you are affiliated with a public agency, this EIR may be used by your agency when considering subsequent approvals related to the project.

The project description, location, and probable environmental effects that will be analyzed in the EIR for the project are attached. According to state law, the deadline for your response is 30 days after receipt of this notice. However, we would appreciate an earlier response, if possible.

If you have any comments on this Notice of Preparation or the proposed project, please identify a contact person and send your correspondence to:

Mountain View/Los Altos Union High School District  
Attn: Mike Mathiesen, Associate Superintendent  
1299 Bryant Avenue, Mountain View, CA 94040  
Phone: (650) 940-4667, e-mail: [mike.mathiesen@mvla.net](mailto:mike.mathiesen@mvla.net)

The Draft EIR for the Mountain View High School Lighting Project is currently being prepared. A separate EIR Notice of Availability will circulate when the Draft EIR becomes available for public review and comments.

The District will hold a neighborhood meeting and an EIR public scoping meeting to describe the proposed project and the environmental review process, and to obtain your input on the EIR analysis for the proposal. The meeting will be held at 7:00 p.m. on February 10, 2020 at the District Office at 1299 Bryant Avenue, Mountain View, CA 94040.

**Project Title:** Mountain View High School Stadium Lights & Public Address System

**NOTICE OF PREPARATION OF  
A DRAFT ENVIRONMENTAL IMPACT REPORT  
FOR THE MOUNTAIN VIEW HIGH SCHOOL STADIUM LIGHTS & PUBLIC ADDRESS  
SYSTEM PROJECT**

**January 2020**

***Introduction***

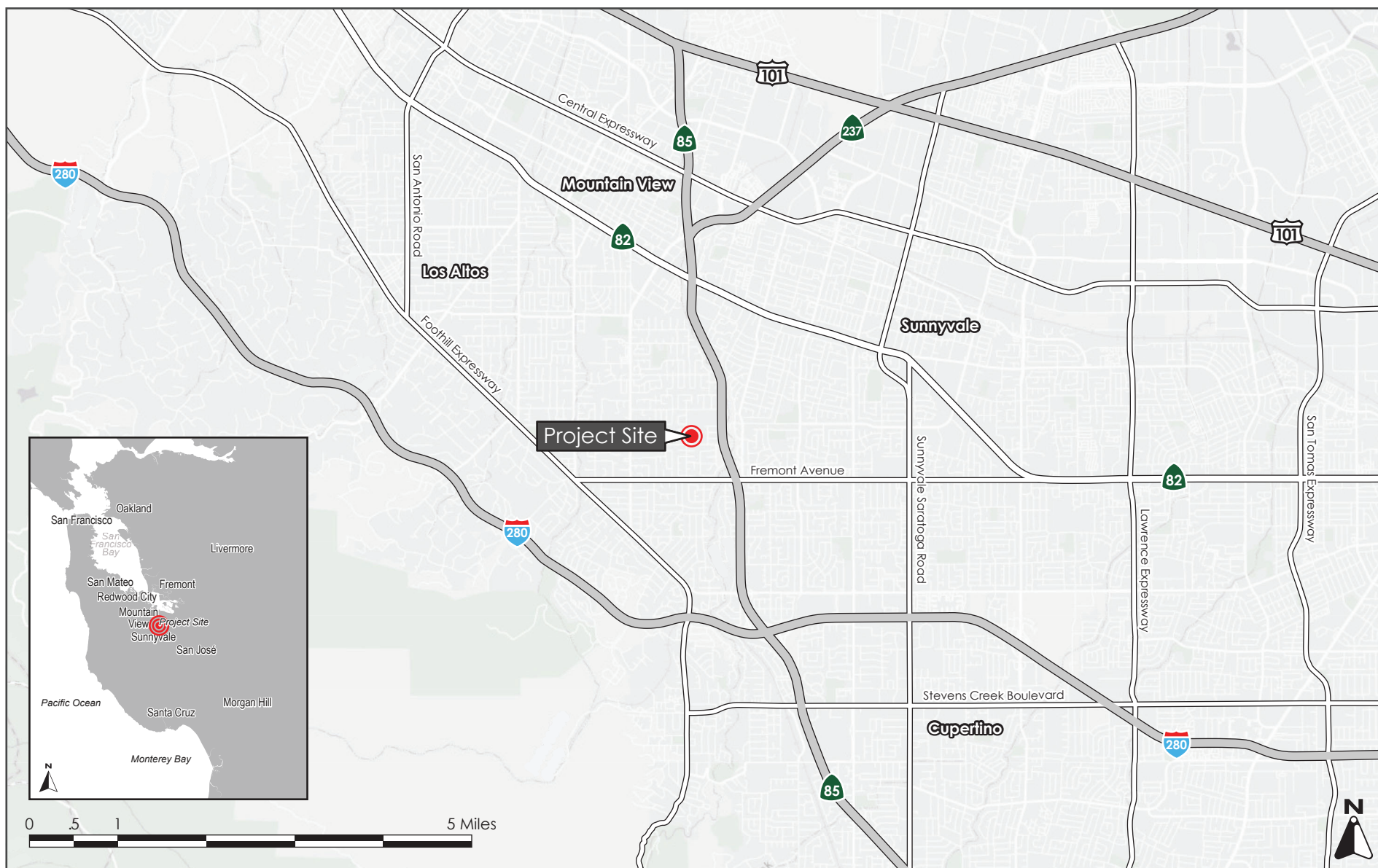
The purpose of an Environmental Impact Report (EIR) is to inform decision makers and the general public of the environmental effects of the proposed project that an agency may implement or approve. The EIR process is intended to provide information sufficient to evaluate a project and its potential for significant impacts on the environment; to examine methods of reducing adverse impacts; and to consider alternatives to the project.

The EIR for the proposed project will be prepared and processed in accordance with the California Environmental Quality Act (CEQA) of 1970, as amended. In accordance with the requirements of CEQA, the EIR will include the following:

- A summary of the project;
- A project description;
- A description of the existing environmental setting, environmental impacts, and mitigation measures for the project;
- Alternatives to the project as proposed; and
- Environmental consequences, including (a) any significant environmental effects which cannot be avoided if the project is implemented; (b) any significant irreversible and irretrievable commitment of resources; (c) the growth inducing impacts of the proposed project; and (d) cumulative impacts

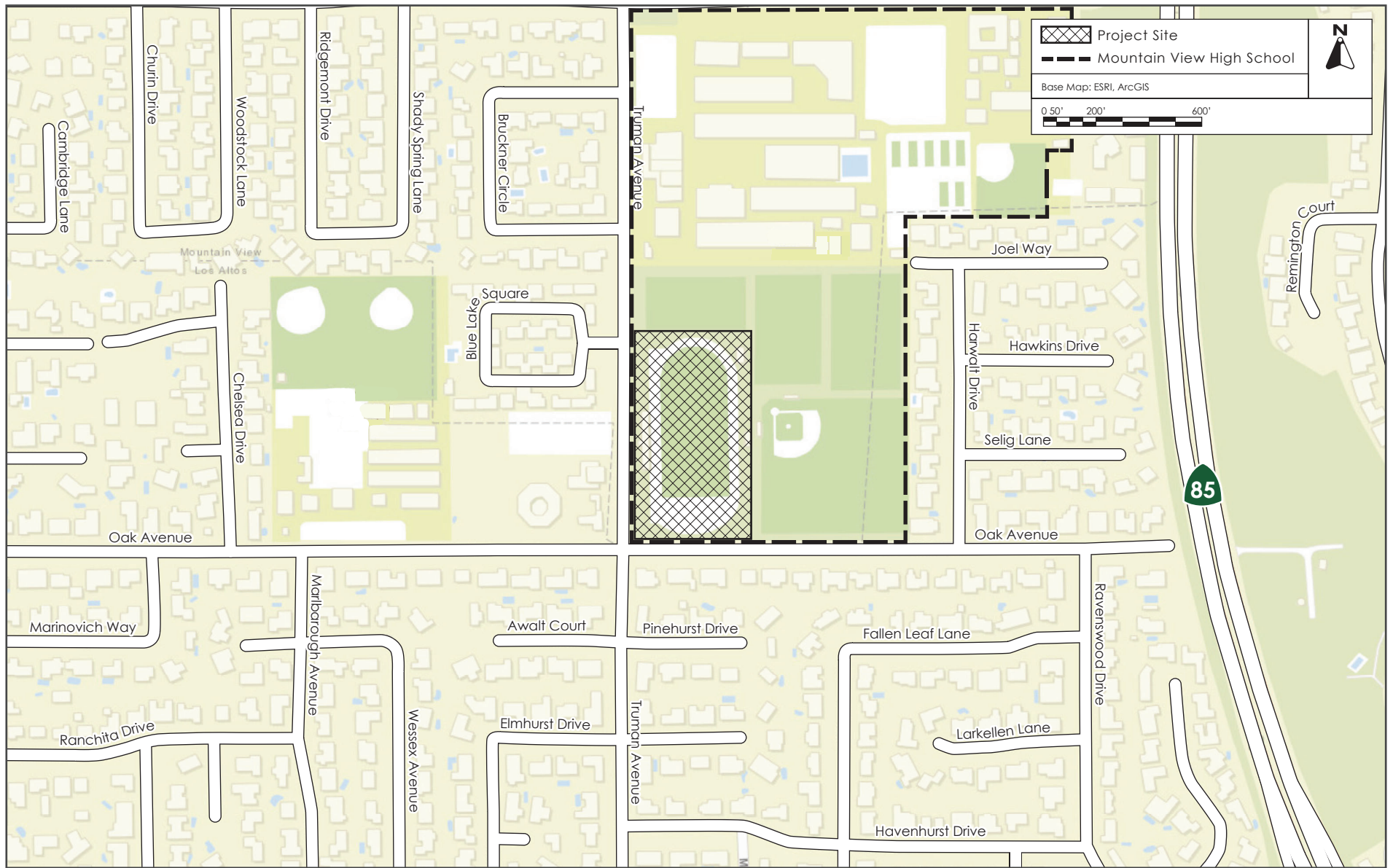
***Project Location***

The project site is the track and sports field at the Mountain View High School campus at 3535 Truman Avenue in the City of Mountain View. The field is located at the southwestern corner of campus and is bounded by Truman Avenue to the west and Oak Avenue to the south. Regional and vicinity maps of the project site are shown on Figure 1 and Figure 2, respectively.



REGIONAL MAP

FIGURE 1



VICINITY MAP

FIGURE 2

## ***Existing Conditions***

The project site is a track and sports field located at the southwestern corner of the Mountain View High School campus. The project site consists of a rubberized track, turf athletic field, and metal bleachers on the eastern and western sides of the track. In addition, there is an approximately 20-foot tall scorekeeping booth (i.e. press box) adjacent to the western bleachers, two approximately 25-foot tall pole-mounted loudspeakers on the western side of the track, a scoreboard, and various auxiliary single-story buildings. The pole-mounted loudspeakers have been abandoned and are not in use; the current system consists of three speakers which are attached to the press box at the western bleachers.

MVHS currently uses portable, temporary lights for two to five football games per year. The highest attendance is typically for football games, with an approximate 1,500 attendees for most football games, increasing to over 2,000 attendees for a rivalry or homecoming game.<sup>1</sup> All other sporting events, marching band activities, and special events are currently held on campus without the use of portable lights (i.e. during daylight hours). The approximate attendance for these other events is up to 200 people.

## ***Description of Proposed Project***

The project applicant, the Mountain View-Los Altos Union High School District (District), proposes to install four pole-mounted sports lights at the existing track and sports field. The lights would generally be located on either side of the metal bleachers on the eastern and western sides of the track and sports field. The project also includes the installation and operation of a public address (PA) system. The PA system consists of pole-mounted speakers, located on the east and west sides of the field. The site plan for the proposed project is shown on Figure 3.

The lights would provide for safe and flexible nighttime use of the field for various sporting and marching band activities, including practices and games. The field lights would also allow for evening special events, such as commencement exercises. The PA system will be used for sporting events, marching band, and school activities during daytime hours. A select amount of nighttime events would include the use of a PA system. The use of the stadium field lights and public address system would be guided by the District's Board Policy 7325 and Administrative Regulations 7325. The proposed uses of the field lights and schedule of use is summarized in Table 1 below.

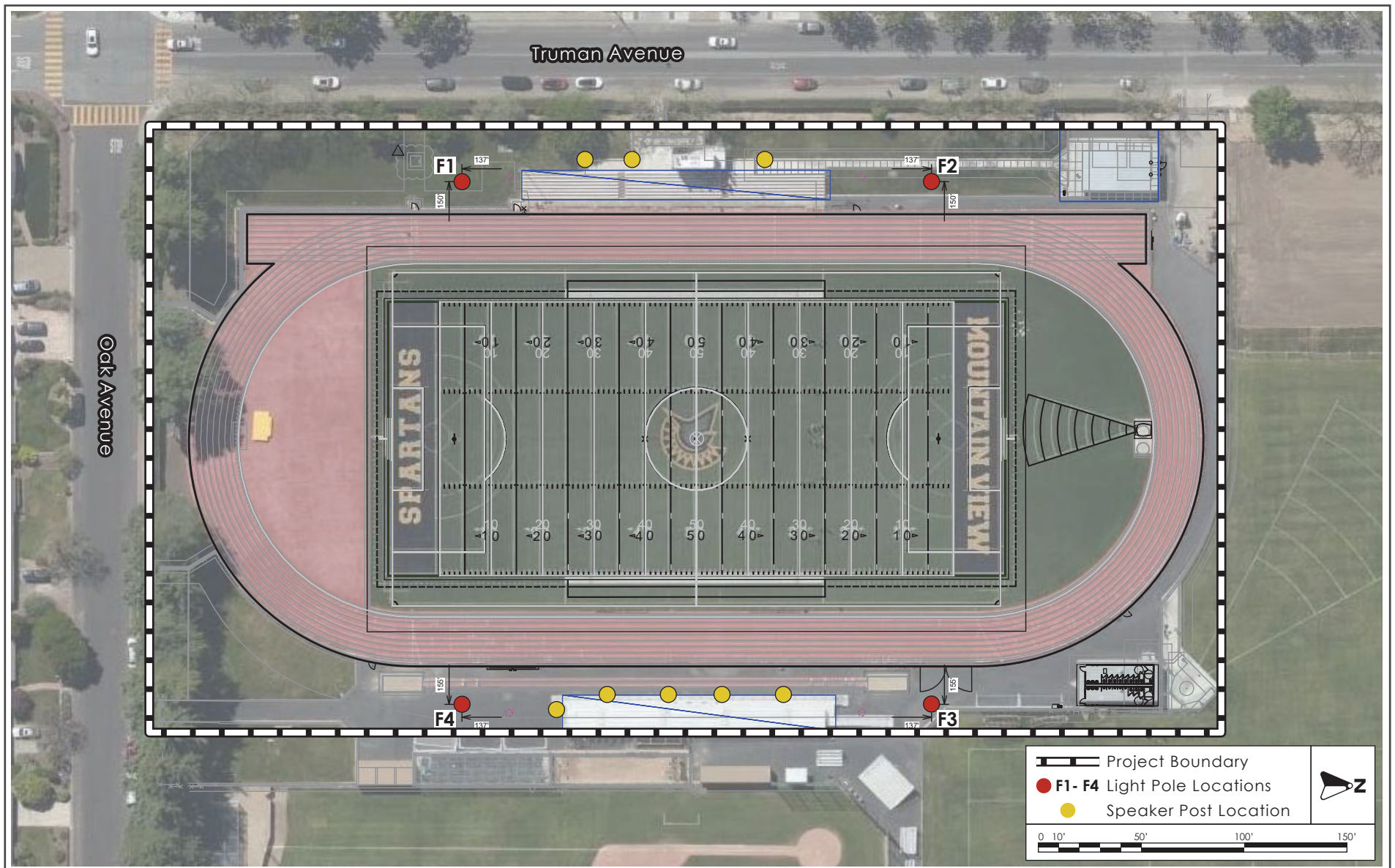
The use of the stadium lights and the public address system will be restricted to weekdays and Saturdays; the stadium lights and the public address system will not be used on Sundays, unless under unusual circumstances approved by the Superintendent or designee.

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<sup>1</sup> Mike Mathiesen. Associate Superintendent Business Services, MVLA High School District. *Personal Communication*. October 2, 2019.

<b>Table 1: Proposed Use of the Field Lights and Public Address System</b>		
<b>Proposed Use of Field</b>	<b>Use of Field Lights</b>	<b>Use of Public Address System</b>
Sports Games	Five nights of varsity/junior varsity interscholastic competition per annual season, concluding by 10:00 PM at the latest <sup>1</sup>	Yes (play-by-play commentary only permitted during football games). All other athletic competitions shall limit the use of the public address systems to announcements, warm-up music or similar uses without running commentary.
Sports Practices	Monday through Friday, concluding by 8:00 PM. Not during weekend nights unless under unusual circumstances approved by the Superintendent or designee	No
Marching Band Practice	Two weeknights per week between August and November; one practice concluding by 8:00 PM and one practice concluding by 6:30 PM. <sup>2</sup>	Yes
Marching Band Performance	Five night athletic competitions, commencement, and up to three special evening events.	Yes
Special Events	Commencement and up to three special evening events per year, concluding by 9:00 PM.	Yes
Holiday Use	The stadium field lights will not be used on school holidays, or in the period of time between commencement ceremonies and the beginning of sports practice for the fall season, as permitted by California Interscholastic Federation (CIF) rules. <sup>4</sup>	Use would be limited by all provisions described in BP 7325 policy and shall require prior approval by the superintendent or designee. Use of public address systems during holidays shall not begin prior to 10:00 AM <sup>3</sup> ; shall be limited to necessary and occasional announcements, and occasional music played at volumes low enough not to interfere with ordinary conversation at the school site's boundary lines; and shall end by 2:00 PM.
<sup>1</sup> Football competitions would typically end by 10:00 PM; all other competitions would typically end by 8:30 PM. Adequate lighting (non-competition level) would be maintained after games to allow for safe exiting of the field. <sup>2</sup> Marching band practices would not occur within 12 hours of each other. Practices could be extended in the event of postseason regional or national competitions, but not beyond December 31, except by permission of the Superintendent or designee. Marching band practice may be held during morning, afternoon and Saturday hours without stadium lights with no restriction. <sup>3</sup> The one exception being Thanksgiving morning (Turkey Trot event, where sound equipment would be in use by 8:00 AM) <sup>4</sup> CIF schedule shows the first day of practice as August 9, 2020 for fall sports.		





CONCEPTUAL SITE PLAN

FIGURE 3



The physical elements of the proposed athletic lighting includes four 90-foot tall light poles. Two light poles would be located on the eastern and western sides of the track and sports field, adjacent to each end of the home and away bleachers. The light poles would be affixed with LED luminaires.<sup>2</sup> Each of the light poles would include lighting fixtures at varying heights to illuminate different areas of the track and sports field (i.e. bleachers, playing field, entryways), with the majority of luminaires installed at the poles' maximum height.

The public address system would be comprised of eight pole-mounted speakers, between 12 and 18 feet in height, located on the east and west sides of the field. The proposed development will only be utilizing the new pole-mounted speakers and usage will abide by the new policies that have been adopted. The public address system would be designed to conform to the exterior noise limits section of the City of Mountain View Municipal Code and 2030 General Plan and Los Altos Noise Control Ordinance.

### ***Attendance***

The estimated attendance for athletic competitions upon installation of the proposed field lights would vary by sport and other factors, such as level of competition (e.g. regular season v/s postseason) and weather conditions. An increase in number of sporting events is not anticipated with the installation of the stadium lights. However, an increase in number of attendees is expected by having games at night as opposed to afternoon events. A select few football games are currently hosted with portable lights at MVHS and attendance would not increase with the proposed project. For all other events, attendance is expected to increase from approximately 200 attendees to 500 attendees.

### ***Parking***

At MVHS, a total of 493 standard parking stalls and 15 accessible stalls are available for attendees of sporting events. Available parking is distributed between three parking lots on-campus. As the most highly attended events would bring more attendees to the campus than are available parking spaces, some overflow parking would occur onto surrounding streets, primarily Truman Avenue and Oak Avenue. As it exists, daytime events or night games at MVHS hosted with portable lights have resulted in the surrounding street parking being utilized, in addition to use of the Foothill Covenant Church parking lot, located at 1555 Oak Avenue in Los Altos, across Truman Avenue from the stadium. No additional parking is proposed as part of the lighting project.

### ***Possible Required Project Approvals:***

1. California Division of the State Architect Approval

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<sup>2</sup> A luminaire, otherwise known as a light fixture, is defined as complete lighting unit, comprised of a light source (lamp or lamps), together with the parts that distribute and direct the light, position and protect the lamps, and connect the lamps to the power supply.

## ***Potential Environmental Impacts of the Project***

The EIR will identify the significant environmental effects anticipated to result from development of the project as proposed. Mitigation measures will be identified for significant impacts, as warranted. The EIR will include the following specific environmental categories as related to the proposed project:

### ***1. Aesthetics***

The project site is currently developed with a track and sports field, metal bleachers, and various single-story auxiliary buildings. The proposed field lights would introduce new structures at the site which are taller than existing development and would be visible from public vantage points in the area. The EIR will address the visual impact of the field lights and resultant light and glare. Mitigation measures to reduce the aesthetic impact of the project will be identified, as necessary.

### ***2. Air Quality***

The EIR will address the regional air quality conditions in the Bay Area and discuss the proposed project's construction and operational emissions impacts to local and regional air quality in accordance with the 2017 Bay Area Air Quality Management District (BAAQMD) CEQA guidelines and thresholds.

### ***3. Cultural Resources***

This area of Mountain View is not considered a sensitive area for prehistoric and historic resources. No buildings on-site or within the immediate vicinity of the site have been listed in the City's Register of Historic Resources. The EIR will address the impacts to known and unknown buried archaeological resources on-site, as well as impacts to potential historic structures on and/or near the site.

### ***4. Energy***

Implementation of the proposed project would result in increased energy expenditures at the site. The EIR will estimate the increase in energy usage on-site and describe proposed design measures to reduce energy consumption.

### ***5. Geology***

The project site is located in the most seismically active region in the United States. The EIR will discuss the possible geological impacts associated with seismic activity and the existing soil conditions on the project site.

### ***6. Greenhouse Gas Emissions***

The EIR will address the project's contribution to regional and global greenhouse gas (GHG) emissions based on BAAQMD thresholds. The project will not be constructed and operational until after the year 2020; therefore, project greenhouse gas (GHG) emissions will be evaluated for the

State's proposed 2030 targets, based on SB 32. Proposed design measures to reduce energy consumption, which in turn would reduce GHG emissions, will be discussed.

7. *Hazards and Hazardous Materials*

The EIR will summarize known hazardous materials conditions on and adjacent to the project site and will address the potential for hazardous materials impacts to result from implementation of the proposed project. Mitigation measures to avoid or reduce hazardous materials impacts will be identified, as appropriate.

8. *Land Use*

The project site is located within a developed suburban area of Mountain View surrounded primarily by single-family residential neighborhoods. The EIR will describe the existing land uses adjacent to and within the project area. Land use impacts that would occur as a result of the proposed project will be analyzed, including the consistency of the project with District design standards and compatibility of the proposed and existing land uses in the project area.

9. *Noise and Vibration*

The EIR will discuss noise that would result from operation of the proposed project, including a discussion of the increase in nighttime noise levels that would result from the most highly attended sporting events, and the impact of any noise increase on nearby sensitive receptors. The EIR will also discuss temporary construction noise. Noise levels will be evaluated for consistency with applicable standards and guidelines in the City of Mountain View and Los Altos.

10. *Transportation*

The EIR will examine the existing traffic conditions in the immediate vicinity of the project site and impacts of the project on the transportation system. Evaluation of transportation impacts of the project will be based upon the City of Mountain View and City of Los Altos level of service (LOS) standards. A Local Transportation Analysis (LTA) will be completed to identify transportation operational issues in the surrounding area that may arise due to project operation. The EIR will also include an analysis of site access and circulation, and pedestrian and transit facilities. Vehicle Miles Traveled (VMT) will be discussed qualitatively.

11. *Other Topic Areas*

The EIR will also address the project's impacts on agricultural resources, biological resources, hydrology and water quality, population and housing, mineral resources, public services, tribal cultural resources, utilities, and wildfire. These discussions will be based, in part, upon information provided by the project applicant, as well as the City's General Plan EIR and other available technical data.

## *12. Alternatives*

The EIR will examine alternatives to the proposed project including a “No Project” alternative and one or more alternative development scenarios depending on the impacts identified. Alternatives discussed will be chosen based on their ability to reduce or avoid identified significant impacts of the proposed project while achieving most of the identified objectives of the project.

## *13. Significant Unavoidable Impacts*

The EIR will identify any significant impacts that cannot be avoided or reduced to less than significant levels with mitigation, if the project is implemented as proposed.

## *14. Cumulative Impacts*

The EIR will include a Cumulative Impacts section that will address the potentially significant cumulative impacts of the project when considered with other past, present, and reasonably foreseeable future projects in the development area.

In conformance with the CEQA Guidelines, the EIR will also include the following sections: 1) consistency with local and regional plans and policies, 2) growth inducing impacts, 3) significant irreversible environmental changes, 4) references and organizations/persons consulted, and 5) EIR authors.

February 8, 2020

Mountain View/Los Altos Union High School District  
Attn: Mike Mathiesen, Associate Superintendent  
1299 Bryant Avenue, Mountain View, CA 94040

Dear Mike:

Our neighborhood organization, MVLA Neighborhood Cares, has read the *Notice of Preparation of a Draft Environmental Impact Report*, and we have found some areas in the document that we believe were not strictly accurate or need clarification. Some of these are minor observations that have greater import in the context of our cooperative work efforts with the District and MVHS and LAHS administration and faculty, and some are important in the interests of accuracy for the preparation of the draft EIR.

Please consider the following:

p. 4. Existing Conditions: *"The project site consists of a rubberized track, turf athletic field, and metal bleachers on the eastern and western sides of the track."*

Comment: The home bleachers at MVHS are mixed metal and wood (presumably less sound-reflective than all-metal), and the visitors stands are metal.

Requested revision: *The project site consists of a rubberized track, turf athletic field, metal bleachers on the eastern side and mixed metal and wood bleachers on the western side of the track.*

p. 4. Existing Conditions: *"The highest attendance is typically for football games, with an approximate 1,500 attendees for most football games, increasing to over 2,000 attendees for a rivalry or homecoming game."*

Comment: Are these numbers based on actual ticket sales for all of last year's games? We believe the 2000 number for the Homecoming game is correct, but, based on our own observations of last year's games, we are not sure the football games currently attract 1500 sized crowds on average. For the purposes of the EIR evaluation of neighborhood impact, we think it is important to accurately contrast current crowd sizes with anticipated higher crowd sizes at the football games. Our experience for current crowds, even under temporary lights, is closer to 1000 or less.

p.5. Table 1, Proposed Use of the Field Lights and Public Address System:

Comment, Sports Games: *"Five nights of varsity/junior varsity interscholastic competition per annual season"* may imply to those not familiar with school athletic scheduling that there will be a maximum of five nights of competition per season (e.g. "Fall, Winter and Spring"). This could be misleading in the EIR discussion because multiple teams are allowed 5 games per season, plus post-season competitions.

According to AR7325: *"For each of field hockey, football, girls/boy's lacrosse, girl's/boy's soccer and track and field, lights may be used for no more than 5 nights per season."*

That results in:

- 10 nights of lighted competition at LAHS in the fall (5 each for field hockey and football)
- 10 nights at both schools in the winter (5 each for boy's and girl's soccer)
- 15 nights at both schools in the spring (5 each for track & field, boy's lacrosse and girl's lacrosse)

We also understand that additional post season competitions are also allowed for each sport for each season, without specifying a maximum.



Requested revision: *A total of 35 nights of varsity or junior varsity interscholastic competition per year, composed of the annual seasons for football and field hockey (10), boy's and girls' soccer (10), and track and field and boy's and girls' soccer (15), concluding by 10:00 PM at the latest<sup>1</sup>.*

Comment, Sports Practices: *"Monday through Friday concluding at 8:00 PM"*

The competition level lighting is supposed to be turned down by 8 PM but the lights will be allowed to stay on at lower level until 8:30. According to AR 7325: "Stadium field lights at non-competition levels may be used for at least thirty minutes after practice, to exit safely or for other low-noise activities as deemed necessary by the coach."

Requested revision: *Monday through Friday, concluding by 8:30 PM*

Marching Band Performance: *"Five night athletic competitions, commencement, and up to three special evening events"*

Comment: Unless the band is going to start playing at other sports competitions, their performance is expected to be at football games only.

Requested revision: *Five football competitions, commencement, and up to three special evening events.*

In the footnotes section: *"The one exception being Thanksgiving morning (Turkey Trot event, where sound equipment would be in use by 8:00 AM)"*

Comment: Sound equipment may be used starting at 8 am, not before. (AR 7325: "The one grandfathered exception to the start time is the MVHS Turkey Trot that is permitted to begin use of sound equipment at 8 am on Thanksgiving morning.")

Requested revision: *The one exception being Thanksgiving morning (Turkey Trot event, where sound equipment would be in use starting at 8:00 AM)*

p. 7. Description of Proposed Project: *"The public address system would be comprised of eight pole-mounted speakers, between 12 and 18 feet in height, located on the east and west sides of the field. The proposed development will only be utilizing the new pole-mounted speakers and usage will abide by the new policies that have been adopted."*

Comment: According to our understanding of K&K Sound Systems' design, there will be total of 11 speakers, including a mix of 8 on the new poles, 1 on the existing pole at the SW end of the field, and 2 on the existing press box.

Requested revision: *The public address system would be comprised of eight new pole-mounted speakers, between 12 and 18 feet in height, located on the east and west sides of the field and three new speakers mounted on an existing pole and the existing press box, and usage will abide by the new policies that have been adopted.*

p. 7. Attendance: *"A select few football games are currently hosted with portable lights at MVHS and attendance would not increase with the proposed project."*

Comment: Considering the past adverse environmental and experiential conditions of temporarily lighted football games (diesel powered low hanging lights, with loud diesel engine sounds and diesel fumes), we believe attendance at professionally lighted games with greatly improved sound systems will steadily increase. We recommend that this sentence not be included in the EIR discussions.

p. 9. Noise and Vibration

*The EIR will discuss noise that would result from operation of the proposed project, including a discussion of the increase in nighttime noise levels that would result from the most highly attended sporting events, and the impact of any noise increase on nearby sensitive receptors.*

Comment: It will not just be the most highly attended sporting events that need to be part of EIR discussions. Please add the impact of noise levels resulting from all evening sporting events, band practice twice a week in the evening hours (one until 6:00 PM and the other until 8:30 PM), Commencement and up to three special events per year. These all will involve use of field lighting and PA systems, and all will affect immediate neighborhood peace and quiet.

Requested revision: *The EIR will discuss noise that would result from operation of the proposed project, including a discussion of the increase in night time noise levels that would result from all evening sporting events, evening band practice, special events, Commencement, and the impact of any noise increase on nearby sensitive receptors.*

Thank you for your consideration of these edits, whether in part as revisions to the current document or as additional guidance for EIR discussions.

Regards,

Mac

Mac McConnell, *on behalf of MVLA Neighborhood Cares*  
1181 Bruckner Circle, Mountain View, CA 94040  
Phone: (650) 996-7269, email: macmcconnell1001@gmail.com

Where to Begin,

My husband and I have lived in Mountain View for over 30 years, and as I see it the high school is truly in the middle of a neighborhood. It is not on a main drag, such as Sequoia High in Redwood City, or even Los Altos High is on Almond Ave, or Homestead<sup>High</sup> on Homestead. A realtor said to me last year, that is why you buy in a cheaper neighborhood, you get what you pay for. Frankly, I feel our neighborhood is not at all inexpensive. We maintain our property to the best of our ability. At certain times we can't get into our own driveway. People park anywhere and just don't seem to care, many times blocking our entrance. Not all people do this, but quite a few do not follow the rules, or common curtesy. I even heard one parent say, "That is just too bad if this is the neighborhood you chose".

During the day this is somewhat a challenge, but night time games would be a whole different 'ball game'. So, bottlenecks would be a nightmare, and would overwork the MountainView Police department, that is already stretched.

In some areas our sidewalks are raised and hazardous, does the City, plan to fix this situation? Then, if there are night games will our very safe community turn into a repository for gangs and guns? The parents that want lights now are the same people whose kids are grown and gone within four years. They have moved on, but our neighborhood is stuck for generations to come.

I do not see any benefit to our neighborhoods.

Also, how will this impact our water supply, sewer systems and will this increase asthma issues, especially with younger children.

Thank you for your kind attention to this message.

Sincerely,

Sylvia Lennon-Moreno

2/5/2020

Feb. 24, 2020

Mountain View Los Altos Union High School District  
Attention: Mike Mathiesen, Associate Superintendent  
1299 Bryant Avenue, Mountain View, CA 94040

Mr. Mathiesen,

Please accept these comments on the scope and content of the Environmental Impact Report being prepared in anticipation of the possible installation of stadium lights and a new public address system at Mountain View High School.

This EIR should not improperly segregate this project from the much larger expansion currently ongoing at the high school. That expansion results from the board's decision to significantly increase the intensity of its land use at the Mountain View campus to accommodate many hundreds of new students, thus requiring the night use of the stadium and the lights for sports and school teams' routine practices. It is wrong and illogical and inconsistent with lived life to consider the use of the stadium, these lights and sound system in isolation.

The EIR should acknowledge and document in a meaningful, wholistic, and detailed way all current conditions in the surrounding neighborhood related to the school's operations. This document should not minimize the aggregate and cumulative impacts of the school or overlook future known impacts related to increased student numbers.

As far as documenting current conditions, in general, the school's intrusion into the daily life of neighborhood residents is high, of great intensity and of extensive reach. The school dominates the rhythms of the neighborhood daily, monthly and yearly, and its domination, especially as it relates to traffic, air quality and quality of life, is increasing. Every school day, twice a day, traffic to and from the school inundates, overwhelms and clogs Oak, Fremont and Truman avenues with lines of cars that reach at times to Highway 85. I have photos of this traffic. In the mornings, cars speed through the maze of streets that include Brookmill Road and Ravenswood Drive. I have a photo of a school boy on a bicycle in the crosswalk on Oak over Truman being menaced by a driver either on the way to the high school or caught in the traffic jams it creates everyday.

On Feb. 13, in the single block on Oak Avenue between Truman Avenue and Harwalt Drive, I photographed in excess of sixty pieces of trash inside the school

fence, beneath and in the oleander bushes that line the fence, and in the gutter adjacent to the sidewalk next to the school. As of Feb. 21, it all remained.

The daily noise from construction at the high school begins nearly every school day at 7 a.m. with pounding and the electronic beeping of backing earth- and materials-moving machines and other heavy equipment. The sidewalk has been crushed from the weight of the enormous tractor trailers and other equipment driving over it. An entire oleander bush has been smashed to the ground. The construction workers park their cars on Oak Street during the day, including illegally parking on corners, creating traffic hazards. I also have photographed that. It's easy to dismiss such concerns as the product of fleeting construction conditions, but these "fleeting" conditions are expected to last years.

Aside from these systematic and systemic impacts, the neighborhood regularly accommodates visiting crowds and cars for baseball and other sports games. Huge private busses transport visiting sports and other teams to and from campus driving our residential roads.

All additional people drawn to the neighborhood by the night-time spectacle of light and sound mean more traffic, more trash, more noise, poorer air quality, more wear on the natural environment. Crucially, as I hope this letter makes clear, that is on top of a lot of other traffic, noise, air pollution and environmental degradation, all of it wrought by the school, all of it intensified by the current expansion, all of it expected to grow worse with the addition of new students and the use of stadium lights and increased night-time activities. This EIR must acknowledge this cumulative impact as that cumulative impact is what is lived by residents, not the isolated experience of a single night's or even a single year's exposure to stadium lights and sounds. Legally, the board might be able to argue otherwise. Morally and ethically, I think not.

To ameliorate its deleterious effects on the neighborhood's quality of life, the district should work with the city to prohibit all school-related parking on Oak and Truman avenues. The district should commit to aggressive traffic minimization measures including eliminating or severely limiting the use of private vehicles to deliver students to campus. We are engaged in an obesity epidemic in this country and the world is suffocating beneath the pollutants from its exhaust pipes! Students should be riding bikes, skateboards, walking, somehow getting to school other than in a car. Every institution in our country, including the school district, should be operating in such a way as to address these dual crises. Lastly, school board members upon taking office should be required to attend at least



one training session on land-use and successfully integrating a growing institution of the physical magnitude of the high schools into existing neighborhoods in such a way as to enhance the larger quality of life.

Sharon Simonson  
Harwalt Drive  
Los Altos

To Mike Mathiesen, Associate Superintendent:

2/4/2020

Subject: Feedback on EIR for MVHS Stadium Lights Project.

I am writing to support the project for the lights and PA upgrad to the Mountain View High School stadium. I think that it is very important to extend the usable hours of this valuable community resource and get the most out of it. As a neighbor to the high school, I do not worry about the lights, noise or extra traffic. I welcome the additional use and usage hours that the lights will bring. One of my favorite aspects of our neighborhood is the vitality that the high schoolers and their activities bring to it.

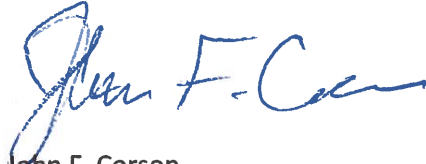
I think that the health impacts to the high school students of extending the hours past 5 pm in the winter are very beneficial. The more early evening time that is available the less zero period time that will be needed for the high schoolers. I also believe that there are positive impacts to allowing more use of this facility at night by offsetting driving/traffic to take players to other venues for practice/games/rehearsal.

Please consider me to be strongly in support of this project and happy to accept the impacts. I even believe that much of what others will view as a negative impact I will view as a positive impact.

On a related note. I would love to see lights at the softball and baseball field. My daughters play softball and I often drive to Shoreline Fields for practices because the high school field doesn't have lights. I think that these resources are too valuable to be left unused at night.

Thank you for the consideration of my input. Good luck with the review and project!

Best regards,

A handwritten signature in blue ink, appearing to read "John F. Corson". The signature is fluid and cursive, with the first name "John" being the most prominent.

John F. Corson

3352 Villa Robleda Drive

Mountain View



**Jared Blumenfeld**  
Secretary for  
Environmental Protection



## Department of Toxic Substances Control

Meredith Williams, Ph.D., Director  
8800 Cal Center Drive  
Sacramento, California 95826-3200



**Gavin Newsom**  
Governor

February 13, 2020

Mr. Mike Mathiesen  
Associate Superintendent  
Mountain View-Los Altos Union High School District  
1299 Bryant Avenue  
Mountain View, California 94040

### NOTICE OF PREPARATION OF DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE MOUNTAIN VIEW-LOS ALTOS UNION HIGH SCHOOL DISTRICT MOUNTAIN VIEW HIGH SCHOOL STADIUM LIGHTS & PUBLIC ADDRESS SYSTEM PROJECT, TRUMAN AVENUE AND OAK AVENUE, MOUNTAIN VIEW, SANTA CLARA COUNTY

Dear Mr. Mathiesen:

The Northern California Schools Unit of the Department of Toxic Substances Control (DTSC) has received the Notice of Preparation (NOP) for a draft Environmental Impact Report (EIR) for the Mountain View High School Stadium Lights & Public Address System Project proposed by the Mountain View-Los Altos Union High School District (District). The due date to submit comments is February 20, 2020.

As reported in the NOP, the District has proposed a project that would include the installation and operation of field lights and an upgraded public address (PA) system at the Mountain View High School track and athletic field for the existing Mountain View High School located at 3535 Truman Avenue in the City of Mountain View, Santa Clara County, California (Site). The field lights would provide for safe and flexible nighttime use of the field for various sporting and marching band activities, including practices and games. The field lights would also allow for evening special events, such as commencement ceremonies. The PA system will be used for sporting events, marching band, and school activities during daytime hours. A select number of nighttime events would include the use of the PA system.

Based on a review of the NOP, DTSC would like to provide the following comments:

1. If the District plans to use State funds for the project, then the District shall comply with the requirements of California Education Code (CDE), sections 17210, 17213.1

and 17213.2, unless otherwise specifically exempted under section 17268. If the District is not using State funds for the project, or is otherwise specifically exempted under section 17268, DTSC recommends the District continue to investigate and clean up the Site, if necessary, under the oversight of Santa Clara County and in concurrence with all applicable DTSC guidance documents.

A local education agency may also voluntarily request the CDE site/plan approval for locally funded site acquisitions and construction projects. In these cases, CDE will require DTSC to review and approve prior to its final approval, except when exempt under section 17268.

2. Because the project is school site related, DTSC recommends that an environmental review, such as a Phase I Environmental Site Assessment and/or Preliminary Environmental Assessment, be conducted to determine whether there has been or may have been a release or threatened release of a hazardous material, or whether a naturally occurring hazardous material is present based on reasonably available information about the property and the areas in its vicinity. Such an environmental review should generally be conducted as part of the California Environmental Quality Act process. If the District elects to proceed and conduct an environmental assessment at the Site under DTSC oversight, it should enter into a Voluntary Cleanup Agreement with DTSC to oversee the preparation of the environmental assessment.
3. The presence of existing, older or former structures at the Site may result in potential environmental concerns due to lead from lead-based paint and/or organochlorine pesticides from termiticide applications and polychlorinated biphenyls from electrical transformers, light ballast, window caulking or glazing. DTSC recommends that these environmental concerns be investigated and possibly mitigated, in accordance with DTSC's *Interim Guidance, Evaluation of School Sites with Potential Soil Contamination as a Result of Lead from Lead-Based Paint, Organochlorine Pesticides from Termiticides, and Polychlorinated Biphenyls from Electrical Transformers*, dated June 9, 2006 ([https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/Guidance\\_Lead\\_Contamination\\_050118.pdf](https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/Guidance_Lead_Contamination_050118.pdf)), and in accordance with the recommendations provided in the United States Environmental Protection Agency's website "Polychlorinated Biphenyls (PCBs) in Building Materials" (<https://www.epa.gov/pcbs/polychlorinated-biphenyls-pcbs-building-materials>).
4. If the Site is, or was previously, used for agricultural purposes, pesticides (such as Dichlorodiphenyltrichloroethane [DDT], Dichlorodiphenyldichloroethylene [DDE], and toxaphene) and fertilizers (usually containing heavy metals) commonly used as part of agricultural operations are likely to be present. These agricultural chemicals are persistent and bio-accumulative toxic substances. DTSC recommends that these environmental concerns be investigated and possibly mitigated, in accordance with the *Interim Guidance for Sampling Agricultural Soils (Third Revision)*



(<https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/Ag-Guidance-Rev-3-August-7-2008-2.pdf>) dated August 2008. This guidance should be followed to sample agricultural properties where development is anticipated.

5. If fill material exists on the Site, DTSC recommends these areas be investigated and possibly mitigated in accordance with DTSC's *Information Advisory, Clean Imported Fill*, dated October 2001.
6. The Site appears to be located within 10-miles of geological units potentially containing naturally occurring asbestos (NOA). Pursuant to DTSC's *Interim Guidance – Naturally Occurring Asbestos at School Sites, Revised September 24, 2004* ([https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/SMBRP\\_POL\\_Guidance\\_Schools\\_NOA.pdf](https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/SMBRP_POL_Guidance_Schools_NOA.pdf)), these environmental concerns should be investigated to determine whether a naturally occurring hazardous material (e.g., NOA) is present, based on reasonably available information about the property and the area in its vicinity.
7. If a response action is required based on the results of the above investigations, and/or other information, the EIR will require an analysis of the potential public health and environmental impacts associated with any proposed response action, pursuant to requirements of the California Environmental Quality Act (CEQA - Pub. Resources Code, Division 13, section 21000 et seq.), and its implementing Guidelines (California Code of Regulations, Title 14, section 15000 et seq.), prior to approval or adoption of the EIR for the Project. A discussion of the mitigation and/or removal actions, if necessary, and associated cumulative impacts to the Project properties and the surrounding environment, should be included in the EIR. If sufficient information to discuss the proposed mitigation and/or removal actions, and their associated impacts to the Project properties and the surrounding environment, are not available for inclusion in the EIR, then an Addendum or Supplement to the final EIR may be required.

DTSC is also administering a Revolving Loan Fund (RLF) Program which provides revolving loans to investigate and clean up hazardous materials at properties where redevelopment is likely to have a beneficial impact to a community. These loans are available to developers, businesses, schools, and local governments.



Mr. Mike Mathiesen  
February 13, 2020  
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For additional information on DTSC's Schools process or RLF Program, please visit DTSC's web site at [www.dtsc.ca.gov](http://www.dtsc.ca.gov). If you would like to discuss this matter further, please contact me at (916) 255-3695, or via email at [Bud.Duke@dtsc.ca.gov](mailto:Bud.Duke@dtsc.ca.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read 'Harold Duke'.

Harold (Bud) Duke, P.G.  
Northern California Schools Unit  
Site Mitigation and Restoration Program

cc: (via email)

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## NATIVE AMERICAN HERITAGE COMMISSION

January 23, 2020

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**Re: 2020010296, Mountain View High School Stadium Lights & Public Address System Project,  
Santa Clara County**

Dear Mr. Mathiesen:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, § 15064.5 (b) (CEQA Guidelines § 15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines § 15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

**Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.**

## AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

- 1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:** Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

  - a. A brief description of the project.
  - b. The lead agency contact information.
  - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
  - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).
- 2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report:** A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).

  - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).
- 3. Mandatory Topics of Consultation If Requested by a Tribe:** The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

  - a. Alternatives to the project.
  - b. Recommended mitigation measures.
  - c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).
- 4. Discretionary Topics of Consultation:** The following topics are discretionary topics of consultation:

  - a. Type of environmental review necessary.
  - b. Significance of the tribal cultural resources.
  - c. Significance of the project's impacts on tribal cultural resources.
  - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).
- 5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process:** With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).
- 6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document:** If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

  - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
  - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

**7. Conclusion of Consultation:** Consultation with a tribe shall be considered concluded when either of the following occurs:

- a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
- b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).

**8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document:** Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).

**9. Required Consideration of Feasible Mitigation:** If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).

**10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**

- a. Avoidance and preservation of the resources in place, including, but not limited to:
  - i. Planning and construction to avoid the resources and protect the cultural and natural context.
  - ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
- b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
  - i. Protecting the cultural character and integrity of the resource.
  - ii. Protecting the traditional use of the resource.
  - iii. Protecting the confidentiality of the resource.
- c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
- d. Protecting the resource. (Pub. Resource Code §21084.3 (b)).
- e. Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
- f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).

**11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource:** An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:

- a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
- b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
- c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: [http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation\\_CalEPAPDF.pdf](http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf)

## SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: [https://www.opr.ca.gov/docs/09\\_14\\_05\\_Updated\\_Guidelines\\_922.pdf](https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf).

Some of SB 18's provisions include:

1. **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation.** There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation:** Consultation should be concluded at the point in which:
  - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
  - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>.

## NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center ([http://ohp.parks.ca.gov/?page\\_id=1068](http://ohp.parks.ca.gov/?page_id=1068)) for an archaeological records search. The records search will determine:
  - a. If part or all of the APE has been previously surveyed for cultural resources.
  - b. If any known cultural resources have already been recorded on or adjacent to the APE.
  - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
  - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
  - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.



b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:

a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.

b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.

a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, § 15064.5(f) (CEQA Guidelines § 15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.

b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.

c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code § 7050.5, Public Resources Code § 5097.98, and Cal. Code Regs., tit. 14, § 15064.5, subdivisions (d) and (e) (CEQA Guidelines § 15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address: [Nancy.Gonzalez-Lopez@nahc.ca.gov](mailto:Nancy.Gonzalez-Lopez@nahc.ca.gov).

Sincerely,



Nancy Gonzalez-Lopez  
Staff Services Analyst

cc: State Clearinghouse



State of California – Natural Resources Agency  
DEPARTMENT OF FISH AND WILDLIFE  
Bay Delta Region  
2825 Cordelia Road, Suite 100  
Fairfield, CA 94534  
(707) 428-2002  
[www.wildlife.ca.gov](http://www.wildlife.ca.gov)

GAVIN NEWSOM, Governor  
CHARLTON H. BONHAM, Director



February 14, 2020

Mr. Mike Mathiesen  
Mountain View/Los Altos Union High School District  
1299 Bryant Avenue  
Mountain View, CA 94040  
[mike.mathiesen@mvla.net](mailto:mike.mathiesen@mvla.net)

Subject: Mountain View High School Stadium Lights & Public Address System, Notice of Preparation of a Draft Environmental Impact Report, SCH #2020010296, City of Mountain View, Santa Clara County

Dear Mr. Mathiesen:

The California Department of Fish and Wildlife (CDFW) received the Notice of Preparation (NOP) of a draft Environmental Impact Report (EIR) from the Mountain View/Los Altos Union High School District (District) for the Mountain View High School Stadium Lights & Public Address System (Project) pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.<sup>1</sup> The deadline to submit comments on the NOP is February 20, 2020.

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife resources. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

#### CDFW ROLE

CDFW is expected to be a Trustee Agency with regards to this Project. As a Trustee Agency, CDFW has a responsibility pursuant to CEQA for commenting on projects that could directly or indirectly impact biological resources. CDFW has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (i.e. biological resources). As a Trustee Agency, CDFW is responsible for providing, as available, biological expertise to review and comment upon environmental documents and impacts arising from project activities (CEQA Guidelines, § 15386; Fish and Game Code, § 1802).

#### PROJECT DESCRIPTION SUMMARY

**Proponent:** Mountain View/Los Altos Union High School District

**Objective:** The Project includes installation of lighting and public address system speakers around an existing sports track and field at the Mountain View High School.

<sup>1</sup> CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.



**Location:** 3535 Truman Avenue, Mountain View, CA, Santa Clara County, CA 94040;  
APN#197-06-001.

## COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the District in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources.

Trees are present within the Project boundary and in adjacent residential areas. Both native and non-native trees provide nesting habitat for birds. CDFW recommends that the following measures be included in the draft EIR:

1. Nesting Bird Surveys: If Project-related work is scheduled during the nesting season (typically February 15 to August 30 for small bird species such as passerines; January 15 to September 15 for owls; and February 15 to September 15 for other raptors), CDFW recommends that a qualified biologist conduct two surveys for active nests of such birds within 14 days prior to the beginning of Project construction, with a final survey conducted within 48 hours prior to construction. Appropriate minimum survey radii surrounding the work area are typically the following: i) 250 feet for passerines; ii) 500 feet for small raptors such as accipiters; and iii) 1,000 feet for larger raptors such as buteos. Surveys should be conducted at the appropriate times of day and during appropriate nesting times.
2. Active Nest Buffers: If the qualified biologist documents active nests within the Project area or in nearby surrounding areas, an appropriate buffer between the nest and active construction should be established. The buffer should be clearly marked and maintained until the young have fledged and are foraging independently. Prior to construction, the qualified biologist should conduct baseline monitoring of the nest to characterize "normal" bird behavior and establish a buffer distance which allows the birds to exhibit normal behavior. The qualified biologist should monitor the nesting birds daily during construction activities and increase the buffer if the birds show signs of unusual or distressed behavior (e.g. defensive flights and vocalizations, standing up from a brooding position, and/or flying away from the nest). If buffer establishment is not possible, the qualified biologist or construction foreman should have the authority to cease all construction work in the area until the young have fledged and the nest is no longer active.
3. Hooded Lighting: Project lighting to be installed should be hooded or shielded to direct light downwards and to minimize the spillage of light outwards into adjacent areas where trees are present.

## ENVIRONMENTAL DATA

CEQA requires that information developed in draft environmental impact reports be incorporated into a data base which may be used to make subsequent or supplemental environmental determinations. [Pub. Resources Code, § 21003, subd. (e)]. Accordingly, please report any special-status species and natural communities detected during Project surveys to CNDDB. The

Mr. Mike Mathiesen  
Mountain View/Los Altos Union High School District  
February 14, 2020  
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CNNDDB field survey form can be found at the following link:  
<https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data#44524420-pdf-field-survey-form>. The completed form can be mailed electronically to CNDDDB at the following email address: [CNDDDB@wildlife.ca.gov](mailto:CNDDDB@wildlife.ca.gov). The types of information reported to CNDDDB can be found at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

#### **FILING FEES**

CDFW anticipates that the Project will have an impact on fish and/or wildlife, and assessment of filing fees is necessary (Fish and Game Code, § 711.4; Pub. Resources Code, § 21089). Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW.

#### **CONCLUSION**

CDFW appreciates the opportunity to comment on the NOP to assist the Mountain View/Los Altos Union High School District in identifying and mitigating Project impacts on biological resources.

Questions regarding this letter or further coordination should be directed to Ms. Kristin Garrison, Environmental Scientist, at (707) 944-5534 or [Kristin.Garrison@wildlife.ca.gov](mailto:Kristin.Garrison@wildlife.ca.gov); or Ms. Brenda Blinn, Senior Environmental Scientist (Supervisory), at (707) 944-5541 or [Brenda.Blinn@wildlife.ca.gov](mailto:Brenda.Blinn@wildlife.ca.gov).

Sincerely,



Gregg Erickson  
Regional Manager  
Bay Delta Region

cc: Office of Planning and Research, State Clearinghouse, Sacramento