

**RESOLUTION NO. 31-2016/2017**

**RESOLUTION OF THE BOARD OF EDUCATION OF THE NOVATO UNIFIED  
SCHOOL DISTRICT APPROVING THE SAN MARIN HIGH  
SCHOOL STADIUM LIGHTS PROJECT, ADOPTING A STATEMENT OF  
OVERRIDING CONSIDERATIONS IN SUPPORT THEREOF AND  
ADOPTING A MITIGATION MONITORING PLAN**

**WHEREAS**, the subject project is known as The San Marin High School Stadium Lights Project (“Project”) and is comprised of new stadium lighting, an upgraded public address (PA) system, and egress lighting at the existing San Marin High School campus. The project site is generally located on and adjacent to the athletic field in the northeast portion of the campus, located at 15 San Marin Drive, just north of its intersection with Novato Boulevard, in the city of Novato; and

**WHEREAS**, the Project proposes the installation of stadium lights and an upgraded PA system which would:

- consist of a modern, energy-efficient, LED lighting system that would minimize the glare of the stadium lights and reduce the amount of illumination outside of the stadium fields compared to older lighting systems
- involve upgrades to the PA system that would allow the system to focus and contain sound within the stadium, which would include a digital signal processor and new speakers mounted on up to 18 poles throughout the project site, each up to approximately 30 feet tall
- include one set of lighting poles that would support lighting fixtures for illuminating the field during sports competitions, practices, and other events, which would be approximately 80 feet tall and would be installed at eight locations, arranged as four poles spaced evenly along each long side of the athletic field
- include a second set of lighting poles that would support lighting fixtures for illuminating the field during post-event egress, clean-up, and potentially during sports team practices, which would be up to approximately 30 feet tall and would be installed at up to 18 locations throughout the project site
- allow for the expansion of evening and nighttime activities at the stadium site, which would generally end no later than 9:30 PM; and

**WHEREAS**, the Final Environmental Impact Report (SCH #2016082068) consisting of the Draft EIR and responses to comments and errata has been prepared pursuant to the California Environmental Quality Act (CEQA; *Public Resources Code* § 21000 *et seq.*) to analyze the environmental effects of the Project; and

**WHEREAS**, a Notice of Preparation was circulated for a 30-day public review and comment period commencing on August 25, 2016; and

**WHEREAS**, a public scoping meeting was held in the Student Center at San Marin High School on September 7, 2016; and

**WHEREAS**, the Draft EIR was circulated for a 73-day public review and comment period commencing on December 20, 2016 and concluding on March 3, 2017; and

**WHEREAS**, on January 24, 2017, the District held a public meeting to receive comments regarding the adequacy of the Draft EIR; and

**WHEREAS**, the Final EIR (Response to Comments) documents was released on May 10, 2017; and

**WHEREAS**, Section 21000 *et. seq.* of the *Public Resources Code* and Section 15000 *et. seq.* of Title 14 of the California Code of Regulations (*CEQA Guidelines*) which govern the preparation, content, and processing of environmental impact reports, have been fully implemented in the preparation of the EIR; and

**WHEREAS**, between the public scoping meeting and date of final action two officially noticed public meetings and hearings were held to deliberate the merits of the proposed Project and make recommendations regarding components of or a final action on the Project and in addition thereto, the District hosted community meetings to receive feedback from the public on the Project; and

**WHEREAS**, on May 16, 2017, the District governing board voted 6-1 to recommend that the District certify the EIR as adequate; and

**WHEREAS**, the Board has reviewed the Final EIR prepared for the Project, the staff reports pertaining to the Final EIR, the minutes and reports for all public hearings, and all evidence received by the District at such hearings, all of which documents and evidence are hereby incorporated by reference into this Resolution; and

**WHEREAS**, the Final EIR identified certain significant and potentially significant adverse effects on the environment caused by the Project; and

**WHEREAS**, the Board finds that where more than one reason for approving the Project and rejecting alternatives is given in its findings or in the record, and where more than one reason is given for adopting the Statement of Overriding Considerations, the Board would have made its decision on the basis of any one of those reasons; and

**WHEREAS**, the Board desires, in accordance with CEQA, to declare that, despite the occurrence of significant environmental effects that cannot be substantially lessened or avoided through the adoption of feasible mitigation measures or feasible alternatives, there exist certain overriding economic, social, educational and other considerations for approving the Project that the Board believes justify the occurrence of those impacts; and

**WHEREAS**, the Board is required pursuant to CEQA (*Guidelines* Section 15021), to adopt all feasible mitigation measures or feasible project alternatives that can substantially lessen or avoid any significant environmental effects keeping in mind the obligation to balance a variety of public objectives; and

**WHEREAS**, CEQA (*Guidelines* Section 15043) affirms the Board’s authority to approve this Project even though it may cause significant effects on the environment so long as the Board makes a fully informed and publicly disclosed decision that there is no feasible way to lessen or avoid the significant effects (*Guidelines* Section 15091) and that there are specifically identified expected benefits from the project that outweigh the policy of reducing or avoiding significant environmental impacts of the project (*Guidelines* Section 15093); and

**WHEREAS**, based upon all of the foregoing and upon all of the evidence submitted during the Project and CEQA review periods including written comments and verbal statements at all public hearings, the Board desires to approve the Project.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Board of Trustees of the Novato Unified School District as follows:

1. Exhibit A (Findings of Fact and Statement of Overriding Considerations) and Exhibit B (Mitigation Monitoring and Reporting Plan) of this Resolution provide findings required under Section 15091 of the CEQA Guidelines for significant effects of the project.
2. Exhibit A of this Resolution provides the findings required under Section 15093 of the *CEQA Guidelines* relating to accepting adverse impacts of the project due to overriding considerations. **The Board has balanced the economic, legal, social, technological, educational and other benefits of the project against the unavoidable environmental risks that may result, and finds that the specific economic, legal, social, technological, educational and other benefits outweigh the unavoidable adverse environmental effects.** The Board therefore, finds the adverse environmental effects of the project to be “acceptable.” The Board hereby adopts the Statement of Overriding Considerations contained within Exhibit A.
3. After considering the EIR and in conjunction with making these findings, the Board hereby finds that pursuant to Section 15092 of the *CEQA Guidelines* that approval of the project will result in significant effects on the environment, however, the Board eliminated or substantially lessened these significant effects where feasible, and has determined that remaining significant effects are found to be unavoidable under Section 15091 and acceptable under Section 15093.
4. The Board has considered alternatives to the Project and finds based on substantial evidence in the record that the Project is the best alternative that can be feasibly implemented in light of relevant economic, legal, social, technological, and other reasons, as discussed herein. The Board hereby rejects all other alternatives, and combinations and variations, thereof.
5. These findings made by the Board are supported by substantial evidence in

the record, which is summarized herein.

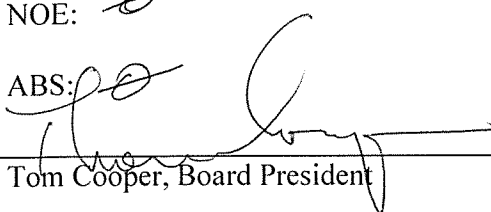
6. The Mitigation Monitoring and Reporting Plan attached hereto as Exhibit B (Mitigation Monitoring and Reporting Plan) is hereby adopted to ensure implementation of feasible mitigation measures identified in the EIR. The Board finds that these mitigation measures are fully enforceable conditions on the project and shall be binding upon the Board and affected parties. The Board hereby finds that approval of the Project is in the public interest and is necessary for the public health, safety, and welfare.
7. The Board hereby approves the San Marin High School Stadium Lights Project.
8. A Notice of Determination shall be filed forthwith.
9. Pursuant to CEQA Guidelines Section 15095, staff is directed as follows:
  - a) A copy of the Final EIR and CEQA Findings of Fact shall be provided to the County of Marin Planning Department; and
  - b) A copy of the Final EIR and CEQA Findings of Fact shall be retained in the Project files at the District office; and
  - c) All documents comprising the administrative record of proceedings in this matter upon which the District's decisions are based shall be maintained in the District office by the District as the custodian of records in this matter.

**PASSED AND ADOPTED** by the Novato Unified School District Governing Board of Trustees on the 30th day of May, 2017


AYES: 7

NOE: 0

ABS: 0

  
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Tom Cooper, Board President

Attest:

  
\_\_\_\_\_  
Debbie Butler, Clerk of the Board

Exhibits Attached:

A. CEQA Findings of Fact and Statement of Overriding Considerations

B. Final Mitigation Monitoring and Reporting Plan

## Exhibit A

### **CEQA FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS**

CEQA requires a public agency to balance the benefits of a proposed project against its unavoidable environmental risks in determining whether to approve the project. Novato Unified School District proposes to approve the San Marin High School Stadium Lights Project (“Project”) despite certain significant unavoidable adverse impacts identified in the Project EIR.

The entire EIR includes: (1) the Draft EIR and appendices, and (2) the Final EIR, which includes responses to comments, corrections and revisions to the Draft EIR, and 6 appendices. The District published the Final EIR on Project on May 10, 2017.

### **SIGNIFICANT BUT MITIGATED AND SIGNIFICANT AND UNAVOIDABLE IMPACTS OF THE PROJECT**

The EIR identifies potentially significant but mitigatable impacts to the following environmental resources at the Project site: aesthetics and cultural resources. Mitigation measures are available to reduce each of these impacts to a less-than-significant level, and the District has adopted such measures.

- Aesthetics:

Impacts: The proposed project would introduce permanent stadium lighting used for sporting competitions, practices, and other events on a site that lacks existing light sources. Lighting could spillover exceeding the District’s standards for illuminance and glare at property lines facing residences.

Finding: Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effect as identified in the Final EIR. (Section 15091(a)(1)).

Mitigation Measures: Pursuant to CEQA Guidelines Section 15091, the following mitigation measures have been included in a mitigation monitoring and reporting program (MMRP) that is to be adopted concurrently with these findings.

Mitigation Measure AES-3: Prepare photometric study to evaluate potential light trespass and adjust the positioning of light fixtures or other design features to meet District standards for light trespass.

Mitigation Measure AES-4: Prepare photometric study to evaluate potential glare and adjust the positioning of light fixtures or other design features to meet District standards for glare.

Significance after Mitigation: Implementation of these mitigation measures would ensure that light trespass and glare would be less than the identified District standards. Therefore, these impacts would be less than significant after mitigation.

- Cultural Resources:

Impacts: Construction of the proposed project would involve surface excavation, which has the potential to unearth or adversely impact previously unidentified archaeological resources, paleontological resources, unidentified human remains, or unidentified tribal cultural resources.

Finding: Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effect as identified in the Final EIR. (Section 15091(a)(1)).

Mitigation Measures: Pursuant to CEQA Guidelines Section 15091, the following mitigation measures have been included in a mitigation monitoring and reporting program (MMRP) that is to be adopted concurrently with these findings.

Mitigation Measure CR-1a: Retain a qualified principal investigator, defined as an archaeologist who meets the Secretary of the Interior's Standards for professional archaeology, to perform all mitigation measures related to archaeological and historical resources.

Mitigation Measure CR-1b: Provide training to construction personnel on information regarding regulatory requirements for the protection of cultural resources.

Mitigation Measure CR-1c: In the event of discovery of unanticipated archaeological resources, stop work, evaluate the resource, avoid the resource, and if avoidance is not possible, implement a data recovery plan.

Mitigation Measure CR-2a: Retain a paleontologist who meets the SVP standards for Qualified Professional Paleontologist, to direct all mitigation measures related to paleontological resources.

Mitigation Measure CR-2b: Provide training to construction personnel on information regarding the appearance of fossils and the procedures for notifying paleontological staff should fossils be discovered by construction staff.

Mitigation Measure CR-2c: In the event of discovery of unanticipated paleontological resources, stop work and recover the find under the supervision of the project paleontologist.

Mitigation Measure CR-3: In the event of discovery of unanticipated human remains, stop work and contact the county coroner.

Mitigation Measure CR-4: In the event of discovery of unanticipated tribal cultural resources, the principal investigator shall consult with Native American groups and implement a mitigation plan as necessary.

Significance after Mitigation: Implementation of these mitigation measures would ensure that previously unidentified archaeological resources, paleontological resources, unidentified human remains, or unidentified tribal cultural resources are properly identified, avoided, and if avoidance is not possible, recovered or otherwise properly treated. Therefore, these impacts would be less than significant after mitigation.

The EIR also identifies a significant and unavoidable project impact related to noise.

- Noise:

Impacts: Noise from crowds and the PA system at athletic events on the field would generate L5 noise levels that exceed the threshold of 55 dBA at the adjacent residences.

Finding: The Board finds that specific economic, legal, social, technological, or other considerations, make infeasible the mitigation measures or project alternatives identified in the Draft EIR.

Mitigation Measure: Mitigation is not feasible. The District evaluated a range of mitigation measures for their feasibility in reducing noise during athletic events as heard by nearby residents to the north and east. The use of noise barriers was analyzed and no feasible noise barrier could be constructed to reduce noise levels below the L5 threshold of 55 dBA at nearby residences. Also, a solid noise barrier eight to ten feet in height would introduce additional aesthetic impacts and could provide a place for criminals to hide or abscond. Mitigation Measure N-2 is included in a mitigation monitoring and reporting program (MMRP) that is to be adopted concurrently with these findings. Mitigation Measure N-2 would require the District to design and operate the new PA system to not exceed an L5 sound level of 55 dBA at the surrounding residences to the extent possible. Mitigation Measure N-2 would result in noticeable reductions in PA sounds at distant residences with the new PA system; however, even with a state-of-the-art sound system and design, it is possible that an L5 sound level of 55 dBA at the nearest residences would not be achievable. Furthermore, at locations where the PA noise reasonably can be limited to 55 dBA, noise from the crowd would still exceed 55 dBA.

Significance after Mitigation: The Project's impact related to L5 noise levels for nearby sensitive receptors during field activities would remain significant and unavoidable without feasible mitigation.

## **STATEMENT OF OVERRIDING CONSIDERATIONS**

There are three main reasons for the installation of stadium lights at San Marin High School. The first is to provide students with extended practice/game times to reduce time out of class, the second is to increase athlete safety, and the third is to provide the opportunity for



students, parents and community members to participate in evening football games on Friday nights and other evening school events. During winter months (November through March) the sun sets on average at 5:00 PM, impacting the ability of the winter sports teams to get their practice times and games in before dark. Since practices and games are scheduled early during daylight, the soccer, lacrosse, and track/field athletes are leaving afternoon classes early and missing instructional time to attend practice and games. Approximately 1,500 hours of instructional time are being missed due to early releases as game times begin at 3:00 PM. Stadium lights would enable San Marin High School to extend practice times and game times until 8:00 and 8:30 PM respectively, thus decreasing the need for students to leave school early and miss instructional time. In addition, there is only one artificial turf field at San Marin High School. During wet conditions, access to two other fields, which are both grass, can be limited such that practice time is limited or field sharing must occur. Further, the District has identified a need to build community by hosting football games on Friday nights. Football is the largest attended sport at the school and the District believes attendance would be improved by hosting games on Friday night instead of Saturday afternoon. Attendance at other school community building-events hosted at the stadium could also benefit by occurring during evening hours.

**Benefits of the Project include the following:**

- Provide extended availability of the athletic fields to improve academic performance by minimizing early class dismissal and missed instructional time for student athletes.
- Allow for the scheduling of games at times when students, parents, and community members can more easily attend the events, which would increase school spirit and increase revenue from ticket purchases.
- Provide nighttime opportunities for students to gather to cheer on their team offering an alternative to going to parties or other unhealthy recreational activities, in an alcohol-free environment.
- Improve athlete safety by providing superior lighting conditions during evening practices and sports events.
- Improve safety by minimizing incompatible uses from sharing the field (e.g.: lacrosse teams and track/field teams practicing at the same time means that lacrosse balls may hit runners on the track).
- Improve the public address system to focus and contain sound within the stadium.

**Alternatives to the Project Considered but rejected and the reasons therefore:**

- The “No Project” alternative; i.e., limiting activities to daylight hours was rejected because it failed to satisfy many of the benefits identified by the District such as providing extended availability of the fields to improve academic performance, allowing the scheduling of games and events at other times when students, parents and community members could more easily attend the events and providing safe and alcohol-free alternative activities for students during the evening hours.
- Utilizing the College of Marin Indian Valley campus facility for night games was rejected because availability to utilize the facility was not given by its operators in response to inquiries by the District and it would otherwise be economically infeasible to build upgrades needed to fulfill project objectives.

- Adding lights to the Novato High School stadium would create similar environmental impacts and, in fact, there are houses in closer proximity to the Novato High stadium than the San Marin High School stadium.
- Temporary lighting powered by diesel generators would increase impacts to air quality, greenhouse gas emissions and noise and would still have similar visual impacts as permanent lighting when in use and would fail to provide the same amount of field time thereby failing to meet three of the key objectives of the Project, namely; extending availability of the fields to improve academic performance, improving athlete safety by providing superior lighting during evening practices and improving safety by minimizing incompatible uses from sharing the field.

### **Conclusion**

Having reduced the effects of the Project by adopting all feasible mitigation measures, and balanced the benefits of the Project against the Project's significant and unavoidable adverse environmental impacts, the District hereby determines that the specific overriding educational, social, safety, or other benefits of the Project set forth above outweigh the potential unavoidable adverse effects of the Project on the environment. The District finds that each of the overriding considerations set forth above constitutes a separate and independent basis for finding that the benefits of the Project outweigh the unavoidable adverse environmental effects, and warrants approval of the Project.

**Exhibit B**

**MITIGATION MONITORING AND REPORTING PROGRAM**

The Final Environmental Impact Report (Final EIR) for the NUSD San Marin High School Stadium Lights Project identifies the mitigation measures that will be implemented to reduce the impacts associated with the project. The California Environmental Quality Act (CEQA) was amended in 1989 to add Section 21081.6, which requires a public agency to adopt a monitoring and reporting program for assessing and ensuring compliance with any required mitigation measures applied to proposed development. As stated in section 21081.6(a)(1) of the Public Resources Code:

... the public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment.

Section 21081.6 also provides general guidelines for implementing mitigation monitoring programs and indicates that specific reporting and/or monitoring requirements, to be enforced during project implementation, shall be defined as part of the findings made prior to a decision to approve or carry out a project.

To ensure that the mitigation measures are properly implemented, a monitoring program has been devised which identifies the timing and responsibility for monitoring for each measure.

Mitigation Measure		Responsible Party	Timing for Mitigation Measure	Verification of Completion
				Initial Date
<b>Aesthetics</b>				
<b>AES-3</b>	<p><b>Photometric Study.</b> The District shall retain a qualified lighting consultant to prepare a photometric study in accordance with industry standards that estimates the vertical and horizontal foot-candles generated by the proposed stadium lighting on the football field and at the boundaries of the stadium site. The District shall coordinate with the lighting consultant to ensure that final design of the lighting system does not allow illuminance to exceed two horizontal or vertical foot-candles at any specific point on the site boundaries (i.e., at the perimeter of the stadium). In order to meet this standard for light trespass, the District may adjust the positioning of light fixtures alongside the football field, their shielding or intensity, or other design features. Final stadium lighting plans shall show light fixtures that generate no greater than two foot-candles at the site boundaries.</p>	NUSD Project Manager and Lighting Designer/Contractor	Prior to commencement of construction activities	
<b>AES-4</b>	<p><b>Photometric Study and Minimization of Glare.</b> The District shall retain a qualified lighting consultant to prepare a photometric study in accordance with industry standards that estimates the amount of discomfort glare to which nearby residents would be subjected when facing the proposed stadium lights. The photometric study shall use candelas as a measure of luminous intensity. The District shall coordinate with the lighting consultant to ensure that discomfort glare does not exceed 10,000 candelas at residential property lines facing the stadium. In order to meet this standard for glare, the District may adjust the positioning of light fixtures alongside the football field, their shielding or intensity, or other design features. Final stadium lighting plans shall show light fixtures that generate glare no greater than 10,000 candelas at surrounding residences.</p>	NUSD Project Manager and Lighting Designer/Contractor	Prior to commencement of construction activities	
<b>Cultural Resources</b>				
<b>CR-1a</b>	<p><b>Retain A Qualified Principal Investigator.</b> A qualified principal investigator, defined as an archaeologist who meets the Secretary of the Interior's Standards for professional archaeology, shall be retained to perform all mitigation measures related to archaeological and historical resources (hereafter principal investigator).</p>	NUSD Project Manager	Prior to commencement of construction activities	
<b>CR-1b</b>	<p><b>Worker Environmental Training Program.</b> At the project kickoff and before construction activities begin, the principal investigator or his/her designee will provide training to construction personnel on information regarding regulatory requirements for the protection of cultural resources. As part of this training, construction personnel will be briefed on proper procedures to follow should unanticipated cultural resources discoveries be made during construction.</p>	NUSD Project Manager, Principal Investigator, and Construction Contractor	During project kickoff and prior to commencement of construction activities	

Mitigation Measure	Responsible Party	Timing for Mitigation Measure	Verification of Completion
			Initial Date
<p>Workers will be provided contact information and protocols to follow in the event that inadvertent discoveries are made. If necessary, the project archaeologist can create training materials that can be shown to new workers and contractors to provide continuous training throughout the life of the project.</p>			
<p><b>CR-1c</b> <b>Unanticipated Discovery of Archaeological Resources.</b> If unanticipated cultural deposits are encountered during any phase of project construction or land modification activities, work shall stop and Novato Unified School District (NUSD) shall be notified. The principal investigator shall assess the nature, extent, and potential significance of any cultural remains. If the resources are determined to be Native American in origin, the principal investigator will consult with NUSD to begin Native American consultation procedures, as appropriate. If the discovery is determined to be not significant, work will be permitted to continue in the area. Potentially significant resources may require a Phase II subsurface testing program to determine the resource boundaries within the project site, assess the integrity of the resource, and evaluate the site's significance through a study of its features and artifacts. If, in consultation with NUSD, a discovery is determined to be significant, a mitigation plan should be prepared and implemented in accordance with state guidelines. If the resource cannot be avoided, a data recovery plan should be developed to ensure collection of sufficient information to address archaeological and historical research questions, with results presented in a technical report describing field methods, materials collected, and conclusions. Any cultural material collected as part of an assessment or data recovery effort should be curated at a qualified facility.</p>	<p>NUSD Project Manager, Principal Investigator, and Construction Contractor</p>	<p>During all ground-disturbing activities at the project site</p>	
<p><b>CR-2a</b> <b>Retain a Project Paleontologist.</b> Prior to initial ground disturbance, NUSD shall retain a project paleontologist, defined as a paleontologist who meets the SVP standards for Qualified Professional Paleontologist, to direct all mitigation measures related to paleontological resources. A qualified paleontologist (Principal Paleontologist) is defined by the SVP standards as an individual with an M.S. or Ph.D. in paleontology or geology who is experienced with paleontological procedures and techniques, who is knowledgeable in the geology of California, and who has worked as a paleontological mitigation project supervisor for a least one year.</p>	<p>NUSD Project Manager</p>	<p>Prior to commencement of construction activities</p>	

Mitigation Measure	Responsible Party	Timing for Mitigation Measure	Verification of Completion	
			Initial	Date
<p><b>CR-2b</b> <b>Worker Environmental Training Program.</b> Prior to the start of construction, the project paleontologist or his or her designee, shall conduct training for construction personnel regarding the appearance of fossils and the procedures for notifying paleontological staff should fossils be discovered by construction staff. The worker training shall be fulfilled at the time of a preconstruction meeting at which a qualified paleontologist shall attend. In the event of a fossil discovery by construction personnel, all work in the immediate vicinity of the find shall cease and a qualified paleontologist shall be contacted to evaluate the find before restarting work in the area. If it is determined that the fossil(s) is (are) scientifically significant, the qualified paleontologist shall complete the following conditions to mitigate impacts to significant fossil resources.</p>	<p>NUSD Project Manager, project paleontologist, and Construction Contractor</p>	<p>Prior to commencement of construction activities</p>		
<p><b>CR-2c</b> <b>Unanticipated Discovery of Paleontological Resources.</b> If unanticipated paleontological resources are discovered during any phase of project construction or land modification activities, work shall stop and NUSD shall be notified. The find shall be recovered under the supervision of the project paleontologist. Typically, fossils can be safely salvaged quickly by a single paleontologist and not disrupt construction activity. In some cases, larger fossils (such as complete skeletons or large mammal fossils) require more extensive excavation and longer salvage periods. In this case the paleontologist should have the authority to temporarily direct, divert or halt construction activity to ensure that the fossil(s) can be removed in a safe and timely manner. Once salvaged, significant fossils should be identified to the lowest possible taxonomic level, prepared to a curation-ready condition and curated in a scientific institution with a permanent paleontological collection (such as the University of California Museum of Paleontology), along with all pertinent field notes, photos, data, and maps. Fossils of undetermined significance at the time of collection may also warrant curation at the discretion of the project paleontologist.</p>	<p>NUSD Project Manager, project paleontologist, and Construction Contractor</p>	<p>During all ground-disturbing activities at the project site</p>		
<p><b>CR-3</b> <b>Unanticipated Discovery of Human Remains.</b> If human remains are discovered, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the county coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be of Native American descent, the coroner will notify the NAHC. The NAHC will determine and notify a MLD. The MLD will complete the inspection of the site within 48 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials</p>	<p>NUSD Project Manager, Principal Investigator, and Construction Contractor</p>	<p>During all ground-disturbing activities at the project site</p>		
<p><b>CR-4</b> <b>Unanticipated Discovery of Tribal Cultural Resources.</b> In the event that a</p>	<p>NUSD Project Manager,</p>	<p>During all ground-</p>		

Mitigation Measure	Responsible Party	Timing for Mitigation Measure	Verification of Completion
			Initial Date
<p>previously unidentified cultural resource is determined to be of Native American origin, the principal investigator will consult with NUSD to begin or continue Native American consultation procedures. If, in consultation with NUSD, a discovery is determined to be a tribal cultural resource and thus significant under CEQA, a mitigation plan should be prepared and implemented in accordance with state guidelines and in consultation with Native American groups. If the resource cannot be avoided, a mitigation plan should be developed to address tribal concerns.</p>	<p>Principal Investigator, and Construction Contractor</p>	<p>disturbing activities at the project site</p>	
<p><b>Noise</b></p>			
<p><b>N-2 Public Address System Design.</b> The District shall design and operate the new PA system to not exceed an L<sub>s</sub> sound level of 55 dBA at the surrounding residences to the extent possible. This would require distributing highly directional and carefully aimed loudspeakers around the bleachers and field. The distance between the loud speakers and the coverage area shall be minimized to reduce spillover noise to the community. In addition, the system output volume shall be regulated by an audio processor with the ability to limit the audio output levels (e.g. compressor/limiter). After installation of the PA system, the District shall retain a qualified acoustic engineer to test the system and ensure that PA noise does not exceed an L<sub>s</sub> sound level of 55 dBA at the surrounding residences to the extent possible. The PA system shall be adjusted as necessary to comply with the L<sub>s</sub> threshold to the extent possible.</p>	<p>NUSD Project Manager, qualified acoustic engineer, and Construction Contractor</p>	<p>System design prior to commencement of construction activities and system testing within two weeks following installation</p>	

