

**MITIGATION MONITORING & REPORTING PROGRAM**  
**City Place Santa Clara Project**  
**Planning/CEQA File # PLN2014-10554/CEQ2014-01180**  
**State Clearinghouse # 2014072078**

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing <sup>1</sup>
<b>LAND USE</b>				
<b>LU-1.1: Increase Residential Density in the City's General Plan.</b> During the next General Plan Update cycle, the City shall explore permitting higher residential densities in the City as well as allowing residential land uses in existing non-residential areas. Where feasible, the City shall target strategic areas of the City, specifically those closest to major employment and transit hubs, for new residential land uses and/or increased residential density. In order to maintain projected 2035 jobs/housing ratios, the City shall explore permitting up to 11,000 units.	City to explore permitting higher residential densities in the City.	Director of Planning and Inspection	Director of Planning and Inspection	During the next General Plan Update cycle
<b>AESTHETICS</b>				
<b>AES-1.1: Imported Material Storage.</b> Soils from other parcels that are imported to Parcel 2 shall be stored in areas that are not within view of the Guadalupe River Trail. Alternatively, imported soils within view of the Guadalupe River Trail shall be distributed across Parcel 2 at a depth of 2 feet or less.	Project Developer to provide applicable provisions of construction contracts to the City incorporating requirement.	Project Developer/ Contractor	City Planning & Inspection Division	Prior to issuance of grading and building permits
<b>AES-1.2: Early Implementation of Master Community Plan Landscaping Plan for Parcels 1 and 2.</b> The existing golf course trees along the eastern edge of Parcel 2 shall be retained (leaving the view from the Guadalupe River trail unchanged) until such time as development on the eastern portion of Parcel 2 would necessitate their removal. The Project Developer shall implement the Landscaping Plan, as presented in the Master Community Plan, at the earliest feasible period, given the constraints and pacing of the development. Prior to planting and installation, the Landscaping Plan shall be submitted to the Planning Director for approval.	Project Developer to submit a landscape plan to replace removed trees to the City for review and approval.	Project Developer/ Contractor	City Director of Planning & Inspection	Prior to issuance of grading and building permits for Parcel 2
<b>AES-2.1: Installation of Low-Profile Lighting.</b> The Project Developer shall install low-profile, low-intensity lighting directed downward to minimize light and glare.	Project Developer to submit catalog cuts of the fixtures proposed to the City demonstrating compliance.	Project Developer	City Planning & Inspection Division	Concurrent with Architectural Review submittal,

<sup>1</sup> Where the timing of an action is specified as taking place before a permit is issued, that action must be taken with respect to the action underlying the permit, except where otherwise specifically noted.

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<b>AES-2.2: Installation of Shielded Fixtures.</b> The Project Developer shall use shielded fixtures for street lighting and park lighting to minimize spill onto the public right-of-way and glare produced by the lighting on the Project site.	Project Developer to submit catalog cuts of the fixtures proposed to the City demonstrating compliance.	Project Developer	City Planning & Inspection Division	which may be included within Development Area Plans Concurrent with Architectural Review submittal, which may be included within Development Area Plans
<b>AES-2.3: Treat Reflective Surfaces.</b> The Project Developer shall ensure application of low-emissivity glass at exterior surfaces of the proposed structures for the purpose of reducing reflection of visible light that strikes the glass exterior and reduction in the amount of interior light being emitted through the glass.	Project Developer to provide evidence that low-emissivity glass at exterior surfaces will be used.	Project Developer	City Planning & Inspection Division	Concurrent with Architectural Review submittal, which may be included within Development Area Plans
<b>AES-2.4: Provide Obstruction for Glare from Vehicle Headlights in the Proposed Garages.</b> The Project Developer shall ensure that through the architectural design of the parking garages and through or in combination with landscaping or physical screening at the parking structures glare from vehicle headlights shall be screened from off-site viewers.	Project Developer to provide garage sections to City showing how vehicle headlights in the proposed garages will be obstructed.	Project Developer	City Planning & Inspection Division	Concurrent with Architectural Review submittal, which may be included within Development Area Plans
<b>TRANSPORTATION</b>				
<b>TRA-1.1: Vehicle Trip Reduction with Transportation Demand Management (TDM).</b> The Project Developer shall prepare and implement a TDM Plan approved by the Santa Clara Director of Planning and Inspection. The TDM Plan shall include trip reduction measures necessary to achieve an overall target of reducing Project office-	Project Developer to submit a TDM Plan to the City for each Development Area Plan	Project Developer / TMA	Department of Public Works Director of Planning and	Prior to the issuance of a certificate of occupancy for

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<p>generated daily traffic by a minimum of 4 percent and peak-hour traffic by a minimum of 10 percent, with an overall target of reducing Project residential-generated daily traffic by a minimum of 2 percent and peak-hour traffic by a minimum of 4 percent, compared to the traffic estimates used in this EIR. The TDM Plan shall also include and implement TDM Best Management Practices (BMPs) for the retail uses. The TDM Plan shall include measures to reduce the amount of vehicle traffic generated by City Place by shifting employees, customers, and residents from driving alone to using transit, carpooling, cycling, and walking modes through TDM measures, strategies, incentives, and policies. The TDM obligation in this measure is to apply for the lifetime of the Project. The TDM Plan may specify a phased implementation approach that provides initially for implementation of the TDM measures that are appropriate for multi-tenant offices (e.g., measures aimed at increased transit use and carpooling), which are expected to be developed during the first three phases of development, and then provide for TDM measures that are appropriate for large corporate office tenants in the remaining phases (such as shuttles). The Santa Clara Director of Planning and Inspection shall have the authority and discretion to permit modification of the measures provided that the modifications continue to achieve the overall trip reduction objective and/or the Santa Clara Director of Planning and Inspection is satisfied that all feasible TDM measures are being implemented if the overall trip reduction objective is not being met. Specific requirements as to the TDM Plan, its contents, target reductions, monitoring and remedial action are as follows:</p> <p>A. <i>Vehicle Trip Thresholds.</i> Vehicle trip reductions will be measured through counts of vehicles that enter and exit the site and by comparison of the results to established trip thresholds. As part of the annual TDM Plan monitoring process, as described below, vehicle trip generation estimates, based on the land uses and their sizes, will be prepared by a transportation professional funded by the Transportation Management Association described below, and working under the direction of the City, who will use the trip generation rates and internalization and public transit ridership reductions used in the EIR transportation analysis. The TDM reduction targets will be applied to create the thresholds. The estimates and thresholds will be reviewed and approved by the City’s Traffic Engineer. While no thresholds are established for retail uses because it is difficult to enforce trip reductions for retail customers, this measure requires implementation of TDM BMPs for retail portions of the Project, as described below.</p> <p>B. <i>Transportation Management Association</i> Some TDM measures and strategies shall be incorporated into the design of the site and the buildings. A Transportation</p>	<p>and prior to each subsequent Development Area Plan, submit a TDM Plan reviewed by the third party. Submit an annual report documenting compliance with the TDM Plan.</p>	<p>Inspection</p>	<p>first building under each DAP for TDM Plan (or expansion of TDM Plan) associated with development under the DAP; obtain approval prior to certificate of occupancy; undertakes annual reporting, surveys and revisions to TDM Plan in accordance with mitigation measure.</p>	

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<p>Management Association (TMA) is a non-profit, organization that provides transportation services in a particular area, such as a commercial district, medical center or office park, controlled by members that are building owners or tenants in that area. A TMA shall be formed to oversee and coordinate implementation of the TDM measures to be implemented for the Project, including coordinating activities of the various employers and tenants. The TDM Plan shall identify the vehicle trip-reducing measures and strategies to be provided and implemented directly by the Project Developer, those to be implemented directly by the TMA and those to be implemented directly by individual tenants/employers, and any to be implemented directly by the City. The TDM Plan shall describe the roles and responsibilities of the TMA and its members, which shall be codified in a binding agreement with the City of Santa Clara, approved by the Director of Planning and Inspection, and recorded with the County of Santa Clara Clerk Recorder.</p>				
<p>C. <i>Office TDM Measures.</i> TDM measures that target office employees shall be described in detail in the TDM Plan, including information regarding the direct implementing party (e.g., Project Developer, TMA, City, and tenants and employers.), The following TDM measures shall be considered for inclusion in the TDM Plan for some or all portions of the office development, to the extent feasible and appropriate, either as part of an initial TDM Plan or as options for enhanced or remedial measures if trip reduction targets are not being met:</p> <ul style="list-style-type: none"> <li>• On-site Support Facilities: shuttle bus stops with shelters, bicycle paths and lanes, pedestrian paths linking buildings and transit stations, priority parking for carpools and vanpools</li> <li>• In-building Support Facilities: showers and changing rooms, bicycle storage rooms and bicycle racks, and bicycle repair stands, cafes, and fitness centers</li> <li>• Private shuttles for both long distance commute and last-mile service from nearby public transit</li> <li>• Ridesharing options for long distance commuters such as carpool and vanpool matching services</li> <li>• Guaranteed ride home services for commuters who carpool, take transit, or bicycle to work</li> <li>• Financial incentives such as pre-tax benefits for transit and bicycle expenses (e.g., Commuter Check) or subsidized transit passes (e.g., Commuter Checks, Clipper Cards or VTA EcoPass) for all employees</li> <li>• Additional support services for employees who use transit or rideshare, such as flexible work hours</li> <li>• A website and marketing program to disseminate information on commute</li> </ul>				

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<p>options; access to TMA management services</p> <ul style="list-style-type: none"> <li>• A TDM information packet to be provided to all new City Place employees upon commencement of work at City Place and, the benefits of alternative commute methods stressed during new employee orientation programs</li> <li>• Incentives for employees to live in locations well served by transit or shuttles</li> <li>• Bike share pods to enable trips on-site and to nearby destinations to be made by bicycle</li> <li>• Car share services with cars on-site for use by employees (or others) who use alternative modes to travel to the site but need a car to run an errand, travel to a meeting, etc.</li> <li>• Multi-passenger demand responsive ride services for local employees that are competitive with drive alone including transportation network/ride-sharing services such as Uber Pool, Lyft Line and Chariot on-demand and crowd-sourced bus services</li> <li>• Yet-to-be developed new services, programs, strategies and emerging technologies</li> <li>• Congestion cordon (boundary) pricing scheme<sup>2</sup></li> <li>• Parking management strategies such as paid parking and unbundled parking to restrict the parking supply<sup>3</sup></li> </ul> <p>D. <i>Residential TDM Measures.</i> TDM measures that target residents shall be described in the TDM Plan, including information regarding the direct implementing party (e.g., Project Developer, TMA, City, tenants and employers). The following TDM measures shall be considered for inclusion in the TDM Plan for some or all portions of the residential development, to the extent feasible and appropriate, either as part of an initial TDM Plan or as options for enhanced or remedial measures if trip reduction targets are not being met:</p> <ul style="list-style-type: none"> <li>• Bicycle infrastructure improvements</li> <li>• Bicycle parking room or lockers</li> <li>• Bicycle riders guide</li> <li>• On-site bicycle repair facilities</li> </ul>				

<sup>2</sup> Cordon pricing would entail charging vehicles a fee as they enter an area. The fees would be higher during congested periods. This type of strategy is most effective with limited access points and requires a high quality transit system to accommodate travel by a non-automobile mode.

<sup>3</sup> These parking management strategies can be paired with a residential permit parking program (RPPP) to ensure that Project residents seeking parking do not park in nearby neighborhoods.

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<ul style="list-style-type: none"> <li>• Financial subsidies for residents who commute by carpool, transit, walking or bicycle, such as VTA EcoPasses</li> <li>• A website and marketing program to disseminate information on commute options; access to TMA management services</li> <li>• Rideshare matching services</li> <li>• On-site shuttle services, shuttle bus stops with shelters, pedestrians path linking buildings and transit stations</li> <li>• Bus stops located near buildings</li> <li>• Pedestrian-oriented site design</li> <li>• Congestion cordon (boundary) pricing scheme</li> <li>• Parking management strategies such as paid parking and unbundled parking to restrict the parking supply.</li> </ul>				
<p>E. <i>Retail Site Design BMPs.</i> BMPs that target retail employees and customers shall be described in the TDM Plan, including information regarding the direct implementing party (e.g., Project Developer, TMA, City, tenants and employers). The following BMPs shall be considered for inclusion in the TDM Plan for some or all portions of the retail development, to the extent feasible and appropriate:</p>				
<ul style="list-style-type: none"> <li>• Bicycle infrastructure improvements</li> <li>• Bicycle rider encouragement program</li> <li>• Bicycle parking, showers and lockers</li> <li>• Bicycle riders guide</li> <li>• On-site bicycle repair facilities</li> <li>• Pre-tax commuter incentives</li> <li>• Rideshare matching services</li> <li>• On-site shuttle services, shuttle bus stops with shelters, pedestrians path linking buildings and transit stations</li> <li>• A website and marketing program to disseminate information on commute options; access to TMA management services</li> <li>• Bus stop locations near building entrances</li> <li>• Pedestrian-oriented site design</li> <li>• Congestion cordon (boundary) pricing scheme</li> </ul>				
<p>F. <i>Monitoring and Reporting.</i> The TDM Plan shall be monitored annually to gauge its effectiveness in meeting the thresholds; while general guidelines are provided here, the monitoring and reporting process shall be explained in detail in the</p>				

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<p>TDM Plan. A transportation professional working at the City’s direction and pursuant to a scope of work approved by the City’s Traffic Engineer shall conduct traffic counts annually using mechanical counters or other devices approved by the City of Santa Clara to measure the daily and peak-hour entering and exiting vehicle volumes for a 72-hour period, Tuesday through Thursday. The counts shall include traffic counts at all City Place driveways, traffic counts at the driveways to office parking locations, and traffic counts at the driveways to residential parking locations. The counts shall be conducted when schools are in session and during non-holiday weeks with fair weather. The individual driveway volumes will be summed to provide the total site traffic volumes. The volumes at the driveways to the office and residential parking locations will be summed to provide the office- and residential-generated traffic volumes. The volumes will be compared to the trip thresholds to determine whether the reduction in vehicle trips is being met. The TMA will assist with the monitoring activities that will be conducted.</p>				
<p>In addition to monitoring driveway volumes, a survey will be developed by the transportation professional and administered in coordination with the TMA and individual office employers to determine actual mode splits for employees. The survey will also gather information on usage of individual TDM Plan components as well as gauge employee perception of the overall TDM Plan After an initial survey is conducted, subsequent surveys shall be conducted in years where the previous year’s annual report has concluded that trip thresholds and trip reduction targets are not being met.</p>				
<p>The results of the annual vehicle counts and survey (if one is conducted that year) will be reported in writing by the transportation professional to the Santa Clara Director of Planning and Inspection. The report will include descriptions of the TDM measures in place, highlighting new or modified measures, summarize the results of the counts, summarize the results of the employee survey (if one is conducted that year), and conclude whether the trip thresholds and trip reduction targets are being met. The report (as well as any remedial action taken as a result) will be summarized in an annual informational report to the Planning Commission on the progress of TDM efforts throughout the City of Santa Clara.</p>				
<p>G. <i>Remedial Action.</i> If TDM Plan monitoring results show that the trip reduction targets are not being met, the TDM Plan shall be updated to identify replacement and/or additional feasible TDM measures to be implemented. The updated TDM Plan shall be submitted to the City and approved by the Santa Clara Director of Planning and Inspection. The updated TDM Plan shall also identify other TDM measures that were considered but determined to be infeasible or ineffective.</p>				

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<p>The TMA shall oversee and coordinate the implementation of the feasible additional TDM measures and continue to explore methods of making other potential TDM measures feasible.</p>	<p>Implement intersection improvements included in Table 3.3-20 of the Draft EIR and pay fair share contribution in accordance with Exhibit MMRP-1.</p>	<p>Project Developer (as noted in Table 3.3-20 of Draft EIR)</p>	<p>Department of Public Works</p>	<p>In accordance with Exhibit MMRP-1</p>
<p><b>TRA-1.2: Intersection Improvements.</b> The intersection improvements and off-setting mitigation measures summarized in Table 3.3-20 shall be implemented, and Project Developer shall pay the fair-share contributions for the mitigation measures summarized in Table 3.3-20. The intent of the table is to identify, based on a preliminary feasibility determination, physically feasible intersection mitigation measures (e.g., lane additions) that increase the intersection’s vehicle carrying capacity and reduce vehicle delay while fully mitigating the impacts. As described below, feasible mitigation measures that fully mitigate the impacts were identified at some locations. However, at other locations, measures that provide only partial mitigation were identified because of physical constraints. Although these mitigation measures do not fully address the impact, they do help reduce the severity of the impact. For intersections where there are no feasible physical improvements, off-setting mitigation measures were investigated. These measures would provide improvements to other modes of travel, thereby increasing the capacity of the transportation system. At some intersections no feasible improvement or off-setting mitigation measures were identified.</p>				
<p>The four potential entries are:</p> <ul style="list-style-type: none"> <li>• Full Mitigation: At the affected intersection, a physical modification to the intersection that would fully mitigate the impact was identified. This could be accomplished by adding vehicle lanes or upgrading an intersection to an interchange or “fly-over.” These improvements would reduce vehicle delays and fully mitigate Project impacts at several intersections by allowing the intersections to operate at acceptable levels, with delays that would be lower than they would be under no-project conditions, or with less than a 4-second increase in critical delay at intersections that operate at unacceptable levels.</li> <li>• Partial Mitigation: At the affected intersection, a physical modification to the intersection that would partially mitigate the impact was identified. The proposed measure mitigates the impact during one peak hour but not the other or reduces the delay but not enough to mitigate the impact.</li> <li>• Off-setting Mitigation: In the North San José Deficiency Plan area, off-setting local street network, transit, bicycle, or pedestrian improvements were identified to accommodate future travel growth but not directly mitigate the intersection with the identified impact.</li> <li>• No Feasible Mitigation: No physical improvements or off-setting mitigation</li> </ul>				

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<p>measures were identified, typically because of physical limitations, costs, and/or right-of-way constraints.</p> <p>Some of the intersection improvements would require right-of-way (ROW) acquisition. A preliminary review of ROW constraints was done by viewing aerial photography as a part of the mitigation measure feasibility assessment. An intersection was identified as having ROW constraints if the mitigation measure would include widening the roadway or relocating aboveground utilities. (Use of the center median and “pork-chop” islands was not considered as roadway widening.) If the removal of bicycle facilities was required, the ROW required was defined as “possible.” If the City makes a final determination that a portion or all of an improvement is not feasible because ROW cannot be acquired or for other reasons, the improvement, or infeasible portion, shall not be implemented and, if none of the improvement is feasible, and no off-setting mitigation measure is identified, that intersection shall be considered to have “no feasible mitigation.”</p> <p>The Project Developer’s responsibility is included in Table 3-3.20, which indicates if the Project Developer would be wholly or partially responsible for the mitigation measure.</p> <ul style="list-style-type: none"> <li>• As seen in the table, “100 percent” indicates that the cost and construction of the proposed mitigation measure is the full responsibility of the Project Developer. These are discrete mitigation measures that either fully or partially mitigate significant Project impacts.</li> <li>• “Percent of total traffic” indicates that the Project Developer shall pay a fair-share contribution to the proposed mitigation measure, which is typically a larger transportation improvement, such as an expressway interchange, that has been identified in an adopted plan. Twelve of the intersections are on the County expressway system and are identified in the County’s Expressway Plan to be upgraded to an interchange or “fly-over.” The Project Developer shall pay its fair share toward these interchange upgrades per agreements between Santa Clara County and the City of Santa Clara.</li> <li>• “Pay the North San José fee or fair-share contribution of alternative or off-setting mitigation” is identified for affected intersections in the North San José area. There are two options for these locations. The Project Developer can pay the North San José fee or a fair-share contribution for the mitigation measure or off-setting mitigation measure based on the Project’s percent contribution of added traffic at the intersection.</li> <li>• Where there is no feasible mitigation measure, no fair share is identified (0 percent).</li> </ul>				

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<p>The City-preferred mitigation measure is identified where there is more than one mitigation option.</p>				
<p><b>TRA-1.3: Prepare and Implement a Multimodal Improvement Plan.</b> The Project Developer shall fund the preparation of (including CEQA review for) a Multimodal Improvement Plan (MIP) addressing at least the Congestion Management Program (CMP) intersections within the City of Santa Clara that are forecasted to operate at Level of Service F with the Project, either on a project level or cumulative basis. City shall reimburse the Project Developer for any cost of preparation of the MIP that exceeds the Project Developer’s fair share of such cost. Such MIP shall be prepared in accordance with the guidelines and regulations of the Valley Transportation Authority (VTA) and shall be adopted by the City Council for submission to the VTA for consideration and approval no later than one year after approval of the Project. Once the MIP is adopted by the VTA, it shall be implemented in accordance with its terms and commensurate with the phasing of the development that its measures are intended to offset.</p>	<p>Provide requisite funding for City preparation of the MIP as City Costs under Development Agreement. City to prepare and approve MIP for submission to VTA, and implement MIP once it is approved.</p>	<p>Project Developer/ City</p>	<p>Department of Public Works and Division of Planning and Inspection</p>	<p>City to submit approved MIP to VTA within 1 year of project approval, and implement MIP according with its terms.</p>
<p><b>TRA-2.1: Traffic Signal Installation.</b> Install a traffic signal at Intersection 109, Liberty Street/Taylor Street once the traffic volumes meet the warrant requirements. The intersection of Liberty Street/Taylor Street is located in San José; the installation of a traffic signal would need to be approved by the City of San José.</p>	<p>Project Developer shall provide funding for traffic signal installation at Liberty Street/Taylor Street in the City of San José and submit evidence of compliance to City.</p>	<p>Project Developer</p>	<p>Department of Public Works</p>	<p>Prior to issuance of building permits for the building that triggers improvement in accordance with Exhibit MMRP-1.</p>
<p><b>TRA-2.2: Traffic Signal Installation.</b> Install a traffic signal at Intersection 114, Calle Del Sol/Calle De Luna, once the traffic volumes meet the warrant requirements.</p>	<p>Project Developer to install a traffic signal at Intersection 114, Calle Del Sol/Calle De Luna.</p>	<p>Project Developer</p>	<p>Department of Public Works</p>	<p>Prior to issuance of certificate of occupancy for the building that triggers improvement in accordance with Exhibit MMRP-1.</p>

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<p><b>TRA-3.1: Freeway Segment Improvements.</b> The Project Developer will make a voluntary contribution toward the VTP's 2040 Express Lane Projects (VTP 2040 project numbers H2, H3, H4, H5, H6, H7, and H15) and Countywide Freeway Traffic Operation System and Ramp Metering Improvements (VTP 2040 project number S83).</p> <p>These VTP 2040 projects (H2, H3, H4, H5, H6, H7, H15, and S83), once fully funded and constructed, will enhance travel choices for Project travelers and make more efficient use of the transportation network.</p>	<p>Project Developer shall pay per trip fee to the City in accordance with Exhibit MMRP-1.</p>	<p>Project Developer</p>	<p>Department of Public Works</p>	<p>Prior to issuance of certificate of occupancy for a new or expanded structure.</p>
<p><b>TRA-1a.1: Intersection Improvements for Existing with Project Phases 1, 2, and 3.</b> The intersection improvements and off-setting mitigation measures summarized in Table 3.3-26 shall be implemented, and Project Developer shall pay the fair-share contributions for the mitigation measures summarized in Table 3.3-26. (This table also includes impacts and mitigation measures for the full Project for comparison purposes.) These improvements will reduce vehicle delays and fully mitigate Project impacts at several intersections by allowing the intersections to operate at acceptable levels, with delays that would be lower than they would be under no-project conditions, or with less than a 4-second increase in critical delay at intersections that operate at unacceptable levels. Table 3.3-26 also contains physical improvements for select intersections that will reduce the delay, but not to a level that mitigates the impact.</p> <p>Some of the intersection improvements would require ROW acquisition. A preliminary review of ROW constraints was done by viewing aerial photography as a part of the mitigation measure feasibility assessment. An intersection was identified as having ROW constraints if the mitigation measure would include widening the roadway or relocating aboveground utilities. (Use of the center median and "pork-chop" islands was not considered as roadway widening.) If the removal of bicycle facilities was required, the ROW required was defined as "possible." If the City makes a final determination that a portion or all of an improvement is not feasible because ROW cannot be acquired or for other reasons, the improvement, or infeasible portion, shall not be implemented and, if none of the improvement is feasible, and no off-setting mitigation measure is identified, that intersection shall be considered to have "no feasible mitigation."</p>	<p>See TRA-1.2</p>	<p>Project Developer</p>	<p>Department of Public Works</p>	<p>In accordance with Exhibit MMRP-1</p>
<p><b>TRA-5.1: Transportation Design Review.</b> The site plans for Parcels 1 and 2 will undergo a design review by the City to ensure that City design standards are adhered to prior to construction. This review shall include an on-site intersection analysis prior to development plan approval. The on-site analysis shall include an intersection operations analysis to develop intersection traffic controls and lane geometries that</p>	<p>Project Developer to prepare site plans for Parcels 1 and 2 to be submitted to the City to ensure that City street</p>	<p>Project Developer</p>	<p>Department of Public Works</p>	<p>Concurrent with Development Area Plan submittal for</p>

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<p>meet City of Santa Clara traffic standards. These parcels shall also be reviewed for:</p> <ul style="list-style-type: none"> <li>• Inbound queuing at parking facilities to ensure that queues do not block public streets and local streets</li> <li>• Emergency vehicle access and circulation</li> <li>• Vehicular circulation</li> <li>• Parking layout and circulation within the site</li> <li>• Bicycle access and circulation</li> <li>• Pedestrian access and circulation</li> <li>• Pedestrian access to and from transit stops</li> <li>• Truck circulation and loading dock access for commercial parcels</li> </ul>	<p>design and traffic standards are accommodated in each Development Area Plan.</p>			<p>each phase to the extent that data is available and with Architectural Review to the extent minor details are not known at DAP</p>
<p><b>TRA-6.1: Intersection Improvements With Access Variant Scheme.</b> The intersection improvements summarized in Table 3.3-35 shall be implemented. These improvements will reduce vehicle delays and fully mitigate Project impacts at several intersections by allowing them to operate at acceptable levels, with delays that would be lower than they would be under no-project conditions, or with less than a 4-second increase in critical delay for intersections that operate at unacceptable levels.</p> <p>Table 3.3-35 also contains physical improvements for select intersections that will reduce the delay, but not to a level that fully mitigates the impact.</p> <p>Some of the intersection improvements would require ROW acquisition. A preliminary review of ROW constraints was done by viewing aerial photography as a part of the mitigation measure feasibility assessment. An intersection was identified as having ROW constraints if the mitigation measure would include widening the roadway or relocating aboveground utilities. (Use of the center median and “pork-chop” islands was not considered as roadway widening.) If the removal of bicycle facilities was required, the ROW required was defined as “possible.” If the City makes a final determination that a portion or all of an improvement is not feasible because ROW cannot be acquired or for other reasons, the improvement, or infeasible portion, shall not be implemented and, if none of the improvement is feasible, that intersection shall be considered to have “no feasible mitigation.”</p>	<p>Implement intersection improvements summarized in Table 3.3-35 of the Draft EIR and pay fair share contribution in accordance with Exhibit MMRP-1.</p>	<p>Project Developer</p>	<p>Department of Public Works</p>	<p>In accordance with Exhibit MMRP-1</p>
<p><b>TRA-6.2: Intersection Improvements for Phases 1, 2 and 3.</b> The intersection improvements summarized in Table 3.3-36 shall be implemented. These improvements will reduce vehicle delays and fully mitigate Project impacts at several intersections by allowing the intersections to operate at acceptable levels, with delays that would be lower than they would be under no-project conditions, or with less than a 4-second increase in critical delay for intersections that operate at</p>	<p>Implement the intersection improvements for Phases 1, 2, and 3, as summarized in Table 3.3-36 of the Draft EIR</p>	<p>Project Developer</p>	<p>Department of Public Works</p>	<p>In accordance with Exhibit MMRP-1</p>

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing <sup>1</sup>
<p>unacceptable levels.</p> <p>Table 3.3-36 also contains physical improvements for select intersections that will reduce the delay, but not to a level that mitigates the impact.</p> <p>Some of the intersection improvements would require ROW acquisition. A preliminary review of ROW constraints was done by viewing aerial photography as a part of the mitigation measure feasibility assessment. An intersection was identified as having ROW constraints if the mitigation measure would include widening the roadway or relocating aboveground utilities. (Use of the center median and “pork-chop” islands was not considered as roadway widening.) If the removal of bicycle facilities was required, the ROW required was defined as “possible.” If the City makes a final determination that a portion or all of an improvement is not feasible because ROW cannot be acquired or for other reasons, the improvement, or infeasible portion, shall not be implemented and, if none of the improvement is feasible, that intersection shall be considered to have “no feasible mitigation.”</p>	<p>and pay fair share contribution in accordance with Exhibit MMRP-1.</p>			
<p><b>TRA-7.1: Sidewalk Gap Closure on Tasman Drive on the Lafayette Street overcrossing extending east to Calle Del Sol.</b> The Project Developer shall construct a sidewalk on the north side of Tasman Drive on the Lafayette Street overcrossing and extending east to Calle Del Sol. The Project Developer shall fully fund the construction of this sidewalk segment between the Project frontage on Tasman Drive and Calle Del Sol.</p>	<p>Project Developer to construct a sidewalk on the north side of Tasman Drive on the Lafayette Street overcrossing, extending east to Calle Del Sol.</p>	<p>Project Developer</p>	<p>Department of Public Works</p>	<p>Prior to the issuance of certificate of occupancy for first building within Phase 1</p>
<p><b>TRA-14.1: Signalized Intersection Improvements.</b> The intersection improvements and off-setting mitigation measures summarized in Table 3.3-20 shall be implemented and Project Developer shall pay the fair-share contributions for the mitigation measures summarized in Table 3.3-20, The Project Developer shall also pay the fair-share contribution for the additional intersections or off-setting mitigation measure identified in Table 3.3-50. The improvements will reduce vehicle delays and fully mitigate cumulative impacts at several intersections by allowing the intersections to operate at acceptable levels, with delays that would be less than they would be under no-project conditions, or with less than a 4-second increase in critical delay for intersections that operate at unacceptable levels.</p> <p>Table 3.3-50 also contains physical improvements for select intersections that will reduce the delay, but not to less than no-project conditions such that the Project’s effects would remain cumulatively considerable.</p> <p>Some of the intersection improvements would require ROW acquisition. A preliminary review of ROW constraints was done by viewing aerial photography as a part of the mitigation measure feasibility assessment. An intersection was identified</p>	<p>Project Developer to implement intersection improvements mitigation measures summarized in Table 3.3-20 of the Draft EIR and pay the fair-share contributions for the mitigation measures in accordance with Exhibit MMRP-1.</p>	<p>Project Developer</p>	<p>Department of Public Works</p>	<p>In accordance with Exhibit MMRP-1</p>

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing <sup>1</sup>
<p>as having ROW constraints if the mitigation measure would include widening the roadway or relocating aboveground utilities. (Use of the center median and “pork-chop” islands was not considered as roadway widening.) If the removal of bicycle facilities was required, the ROW required was defined as “possible.” If the City makes a final determination that a portion or all of an improvement or mitigation is not feasible because ROW cannot be acquired or for other reasons, the improvement, or infeasible portion, shall not be implemented and, if none of the improvement is feasible, that intersection shall be considered to have “no feasible mitigation.”</p>	<p>Project Developer to implement the intersection improvements summarized in Table 3.3-54 of the Draft EIR and pay the fair-share contributions for the mitigation measures in accordance with Exhibit MMRP-1.</p>	<p>Project Developer</p>	<p>Department of Public Works</p>	<p>In accordance with Exhibit MMRP-1</p>
<p><b>TRA-16.1: Intersection Improvements for Cumulative with-Project Access Variants.</b> The intersection improvements summarized in Table 3.3-54 shall be implemented. Some of the intersection improvements would require ROW acquisition. A preliminary review of ROW constraints was done by viewing aerial photography as a part of the mitigation measure feasibility assessment. An intersection was identified as having ROW constraints if the mitigation measure would include widening the roadway or relocating aboveground utilities. (Use of the center median and “pork-chop” islands was not considered as roadway widening.) If the removal of bicycle facilities was required, the ROW required was defined as “possible.” If the City makes a final determination that a portion or all of an improvement or mitigation is not feasible because ROW cannot be acquired or for other reasons, the improvement, or infeasible portion, shall not be implemented and, if none of the improvement is feasible, that intersection shall be considered to have “no feasible mitigation.”</p>	<p>Project Developer to prepare and submit a Construction Management Plan for the purpose of managing traffic and reducing traffic congestion during construction. City to review and approve Plan.</p>	<p>Project Developer/ Project Contractor</p>	<p>Department of Public Works</p>	<p>Prior to issuance of each building permit</p>
<p><b>TRA-18.1: Construction Management.</b> Prior to the issuance of each building permit, the Project Developer and construction contractor shall meet with the Public Works Department to determine traffic management strategies to reduce, to the maximum extent feasible, traffic congestion during construction of the Project and develop acceptable detour routes for emergency vehicles and for shuttles to the Great America ACE/Capitol Corridor station. The City will coordinate with appropriate transit agencies. The Project Developer shall prepare a Construction Management Plan for review and approval by the Public Works Department, which shall share the plan with interested the Capitol Corridor Joint Power Authority, the VTA, and ACE for review and comment. The plan, which shall be implemented during construction, shall include at least the following items and requirements:</p> <ul style="list-style-type: none"> <li>• A set of comprehensive traffic control measures, including detour signs if required, lane closure procedures, sidewalk closure procedures, signs, cones for drivers, and designated construction access routes.</li> <li>• Notification procedures for adjacent property owners, the public, transit operators,</li> </ul>				

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing <sup>1</sup>
<p>and public safety personnel regarding when detours and lane closures will occur.</p> <ul style="list-style-type: none"> <li>• Location of construction staging areas for materials, equipment, and vehicles (must be located on the Project site).</li> <li>• Identification of haul routes for movement of construction vehicles that would minimize impacts on vehicular, pedestrian, and transit vehicle traffic, circulation and safety; and provision for monitoring surface streets used for haul routes so that any damage and debris attributable to the haul trucks can be identified and corrected. Construction vehicles shall be required to use designated truck/haul routes.</li> <li>• Provisions for removal of trash generated by Project construction activity.</li> <li>• A process for responding to and tracking complaints pertaining to construction activity.</li> <li>• Construction vehicles and construction workers shall not be allowed to park in adjacent residential neighborhoods. Construction vehicles will be required to park either in the construction zone or in the temporary parking lots.</li> </ul>	<p>Project Developer to modify the City's TMOP to include plans to direct stadium traffic to the new parking locations on the site, and a site traffic and parking management plan for review and approval by City.</p>	<p>Project Developer</p>	<p>Director of Planning and Inspection and/or Director of Public Works</p>	<p>Prior to the issuance of first certificate of occupancy within each DAP area</p>
<p><b>TRA-19.1: Modified City's Traffic Management and Operations Plan (TMOP) and Prepare a Project-Specific Traffic and Parking Management Plan.</b> Modify the City's TMOP to include plans to direct stadium traffic to the new parking locations on the site. (Some of the office parking areas will be used during special events.) A separate traffic and parking management plan shall be developed for the Project by the Project Developer and approved by the Director of Planning and Inspection and/or the Director of Public works. This plan would address:</p> <ul style="list-style-type: none"> <li>• Parking areas to be used by office employees (versus stadium parking);</li> <li>• Project customer/employee parking (versus stadium parking);</li> <li>• Access and egress routes for vehicles to the site, taking into consideration the lane and roadway segment closures used to direct stadium traffic;</li> <li>• A communications plan to inform customers and employees of game-day operations; and</li> <li>• Operational improvements such as signal timing and coordination to maximize efficiency of the streets during peak periods.</li> </ul> <p>Performance goals that reflect a successful traffic and parking management plan would be contained in the plan and may include items such as:</p> <ul style="list-style-type: none"> <li>• Maintaining vehicular access to the Project with acceptable increases in travel times compared to non-game day conditions;</li> <li>• Limited vehicle queuing within the Project site such that no internal circulation roadways are blocked; and</li> </ul>				

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing <sup>1</sup>
<ul style="list-style-type: none"> <li>Limited vehicle queuing extending from parking facilities within the Project onto external public roadways.</li> </ul> <p>Even with mitigation, the local streets near the Project site would operate at an unacceptable LOS due to vehicle demand exceeding capacity. Widening roadways or intersections to increase capacity was considered as mitigation but rejected due to utility and secondary impacts. Street widening would provide capacity that would be needed only on game days and not at other times. The City of Santa Clara General Plan has policies to discourage the widening of existing roadways without first considering operational improvements such as the items included in the existing TMOP and items that will be included in the TDM Plan.</p>				
<b>AIR QUALITY</b>				
<p><b>AQ-2.1: Utilize Clean Diesel-Powered Equipment during Construction to Control Construction-Related Reactive Organic Gas (ROG) and Oxides of Nitrogen (NO<sub>x</sub>) Emissions.</b> The Project Developer shall ensure that all off-road diesel-powered equipment used during construction between 2017 and 2022 is equipped with the U.S. Environmental Protection Agency (EPA) Tier 3 or cleaner engines, except for specialized construction equipment for which an EPA Tier 3 engine is not available. Consistent with advancements of the statewide fleet average, the Project Developer shall ensure that all off-road diesel-powered equipment used during construction between 2023 and 2030 is equipped with EPA Tier 4 engines, except for specialized construction equipment for which an EPA Tier 4 engine is not available. This requirement will ensure construction equipment remains cleaner than the fleet-wide average.<sup>4</sup></p>	<p>Project Developer to provide to City applicable provisions of construction contracts requiring that all off-road diesel-powered equipment used for construction between 2017 and 2022 is equipped with the U.S. EPA Tier 3 or cleaner engines and that all off-road diesel-powered equipment used for construction between 2023 and 2030 is equipped with EPA Tier 4 engines.</p>	<p>Project Developer/ Project Contractor</p>	<p>City Planning &amp; Inspection Division</p>	<p>Prior to grading or building permit issuance</p>
<p><b>AQ-2.2: Use Modern Fleet for On-Road Material Delivery and Haul Trucks during Construction.</b> The Project Developer shall ensure that all on-road heavy-duty diesel trucks with a gross vehicle weight rating of 19,500 pounds or greater used at</p>	<p>Project Developer to provide to City applicable provisions of</p>	<p>Project Developer/ Project</p>	<p>City Planning &amp; Inspection Division</p>	<p>Prior to grading or building permit issuance</p>

<sup>4</sup> As explained in MM AQ-6.1, below, as necessary to reduce cancer risk to on-site sensitive receptors related to construction diesel particulate matter emissions to a level below the BAAQMD, the Project Developer may need to use Tier 4 equipment after occupancy of on-site residences or daycare centers, or may use other appropriate measures (see AQ-6.1). If Tier 4 equipment is used earlier than 2023, this may reduce the amount of mitigation required in MM AQ-2.4.

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing <sup>1</sup>
<p>the Project site comply with EPA 2007 on-road emissions standards for PM10 and NO<sub>x</sub> (0.01 grams per brake horsepower-hour [g/bhp-hr] and 0.20 g/bhp-hr, respectively).</p>	<p>construction contracts requiring the use of modern fleet for on-road material delivery and that haul trucks comply with EPA 2007 on-road emissions standards for PM10 and NO<sub>x</sub>.</p>	<p>Contractor</p>		
<p><b>AQ-2.3: Implement Bay Area Air Quality Management District (BAAQMD) Additional Construction Mitigation Measures to Reduce Construction-Related Dust and Exhaust Emissions.</b> The Project Developer shall require all construction contractors to implement the specific construction mitigation measures below to reduce fugitive dust and equipment exhaust emissions. Emission reduction measures shall include, at a minimum, the following measures. Alternative measures may be identified by the Project Developer or its contractor, as appropriate, provided that they are as effective as the measures below. Alternative measures shall be submitted to the City of Santa Clara for approval.</p> <ul style="list-style-type: none"> <li>• All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe. If water infiltration into landfill refuse layers is a concern, non-toxic soil stabilizers may be used instead.</li> <li>• All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 miles per hour (mph) for a period of 2 hours or more.</li> <li>• Windbreaks (e.g., fences) shall be installed on the windward side(s) of actively disturbed areas of construction. Windbreaks shall have at maximum 50 percent air porosity.</li> <li>• Exposed ground areas that are to be reworked more than 1 month after initial grading should be sown with fast-germinating native grass seed and watered appropriately until vegetation is established. If grass seeding is not feasible, then non-toxic soil stabilizers may be used.</li> <li>• All construction trucks and equipment, including tires, involved in ground disturbance or transit through loose soil areas shall be washed off prior to leaving the site.</li> <li>• Site accesses to a distance of 25 feet from the paved road shall be treated with a 6- to 12-inch compacted layer of wood chips, mulch, or gravel. Alternatively, a rumble plate may be used in place of chips, mulch, or gravel.</li> </ul>	<p>Project Developer to provide to City applicable provisions of construction contracts requiring the use of BAAQMD additional construction mitigation measures to reduce construction-related dust and exhaust emissions.</p>	<p>Project Developer/ Project Contractor</p>	<p>City Planning &amp; Inspection Division</p>	<p>Prior to grading and building permit issuance</p>

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing <sup>1</sup>
<ul style="list-style-type: none"> <li>Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from sites with a slope greater than 1 percent.</li> <li>Idling time of diesel powered construction equipment shall be limited to 2 minutes.</li> <li>All construction equipment, diesel trucks, and generators shall be equipped with Best Available Control Technology for emission reductions of PM and NOX.</li> <li>All contractors shall use equipment that meets the California Air Resources Board’s (ARB’s) most recent certification standard for off-road heavy-duty diesel engines.</li> </ul>	<p>City construction mitigation contracts with BAAQMD. Project Developer to provide to City annual construction activity monitoring data for City verification that the data is representative.</p>	<p>Project Developer/ Project Contractor</p>	<p>City Planning &amp; Inspection Division</p>	<p>Approval of agreement prior to grading and building permit issuance, annual submittal of evidence documenting compliance and of construction activity monitoring data during construction of Phases 1 through 4 on Parcels 4 and 5..</p>
<p><b>AQ-2.4: Offset NO<sub>x</sub> Emissions Generated during Construction that Are above BAAQMD NOX Average Daily Emission Threshold.</b> The Project Developer shall track construction activity, estimate emissions, and enter into a construction mitigation contract with BAAQMD to offset NO<sub>x</sub> emissions that exceed BAAQMD NOX average daily threshold of 54 pounds per day.</p> <p>The average daily emissions shall be calculated on an annual basis by determining total construction-related NO<sub>x</sub> emissions in each calendar year and dividing by the number of actual workdays in that calendar year. BAAQMD will use the mitigation fees provided by the Project Developer to implement emissions reduction efforts that offset Project NO<sub>x</sub> emissions that exceed BAAQMD threshold.</p> <p>Implementation of this mitigation measure shall apply only to Phase 1 through Phase 4 construction on Parcels 4 and 5 because only construction on Parcels 4 and 5 has the potential to exceed the BAAQMD average daily NO<sub>x</sub> threshold on an annual basis, depending on construction sequencing and overlapping activity.</p> <p>This mitigation includes the following specific requirements:</p> <ul style="list-style-type: none"> <li>The Project Developer shall require construction contractors to provide annual construction activity monitoring data for Phases 1 through 4 to estimate actual construction emissions, including the effect of equipment emissions reduction measures. The Project Developer shall submit the annual construction activity monitoring data and an estimate of actual annual construction emissions to the City and BAAQMD for review by February 1 of each year for the prior construction year. The City shall examine the construction activity monitoring to ensure it is representative, and BAAQMD shall examine the emissions estimate to ensure it is calculated properly.</li> <li>After acceptance of the emissions estimates by BAAQMD for the prior year, the Project Developer shall submit mitigation fees to BAAQMD to fund offsets for the portion of annual emissions that exceed the average daily NOX threshold. The mitigation fees shall be based on the mitigation contract with BAAQMD (see discussion below) but shall not exceed the emissions-reduction project cost-effectiveness limit set for the Carl Moyer Memorial Air Quality Standards</li> </ul>				

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing <sup>1</sup>
<p>Attainment Program (Carl Moyer Program) for the year in which mitigation fees are paid. The current Carl Moyer Program cost-effectiveness limit is \$18,030 per weighted ton of criteria pollutants (NOX + ROG + [20*PM]). An administrative fee of 5 percent shall be paid by the Project Developer to BAAQMD to implement the program.</p> <ul style="list-style-type: none"> <li>• The mitigation fees shall be used by BAAQMD to fund projects that are eligible for funding under the Carl Moyer Program guidelines or other BAAQMD emissions-reduction incentive programs that meet the Carl Moyer Program cost-effectiveness threshold and are real, surplus, quantifiable, and enforceable.</li> <li>• The Project Developer shall enter into a mitigation contract with BAAQMD for the emissions-reduction incentive program. The mitigation contract shall include the following:               <ul style="list-style-type: none"> <li>○ Identification of appropriate off-site mitigation fees required for the Project.</li> <li>○ Timing for submission of mitigation fees.</li> <li>○ Processing of mitigation fees paid by the Project Developer.</li> <li>○ Verification of emissions estimates submitted by the Project Developer.</li> <li>○ Verification that off-site fees are applied to appropriate mitigation programs within the SFBAAB.</li> </ul> </li> </ul> <p>The mitigation fees shall be submitted within 4 weeks after BAAQMD accepts an emissions estimate provided by the Project Developer showing that the average daily NOX threshold was exceeded (when measured on an annual basis).</p>	<p>Project Developer to provide revised HRA (optional) or provide updated modeling and applicable provisions of construction contracts and/or building plans including measures to reduce cancer risks. City to review and approve revised HRA (optional to project Developer) or approve applicable provisions of construction contracts and building plans if no</p>	<p>Project Developer/ Project Contractor</p>	<p>City Planning &amp; Inspection Division</p>	<p>Prior to construction that is planned to occur after the first occupancy of on-site residences or daycare centers and/or prior to residential or day care building permit issuance if Project Developer</p>
<p><b>AQ-6.1: Assess Construction Diesel Particulate Matter (DPM) Emissions Potential Prior to Construction, Utilize Clean Diesel-Powered Equipment, Filtration Systems, and/or other Measures as Necessary to Reduce Cancer Risks Associated with DPM during Construction.</b> The Project Developer shall implement the following measures, as necessary, to reduce cancer risks associated with DPM during construction to a level less than BAAQMD incremental cancer risk threshold of 10 in 1 million:</p> <ul style="list-style-type: none"> <li>• Revised Health Risk Assessment (HRA): The Project Developer may choose to assess the potential construction DPM emissions later in the design phase, but prior to construction, and to prepare a revised HRA using updated construction equipment activity data and submit to the City for review. If the revised HRA demonstrates, to the satisfaction of the City, that the cancer risk for construction of the entire Project at all potentially exposed on-site and off-site sensitive receptors will be less than BAAQMD threshold cited, then no additional mitigation is necessary. If the revised HRA demonstrates, to the satisfaction of the City, that the cancer risk for construction of the entire Project at some of the on-site or off-site</li> </ul>				

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing <sup>1</sup>
<p>sensitive receptors will be less than presented in the EIR but still over the BAAQMD threshold, then some of the mitigation below may not be necessary.</p> <ul style="list-style-type: none"> <li>● As necessary to reduce cancer risks below the BAAQMD threshold in light of projected DPM emissions and exposure and other mitigation (MM AQ-2.1 through MM AQ-2.3 and MM GHG-1.1), one or more of the following measures shall be implemented and the Project Developer will provide updated modeling to the City demonstrating that all on-site risks are reduced to below the BAAQMD threshold level:                             <ul style="list-style-type: none"> <li>○ Tier 4 Construction Equipment. If on-site and residences and daycare centers are occupied, the Project Developer shall ensure that all off-road diesel-powered equipment used during construction after occupancy of on-site residences or on-site daycare centers is equipped with EPA Tier 4 or cleaner engines, except for specialized construction equipment for which an EPA Tier 4 engine is not available. This requirement would be in addition to the clean diesel requirements in Mitigation Measure AQ-2.1.</li> <li>○ Install Filtration Systems on Ventilation and Recirculation Systems. Filtration systems shall be installed on ventilation and recirculation systems within on-site residences and for the heating, cooling, or ventilation systems serving daycare centers. All filters must be rated MERV-13 or higher. The Project Developer shall submit a plan for installation and maintenance of all filters in accordance with the manufacturer’s recommendations to the City prior to approval of the first building permits.</li> <li>○ If on-site and residences and daycare centers are occupied, the Project Developer shall employ other reduction measures, such as High Performance Renewable (HPR) Diesel Fuel, that would reduce DPM. Proposals for alternative reduction measures shall be submitted to the City for review and approval, including evidence of the particulate reduction and/or risk reduction effectiveness of the proposed alternative measures.</li> </ul> </li> </ul>	<p>HRA is prepared or if revised HRA shows that cancer risks would not be below regulatory thresholds.</p>			<p>desires to incorporate measures into structure</p>
<b>GREENHOUSE GAS EMISSIONS</b>				
<p><b>GHG-1.1: Utilize Alternative Fuels during Construction.</b> Require construction contractors to use alternative fuels in at least 30 percent of the construction equipment that uses diesel fuel. Alternative fuels may include electricity, compressed natural gas (CNG), biodiesel (B-20), or renewable diesel, such as diesel high-performance renewable (HPR).</p>	<p>Developer to provide to City applicable provisions of construction contracts requiring adequate use of alternative fuels.</p>	<p>Project Developer/ Project Contractor</p>	<p>City Planning &amp; Inspection Division</p>	<p>Prior to grading and building permits.</p>

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing <sup>1</sup>
<p><b>GHG-1.2: Operational GHG Emissions Reduction Measures.</b> The Project Developer shall implement the operational GHG emissions reduction strategies described below:</p> <ol style="list-style-type: none"> <li>1. Energy Efficiency: The Project’s energy efficiency shall be 15 percent better than the base case energy model developed pursuant to the 2013 Title 24 requirements or shall meet the Title 24 requirements that are applicable at the time of issuance of the building permits for individual phases, whichever is more stringent (Climate Action Plan [CAP] Measure 2.1).<sup>5</sup></li> <li>2. On-site Solar Energy: The Project already includes on-site photovoltaics (PV) solar to meet 10 percent of electricity demand. The Project shall obtain renewable energy electricity corresponding to 50 percent<sup>6</sup> of on-site electricity demand by 2030 through a combination of on-site solar, purchase of renewable energy or other measures (CAP Measure 2.4). This requirement may be phased in as follows: 2020 – 15%; 2025 – 29%; 2030 – 50%. If the Project Developer can demonstrate, to the City’s satisfaction, that through Project design, adopted State or federal regulations, or other assured actions that the Project’s emissions overall will meet the 2030 metric identified in this document without the implementation of this particular measure or its full implementation, then this measure (or its full implementation) may be waived by the City.</li> <li>3. Food Waste: All retail restaurants shall be required to participate 100 percent in any extant City food waste and composting programs and any that may be developed in the future (CAP Measure 4.1).</li> <li>4. Electrical Landscaping Equipment: The Project shall include installation of electrical outlets near all maintained landscaping areas to allow for the use of electrical landscaping equipment (CAP Measure 5.1). In the landscaped City Center, only electrical landscape equipment shall be used. Use of electrical landscaping equipment shall not be required for the extensive natural landscaping contemplated at the edges of the City Center and at Parcels 1, 2, and 3.</li> <li>5. Electrical Vehicle Charging/Preferential Parking (CAP Measure 6.3). The Project shall provide preferential parking in all parking lots for electric vehicles and shall also provide charging equipment, as follows:</li> </ol>	<p>#1, 4, 5, 6, 7, 11, 12: Building and landscape plans.                  #2: Annual reporting unless Project Developer demonstrates at building permit issuance that goal will be met.                  #10, 13: Ground leases to require implementation of measures and incorporation of operational measures into subleases.</p>	<p>Project Developer</p>	<p>City Planning &amp; Inspection Division</p>	<p>#1, 4, 5 6, 7, 11, 12: Prior to building permit issuance                  #2: Prior to building permit issuance unless the developer wishes to demonstrate that emissions will meet the 2030 metric.                  #3, 8, 9, 10: Prior to execution of ground leases; provisions must be included in each applicable ground lease.</p>

<sup>5</sup> The CEC intends for residential buildings in 2020 and later to be zero net energy (ZNE) and commercial buildings in 2030 or later to be ZNE, but because pending regulations are not yet adopted, this cannot be assumed in this analysis.

<sup>6</sup> CAP measure 1.1 requires the City’s utility (SVP) to replace coal power within its portfolio with natural gas by 2020 and includes a stretch goal to replace the coal power with a combination of 50% natural gas and 50% renewable energy by 2035. Thus the CAP stretch goal is to increase renewable energy within its portfolio from 2020 to 2035. The 29 percent value for the mitigation above was calculated as the difference between the CAP Measure 1.1 reduction amount for the stretch goal for 2035 (71%) and the CAP Measure 1.1 reduction amount for 2020 (42%). As discussed in text, the Project has less than significant impact in comparison to the BAAQMD service population efficiency threshold based on the AB 32 target for 2020. Since the EIR finds that the project’s emissions are significant for the period after 2020, the use of the difference in the CAP Measure 1.1 between 2020 and 2035 is appropriate to the impact identified for the Project.

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing <sup>1</sup>
<p>a. Residential Use: A total of 10 percent of the required parking spaces shall be provided with a listed cabinet, box, or enclosure and connected to a conduit that links the parking spaces to the electrical service in a manner approved by the building and safety official. Of the listed cabinets, boxes, or enclosures provided, 50 percent shall have the necessary electric vehicle supply equipment installed to provide active charging stations that are ready for use by residents. The remainder shall be installed at such time as they are needed for use by residents. Electrical vehicle batteries and charging technology may change substantially over the next 15 years. As such, the City shall have the discretion to modify the specific requirements for this measure over time, provided that 10 percent of the spaces have electrical service and 5 percent have active charging, depending on what the technology at the time requires.</p>				
<p>b. Commercial Use: New commercial uses shall provide the electrical service capacity necessary as well as all conduits and related equipment necessary to serve 2 percent of the parking spaces with charging stations in a manner approved by the City’s Building Official. Of these parking spaces, 50 percent shall initially be provided with the equipment necessary to function as online charging stations upon completion of the Project. The remainder shall be installed at such time as they are needed for use by customers, employees, or other users. Electrical vehicle batteries and charging technology may change substantially over the next 15 years. As such, the City shall have the discretion to modify the specific requirements for this measure over time, provided that two percent of the spaces have electrical service and one percent have active charging, depending on what the technology at the time requires.</p>				
<p>6. Shade Trees: Where surface parking lots are not covered by PV solar, shade trees shall be planted to reduce urban heat island effects on adjacent buildings (CAP Measure 7.1).</p>				
<p>7. Urban Cooling: Any uncovered parking lots or spaces shall use light-colored pavement (CAP Measure 7.2).</p>				
<p>8. Leases for businesses that base a diesel truck fleet within the Project site: Ensure those fleets meet the highest CARB engine-tier standard in place at the time of issuance of the building permits for the building that such businesses occupy, or the execution of a lease, whichever comes first.</p>				
<p>9. Electrical hook-ups at loading docks for businesses that will receive deliveries from refrigerated diesel trucks: Stipulate in the lease agreement for such businesses a requirement to use the hook-ups if the trucks will be idling for more than two minutes.</p>				

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing <sup>1</sup>
10. Leases for business receiving deliveries: Prohibit all diesel-powered trucks from idling for more than 2 minutes. 11. Solar hot water heating systems: Incorporate for appropriate applications, including any swimming pools and buildings with swimming pools. 12. Electric heat pumps, or other energy-efficiency techniques, including radiant systems: Include for space heating and cooling, under appropriate circumstances.				

**NOISE**

<p><b>NOI-1.1: Prepare and Implement a Construction Noise Control Plan to Reduce Construction Noise at Adjacent Land Uses.</b> The Project Developer shall develop a noise control plan that requires that the Project construction activities comply with the City Code noise limits. The requirements and limitations specified in the plan shall be determined by phase and/or parcel and/or subsections of a parcel or phase. The construction noise control plan shall require the following:</p> <ul style="list-style-type: none"> <li>• The Project Developer shall appoint a Project noise coordinator who will serve as the point of contact for noise-related complaints during Project construction. The Project noise coordinator shall transmit all construction noise-related complaints to the construction contractor, and the construction contractor shall enhance or refine the noise best management practices discussed herein to address the received noise complaints to the extent feasible. The contact information for the Project noise coordinator shall be sent to residents in the greater vicinity of the Project site that could be affected by Project noise and municipalities affected by Project construction noise.</li> <li>• Construction activities that have the potential to generate noise that is detectable at adjacent residential land uses or within 300 feet of a residentially zoned property shall occur only during the times listed below. Activities that would result in no detectable noise at adjacent land uses, such as interior painting, would not be limited by the hours below.                             <ul style="list-style-type: none"> <li>○ Between 7:00 a.m. and 6:00 p.m. Monday through Friday.</li> <li>○ Between 9:00 a.m. and 6:00 p.m. on Saturdays.</li> <li>○ No duration in time on holidays or Sundays.</li> </ul> </li> <li>• Construction contractors shall specify noise-reducing construction practices that will be employed to reduce construction noise for construction activities that would occur outside of the prohibited hours specified in the City Code and that would have the potential to exceed the receiving zone noise limits specified in the City Code. The measures determined by the Project Developer shall be reviewed and approved by the City prior to the issuance of building permits. Measures that can be used to limit noise include, but are not limited to, those listed below.</li> </ul>	<p>Project Developer to provide noise control plan for City review and approval.</p>	<p>Project Developer/ Project Contractor</p>	<p>City Planning &amp; Inspection Division</p>	<p>Prior to issuance of the first building permit within each Development Area Plan area</p>
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Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing <sup>1</sup>
<ul style="list-style-type: none"> <li>○ Locating construction equipment as far as feasible from noise-sensitive uses.</li> <li>○ Requiring that all construction equipment powered by gasoline or diesel engines have sound-control devices that are at least as effective as those originally provided by the manufacturer and that all equipment be operated and maintained to minimize noise generation.</li> <li>○ Not idling inactive construction equipment for prolonged periods (i.e., more than 2 minutes).</li> <li>○ Prohibiting gasoline or diesel engines from having unmuffled exhaust systems.</li> <li>○ Using noise-reducing enclosures around noise-generating equipment that has the potential to disturb nearby off-site land uses, or where otherwise necessary, to comply with the City Code noise limits for receiving zones.</li> </ul>	<p>Qualified professional to determine which Phase of the Project triggers the need for the reduction measures. Project Developer to provide noise control plan for City review, determination of feasibility and approval.</p>	<p>Project Developer</p>	<p>City Planning &amp; Inspection Division</p>	<p>Qualified professional to determine which phase triggers noise barrier during Phase 1 of DAP approval. City to determine feasibility of noise barriers, and approve design if feasible, as part of DAP approval. If feasible, barriers to be constructed as part of construction for the Phase triggering the need for the barrier.</p>
<p><b>NOI-1.2: Implement Off-Site Traffic Noise Reduction Measures.</b> The Project Developer shall implement off-site traffic noise reduction measures along the east side of Lafayette Drive between Tasman Drive and Hogan Drive such that the Project-related increase in traffic noise for noise receptors is less than 3 dBA. The Project Developer shall construct a solid barrier between the roadway and adjacent residential uses along Lafayette Drive between Tasman Drive and Hogan Drive unless deemed infeasible for any reason including unavailability of sufficient right of way or inability to secure design review/architectural approval.</p> <p>The Project Developer shall implement off-site traffic noise reduction measures along the south side of Tasman Drive between Lafayette and Calle del Sol such that cumulative with project-related increase in traffic noise for noise receptors is less than 3 dBA or the project contribution to traffic noise is less than 1 dBA. The Project Developer shall construct a solid barrier between the roadway and adjacent residential uses along Tasman Drive between Lafayette and Calle del Sol unless deemed infeasible for any reason including unavailability of sufficient right of way or inability to secure design review/architectural approval.</p> <p>The barriers shall be designed to provide shielding between areas of frequent human use (i.e., residence backyards) and the roadway. This would result in approximately 1,000 feet of noise barriers along this the Lafayette segment (between Tasman Drive and Hogan Drive) and up to 800 feet along the Tasman segment (between Lafayette and Calle del Sol). One effective approach would be to replace the existing privacy fences at single family residences with a solid barrier that is at least 6 feet high. The Project Developer shall prepare an off-site noise control plan that identifies the location, design, and effectiveness of the specific treatments to be implemented. This plan shall be submitted to the City for review and approval prior to the issuance of building permits. The off-site noise improvements shall be completed before Project</p>				

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing <sup>1</sup>
operations commence.				
<b>NOI-2.1: Restrict Pile Driving.</b> Pile driving occurring 175 feet or less from new residential or commercial buildings shall be conducted prior to those buildings being occupied by future occupants.	City will not approve building permits that include pile driving within 175 feet of occupied residential.	Project Developer/ Project Contractor	City Planning & Inspection Division	Prior to issuance of building permits if driven pile foundations are planned and prior to occupancy of proximate residential or commercial buildings
<b>NOI-5.1: Prepare and Implement a Noise Control Plan to Reduce Interior Noise at Sensitive Land Uses.</b> The Project Developer shall conduct a design-level acoustic study that identifies exterior noise levels for residential and commercial uses on the Project site. This study shall take into account existing airport noise, Project, and reasonably foreseeable future noise sources (such as proposed increases in passenger rail service along the Lafayette Street corridor). Where this study finds that the exterior noise level would exceed the residential compatibility standard of 55 dBA Ldn or the commercial incompatibility standard of 65 dBA Ldn, the Project Developer shall prepare a design-level operational noise control plan to provide acceptable interior noise levels. This plan shall identify all Project features and treatments that will be implemented to ensure that the Project is in compliance with the interior noise standards listed in the City’s General Plan and City Code as well as the standards specified for new construction within the CLUP for SJC.	Project Developer to provide design-level acoustic study for City review and approval and to incorporate necessary measures into building design when exterior noise levels exceed residential and commercial incompatibility standards.	Project Developer/ Acoustical Design Professional	City Planning & Inspection Division	Prior to issuance of building permits for residential and commercial buildings
The study and plan shall be developed by an acoustical design professional. Design features and treatments will be identified to ensure that interior noise levels at new proposed uses are in compliance with the noise standards. The report shall be submitted to the City for review and approval prior to the issuance of building permits for the Project. Depending on the noise exposure for a particular site, such treatments may include, but are not limited to, those listed below, as recommended by the acoustical design professional.				
<ul style="list-style-type: none"> <li>• Construction of enclosures around noise-generating mechanical equipment at commercial uses.</li> <li>• Use of setbacks from noise sources to maximum attenuation of noise over distance.</li> </ul>				

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing <sup>1</sup>
<ul style="list-style-type: none"> <li>• Installation of noise-reducing treatments in new buildings, including:                             <ul style="list-style-type: none"> <li>○ High-performance, sound-rated double-glazed windows,</li> <li>○ Sound-rated doors,</li> <li>○ Sound-rated exterior wall construction,</li> <li>○ Special acoustical details for vents,</li> <li>○ Acoustical caulking at all exterior façade penetrations,</li> <li>○ Sound-rated roof and ceiling constructions, and</li> <li>○ Adequate mechanical ventilation so that windows and doors may be kept closed at the discretion of the building occupants to control environmental noise intrusion.</li> </ul> </li> </ul>				

**CULTURAL RESOURCES**

<p><b>CR-1.1: Conduct Extended Phase I (XPI) Archaeological Investigations within the Project Site near Recorded Resources and within an Area of Archaeological Sensitivity.</b> Prior to construction, if it is determined that Project-related ground-disturbing activities may extend into native soil within 100 feet of a previously recorded archaeological site, the Project Developer shall retain the services of a qualified archaeologist to conduct XPI investigations within the Project site. The XPI investigations shall consist of subsurface trench excavations to determine the presence or absence of buried features associated with the known archaeological site. If feasible, at least two trenches shall be placed in recorded location P-43-000025/CA-SCL-5, which is recorded as partially in the Project site, to ensure adequate investigations in this area.</p> <p>If the XPI investigations reveal resources, additional trenches or testing may be necessary. Mitigation Measure CR-1.3, described below, shall be followed.</p>	<p>Project Developer to submit XPI Archaeological Investigation(s) to City.</p>	<p>Project Developer/ Qualified Archaeologist</p>	<p>City Planning &amp; Inspection Division</p>	<p>Prior to issuance of grading permits that would disturb native soils within 100 feet of a previously recorded archaeological site</p>
<p><b>CR-1.2: Provide Archaeological Monitoring of the Project Site When in Native Soil.</b> Prior to construction, if it is determined that Project-related ground-disturbing activities may extend into native soil, within 100 feet of a previously recorded archaeological site, the Project Developer shall retain the services of a qualified archaeologist to monitor earthmoving activities within the Project site. Monitoring shall consist of coordinating subsurface work to allow for the careful examination of vertical and horizontal soil relationships for the purpose of seeking positive archaeological finds (prehistoric and/or historic). The monitor shall maintain a field log of their presence and observations, carefully noting soil conditions. The archaeological monitor shall be pre-approved by the Director of Planning and Inspection. After written approval, the Planning Division shall be notified at least 48 hours prior to any grading or other subsurface work on the site, and the Project</p>	<p>City to approve monitor, ensure monitor is in place, and approve monitoring protocol, which shall include requirements of CR-1.3.</p>	<p>Project Developer/ Qualified Archaeologist</p>	<p>City Planning &amp; Inspection Division</p>	<p>Monitoring protocol prior to the issuance of grading and building permits that would disturb native soils within 100 feet of a previously recorded archaeological</p>

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing <sup>1</sup>
<p>Developer shall provide a written protocol for the City’s review and approval that stipulates the manner in which the Project Developer shall comply with the monitoring requirements. In the event that cultural resources are encountered, Mitigation Measure CR-1.3, described below, shall be followed.</p>	<p>Archaeological monitor (retained by the Project Developer), as necessary, and in consultation with the City, develop a Treatment Plan. See also CR-1.2.</p>	<p>Project Developer/ Qualified Archaeologist</p>	<p>City Planning &amp; Inspection Division</p>	<p>site; monitoring shall occur during earthmoving activities  During construction if cultural resources are encountered</p>
<p><b>CR-1.3: Stop Work if Cultural Resources Are Encountered during Ground-Disturbing Activities.</b> In the event that cultural resources are encountered during ground disturbing activities, all work within proximity of the find shall temporarily halt so that the archaeological monitor can examine the find and document its provenience and nature (drawings, photographs, written description). The archaeological monitor shall then direct the work to either proceed if the find is deemed to be insignificant, or instruct the work to continue elsewhere or cease until adequate mitigation measures are adopted. If the find is determined to be potentially significant, the archaeologist, in consultation with the Planning Division, shall develop a Treatment Plan that could include site avoidance, capping, or data recovery. If data recovery is determined to be appropriate, excavation shall target recovery of an appropriate amount of information from archaeological deposits to determine the potential of the resource to address specific research questions. If it occurs, data recovery shall emphasize the understanding of the archaeological deposit’s structure, including features and stratification, horizontal and vertical extent, and content, including the nature and quantity of artifacts.</p>	<p>Project Developer to submit to City PRMP prepared by paleontologist (retained by the Project Developer).</p>	<p>Project Developer/ Qualified Professional Paleontologist</p>	<p>City Planning &amp; Inspection Division</p>	<p>Prior to issuance of grading permits for excavations below an elevation of -30 feet at Parcel 5 and areas of Parcel 4 not underlain by landfill.</p>
<p><b>CR-2.2: Paleontological Resource Monitoring.</b> In accordance with the PRMP, a qualified paleontologist shall monitor for fossils in Pleistocene deposits during Project excavations below an elevation of -30 feet (NAVD 88) on areas not underlain</p>	<p>Project Developer to provide to City contract with paleontologist for</p>	<p>Project Developer/ Qualified</p>	<p>City Planning &amp; Inspection Division</p>	<p>Prior to issuance of grading</p>

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing <sup>1</sup>
<p>by landfill refuse or below other elevations confirmed in the field by the qualified paleontologist. The qualified paleontologist shall be present initially for 100 percent of the excavation activities within the Pleistocene deposits. After 50 percent of the excavation is completed within the rock unit and if no fossils of any kind have been discovered, then the level of monitoring can be reduced or suspended entirely at the Project paleontologist’s discretion. If the paleontologist discovers potential paleontological resources, all ground disturbance within 50 feet of the find shall stop immediately until the qualified professional paleontologist can assess the nature and importance of the find and recommend appropriate salvage, treatment, and future monitoring and mitigation actions.</p>	<p>implementing PRMP, which shall include requirements of CR-2.3.</p>	<p>Professional Paleontologist</p>		<p>permits for excavation below an elevation of -30 feet at Parcel 5 And areas of Parcel 4 not underlain by landfill</p>
<p><b>CR-2.3: Paleontological Resource Reporting.</b> If significant paleontological resources are identified, the Project qualified paleontologist shall prepare a report summarizing the field and laboratory methods, site geology and stratigraphy, faunal/floral list(s), and a brief statement of the significance and relationship of the fossils discovered to similar fossils found elsewhere. The final report should emphasize the discovery of any new or rare taxa, or paleoecological or taphonomic significance. A complete set of field notes, geologic maps, stratigraphic sections, and a list of identified specimens must be included in or accompany the final report. This report should be finalized only after all aspects of the PRMP are completed, including preparation, identification, cataloging, and curatorial inventory. Full copies of the final report shall be deposited with both the Lead Agency and the repository institution with the request that all locality data remain confidential and not made available to the general public.</p>	<p>Paleontologist to prepare final report for submission to City. See also CR-2.2.</p>	<p>Project Developer/ Qualified Professional Paleontologist</p>	<p>City Planning &amp; Inspection Division</p>	<p>After a significant paleontological resource is identified during construction</p>
<p><b>CR-3.1: Stop work if human remains are encountered during ground-disturbing activities.</b> When human remains are discovered (in either an archaeological or construction context), all work within proximity of the remains shall stop so that the archaeological monitor can examine the remains. The County Coroner shall be notified, who shall make a determination as to whether the remains are of Native American origin. If the remains are determined to be Native American, the Coroner shall notify the Native American Heritage Commission (NAHC) immediately. The NAHC shall notify those persons it believes are most likely descended from the deceased Native American. Once the NAHC identifies the most likely descendants, the descendants will make recommendations regarding proper burial, which will be implemented in accordance with Section 15064.5(e) of the State CEQA Guidelines.</p>	<p>Project Developer to submit to City applicable provisions of construction contracts including applicable requirements.</p>	<p>Project Developer/ Project Contractor</p>	<p>County Coroner/ NAHC</p>	<p>Prior to issuance of grading and building permits</p>

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing <sup>1</sup>
<b>BIOLOGICAL RESOURCES</b>				
<p><b>BIO-1.1: Protect Nesting Birds.</b> The Project Developer and its contractors shall avoid conducting vegetation removal during the migratory bird nesting season (February 1–August 31). If Project-related activities must commence during the migratory bird nesting season, the Project Developer shall retain a qualified wildlife biologist to conduct a survey for nests of migratory birds. Surveys for nesting migratory birds shall occur within 3 days prior to the commencement of ground disturbance and vegetation removal in areas that will be affected by Project construction activities. Multiple nest surveys shall be required if construction is phased or when construction work stops for more than 2 weeks at a portion of the site where suitable nesting habitat remains. If construction is ongoing for multiple years, these surveys shall be conducted each year prior to construction in areas that have not yet been disturbed and are scheduled to be disturbed during the nesting season. In addition to nesting-season surveys, surveys shall be conducted during the non-nesting season (September 1–January 31) for overwintering burrowing owls in areas scheduled for initial disturbance during the upcoming season. The surveys shall also be conducted as described above, with a goal of identifying overwintering owls so they can be appropriately avoided during construction.</p> <p>If an active nest is discovered, a no-disturbance buffer zone around the nest tree or shrub (or, for ground-nesting species, the nest itself) shall be established. The no-disturbance zone shall be marked with flagging or fencing that is easily identified by the construction crew and shall not affect the nesting bird or attract predators to the nest location. In general, the minimum buffer zone widths shall be as follows: 50 feet (radius) for non-raptor ground-nesting species, 50 feet (radius) for non-raptor shrub- and tree-nesting species, and 300 feet (radius) for raptor species. Buffer widths may be modified based on discussion with DFW. Buffers shall remain in place as long as the nest is active or young remain in the area and are dependent on the nest. If a burrowing owl nest is identified during pre-construction surveys, no-activity buffers will adhere to the recommendations in the 2012 California Department of Fish and Game Staff Report on Burrowing Owl Mitigation.<sup>7</sup> Most Project activities would result in a high level of disturbance, constituting a 1,640-foot (500-meter) required buffer around occupied nests during any time of year.<sup>8</sup></p>	<p>Project Developer to provide to City applicable provisions of construction contracts including pertinent requirements. If construction will occur in the nesting season, Project Developer to submit to City agreement with qualified wildlife biologist requiring surveys and protective measures under BIO-1.1 and requirement that wildlife biologist report to City if conditions triggering BIO-2.2 exist.</p>	<p>Project Developer/ Project Contractor/ Qualified wildlife biologist</p>	<p>City Planning &amp; Inspection Division</p>	<p>Prior to the issuance of grading and building permits for construction contracts; prior to commencement of grading for biologist agreements; and prior to ground disturbance for surveys</p>

<sup>7</sup> California Department of Fish and Game. 2012. Staff Report on Burrowing Owl Mitigation. State of California Natural Resources Agency. March 7. Available: [http://www.dfg.ca.gov/wildlife/nongame/survey\\_monitor.html#Mammals](http://www.dfg.ca.gov/wildlife/nongame/survey_monitor.html#Mammals).

<sup>8</sup> Scobie, D., and C. Faminow. 2000. Development of Standardized Guidelines for Petroleum Industry Activities that Affect COSEWIC Prairie and Northern Region Vertebrate Species at Risk. Environment Canada, Prairie and Northern Region, Edmonton, Alberta, Canada.

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing <sup>1</sup>
<p><b>BIO-1.2: Implement Bird-Safe Design Standards into Project Buildings and Lighting Design.</b> Each Development Area Plan (DAP) approved by the City shall include a set of specific standards for minimizing hazards to birds, to be implemented by the Project Developer. The development of the specific bird safety standards for each Development Area Plan shall be tailored to the specific potential hazards to birds in that development area, taking into account the specific locations, types and heights of buildings, lighting, and landscaping. In addition, the DAP shall require enhanced protective measures for buildings within 300 feet of the retention pond, the Guadalupe River, and San Tomas Aquino Creek, such as siting buildings in relation to existing landscape features to reduce conflicts with existing features that may serve as attractive bird habitat; minimizing the reflection of existing vegetation on building facades; or using soil berms, furniture, landscaping, or architectural features to prevent reflection of water in glazed building facades.</p> <p>The specific bird safety standards in each DAP shall be based on the following bird-friendly building principles, to the extent applicable to the particular development area:</p> <ul style="list-style-type: none"> <li>• Reduce mirrors and large areas of reflective glass.</li> <li>• Avoid transparent glass skyways, walkways, or entryways, free-standing glass walls, and minimize transparent building corners, or utilize glazing treatments to mitigate the hazard.</li> <li>• Minimize funneling of open space toward a building façade.</li> <li>• Strategically place landscaping to reduce reflection and views of foliage inside or through glass.</li> <li>• Reduce potential light and glare by implementing Mitigation Measures AES-2.1 (requiring low-profile, low-intensity lighting directed downward), AES-2.2 (requiring shielded fixtures for outdoor lighting), and AES-2.3 (requiring low-emissivity reflective coating on exterior glass surfaces).</li> <li>• To the extent consistent with the normal and expected operations of the uses planned for the particular development area, take appropriate measures to avoid use of unnecessary lighting at night, especially during bird migration season (February-May and August-November) through the installation of motion sensor lighting, automatic lighting shut-off mechanisms, or other effective measures to the extent feasible.</li> </ul> <p>The specific bird safety standards shall also provide for a monitoring program, and placing signs around the buildings with phone numbers for authorized bird conservation organizations.</p>	<p>City review and approve each Development Area Plan to ensure adequate measures are included.</p>	<p>Project Developer</p>	<p>City Planning &amp; Inspection Division</p>	<p>Approval of each Development Area Plan</p>

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing <sup>1</sup>
<p><b>BIO-2.1: Detection of Burrowing Owls.</b> The Project Developer shall allow access to the Project site or off-site areas for biologists who participate in the annual burrowing owl nest survey coordinated by the Santa Clara Valley HCP/NCCP. Burrowing owl surveys are conducted between March and August of each year. As many as four surveys may be conducted each year, in accordance with the Staff Report on Burrowing Owl Mitigation<sup>9</sup> to determine whether burrowing owls are nesting and whether nests are successful. Access to the site for burrowing owl surveys shall be granted until the Project site or off-site area is completely built out. The Project Developer shall not, however, be required to postpone planned development activities to provide such access, except to the extent such postponement is necessary to meet regulatory requirements.</p>	<p>The ground lessee shall allow such access until certificate of completion for the phase.</p>	<p>Project Developer/City</p>	<p>City Planning &amp; Inspection Division</p>	<p>Concurrent with execution of each phase ground lease</p>
<p><b>BIO-2.2: Mitigation for Loss of Burrowing Owl Habitat during Construction.</b> Should burrowing owls begin nesting on developable portions of the Project site or off-site areas that remain undeveloped as phases of the Project are constructed, or suitable habitat within 600 meters of an active nest is removed from the Project site, then lost burrowing owl habitat shall be replaced at a ratio of at least 1:1 prior to ground-disturbing activities in the area of the Project site or off-site area with an active nest. Affected habitat shall be defined as suitable habitat (based on the habitat mapping completed for this EIR) within a 600 meter radius of an active burrowing owl nest. Suitable land cover types include annual grassland, ruderal, or barren areas. Mitigation sites shall have documented nesting occurrences from at least 1 year within the previous 3 years.</p> <p>If burrowing owls move onto undeveloped portions of the Project Site or off-site area, including the Retention Basin, once the site is fully constructed, there shall be no requirement to provide replacement habitat, unless that undeveloped habitat is developed in the future.</p>	<p>If required, Project Developer to submit certification to the City that habitat has been replaced at the specified ratio. City to review and approve certification.</p>	<p>Project Developer</p>	<p>City Planning &amp; Inspection Division</p>	<p>Prior to ground-disturbing activities until the Project site or off-site areas are completely built-out in the event that wildlife biologist detects circumstance triggering BIO-2.2</p>
<p><b>BIO-3.1: Protect Western Pond Turtles.</b> Prior to the start of construction activities in or within 50 feet of aquatic habitats, the Project Developer shall retain a qualified biologist to conduct preconstruction surveys for western pond turtles in all suitable habitats (aquatic and upland) in the vicinity of the work site. Surveys shall take place no more than 72 hours prior to the onset of site preparation and construction activities with the potential to disturb turtles or their habitat. If preconstruction surveys identify active nests on the Project site, the biologist shall establish no-disturbance buffer zones around each nest using temporary orange construction fencing. The demarcation shall be permeable to allow young turtles to move away</p>	<p>Project Developer to submit to City agreement with qualified biologist and applicable provisions of construction contracts, including requirement that biologist submit to City certification that</p>	<p>Project Developer/Qualified Biologist</p>	<p>City Planning &amp; Inspection Division</p>	<p>Prior to the issuance of grading or building permits for biologist and construction agreements; and 72 hours</p>

<sup>9</sup> CDFW 2012. Staff Report on Burrowing Owl Mitigation. State of California Natural Resources Agency.

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing <sup>1</sup>
<p>from the nest following hatching. The radius of the buffer zone and the duration of exclusion shall be determined in consultation with DFW. The buffer zones and fencing shall remain in place until the young have left the nest, as determined by the qualified biologist. If western pond turtles are found on the Project site, the Project Developer shall still retain a qualified biologist to monitor construction activities in the vicinity of suitable habitat and implement appropriate measures to protect the western pond turtle. Such measures may include removal and relocation of western pond turtles in proposed construction areas to suitable habitats outside the Project limits, consistent with DFW protocols and permits. Relocation sites shall be subject to DFW approval.</p>	<p>preconstruction surveys have been conducted and protective measures taken.</p>			<p>prior to site construction activities in or within 50 feet of aquatic habitats</p>
<p><b>BIO-4.1: Protect Central California Coast Steelhead, Critical Habitat, and Chinook Salmon.</b> Construction, operations, and maintenance on the riverbank, as well as areas within 200 feet of the Guadalupe River, that could result in disturbed sediment depositing within the banks of the channel shall be limited to the summer low-precipitation period (June 1 to October 15), unless otherwise approved by appropriate resource agencies. Limiting riverbank disturbance during these months would reduce the likelihood of adverse effects on adult and juvenile salmonid migration.</p>	<p>Project Developer to provide to City applicable provisions of construction contract ensuring work on the riverbank as well as within 200 feet of the Guadalupe River that could result in disturbed sediment depositing within the banks of the channel is limited to summer low precipitation periods.</p>	<p>Project Developer/ Project Contractor</p>	<p>City Planning &amp; Inspection Division</p>	<p>Prior to issuance of grading and building permits</p>
<p><b>BIO-5.1: Protect Retention Pond and Eastside Retention Drainage Swale, and San Tomas Aquino Creek and the Guadalupe River Aquatic Habitat during Construction.</b> For construction activities within 50 feet of the aquatic habitat associated with the retention pond and drainage swale, San Tomas Aquino Creek, and Guadalupe River, protective measures shall be put in place to ensure that impacts on those aquatic features shall be avoided and minimized. The following measures shall be deployed during construction:</p> <ul style="list-style-type: none"> <li>• A qualified biologist shall determine the locations where orange construction barrier fencing shall be installed around aquatic resources (USACE and the Regional Water Board jurisdictional wetlands/waters and DFW jurisdictional lakes and streams) that are to be avoided prior to initiation of construction activities.</li> <li>• Designate the protected area an Environmentally Sensitive Area and clearly identify the area in the construction specifications.</li> <li>• Maintain jurisdictional wetlands/water protection fencing throughout the grading</li> </ul>	<p>Project Developer to provide to City applicable provisions of construction contract and agreement with qualified biologist that include the specified protective measures.</p>	<p>Project Developer/ Qualified Biologist</p>	<p>City Planning &amp; Inspection Division</p>	<p>Prior to issuance of grading and building permits for construction activities within 50 feet of the pertinent aquatic habitat</p>

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing <sup>1</sup>
<p>and construction period.</p> <ul style="list-style-type: none"> <li>Prohibit grading, construction activity, traffic, equipment, or materials in fenced wetland areas.</li> </ul> <p><b>BIO-5.2: Compensate for Loss of Waters of the U.S. and State (including Wetlands).</b> If impacts to jurisdictional waters of the U.S. or State cannot be avoided, the Project Developer shall obtain permits or approvals to develop from the USACE, the Regional Water Board, and DFW, as appropriate and required. Both the Guadalupe River and San Tomas Aquino Creek are subject to both State and federal jurisdiction because of their connection to the Bay. To ensure that the Project results in no net loss of wetland habitat functions and values, the Project Developer shall compensate for the loss of jurisdictional wetlands/waters through one of the following options.</p> <ul style="list-style-type: none"> <li>Purchase of agency-approved mitigation credits from a suitably located mitigation bank prior to construction (ground disturbance that impacts wetlands/waters);</li> <li>On-site wetland/waters restoration (re-establishment or rehabilitation) establishment (creation) prior to or concurrent with construction impacts;</li> <li>Off-site wetland/waters restoration (re-establishment or rehabilitation)/establishment (creation) prior to or concurrent with construction; or</li> <li>A combination of two or more of the above.</li> </ul> <p>The amount of agency approved mitigation credits required from a suitably located mitigation bank and/or size and location(s) of the area(s) to be restored (re-established)/established (created) shall be based on appropriate mitigation ratios, as derived in consultation with DFW, USACE, and the Regional Water Board. The Project Developer shall prepare and implement a mitigation and management plan (MMP) as part of the permitting process in conformance with the USEPA/USACE 2008 Mitigation Rule. The mitigation ratios shown in the initial draft MMP submitted to the permitting agencies during Project permitting shall be a minimum of 2:1, as determined through the CEQA process. The MMP, if other than sole purchase of mitigation bank credits, shall include the requirements listed below:</p> <ul style="list-style-type: none"> <li>Mitigation implementation plan;</li> <li>Performance (success) standards or criteria to be met in order to determine that the mitigation has successfully replaced the impacted wetlands/waters in terms of “no net loss” of the impacted functions and values;</li> <li>5-year monitoring plan for determining that performance criteria have been successfully met through the collection of wetlands/waters vegetation survival and cover field data; hydrology flooding, ponding, and/or soil saturation field data; and</li> </ul>	<p>Project Developer to provide to City wetland delineation, copies of permits obtained as and if required from USACE, the Regional Water Board and DFW, and the MMP, all satisfying the requirements of BIO-5.2 Project Developer to provide to City annual monitoring reports.</p>	<p>Project Developer/ Qualified Wetland Biologist</p>	<p>DFW, USACE, Regional Water Board, City Planning &amp; Inspection Division</p>	<p>Prepare wetland delineation prior to first grading or building permit for the Project. Obtain requisite agency permits and prepare MMP prior to issuance of grading or building permits for construction activities that will impact jurisdictional wetlands. Monitor plan for a minimum of 5 years.</p>

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing <sup>1</sup>
<p>habitat area data;</p> <ul style="list-style-type: none"> <li>• Adaptive management plan to be implemented if mitigation performance is found through annual monitoring not to be progressing towards success within the 5-year monitoring period;</li> <li>• Conservation plan to ensure in-perpetuity land use protection of the mitigation site;</li> <li>• Long-term (in-perpetuity) conservation management plan; and</li> <li>• Funding plan for mitigation implementation, 5-year mitigation performance monitoring and maintenance, and an endowment (non-wasting fund) for long-term conservation management.</li> </ul> <p>The final MMP shall be determined in consultation with DFW, USACE, and the Regional Water Board. The mitigation plan shall include measure to avoid and minimize the effects of construction on surrounding native habitats. The required performance standard is no net loss of wetland and waters habitat function and values. Monitoring shall occur for a minimum of 5 years, at which time, if the success criteria are met, wetland compensation shall be deemed complete.</p> <p><b>BIO-C.1: Make a Fair-Share Nitrogen Deposition Fee Contribution to the Santa Clara Habitat Agency's Voluntary Fee Payment Program.</b> Consistent with its voluntary commitment to contribute a nitrogen deposition fee through the fee program of the Santa Clara Habitat Agency, the Project Developer shall make a pro-rated per-vehicle-trip nitrogen deposition fee contribution, which will be based on the amount charged by the Santa Clara Valley Habitat Agency under its Voluntary Fee Payments Policy (<a href="http://scv-habitatagency.org/DocumentCenter/View/345">http://scv-habitatagency.org/DocumentCenter/View/345</a>). Specifically, the per-vehicle trip fee shall be adjusted as set forth below to take into account the different dispersion characteristics of the Project vs. the average dispersion characteristics for development in the HCP/NCCP area.</p> <p>The Project is located farther from serpentine grassland habitat than average development within the Santa Clara Valley HCP/NCCP area. Thus, the required fair-share contribution shall be figured as 38 percent (based on the ICF analysis) of the established fee of the habitat agency for the year in which the building permits are issued for the Project. The fee may be paid up front or in installments in proportion to mitigated vehicle trip generation for the phase of the Project for which the building permits are issued. For fiscal year 2015–2016, the adopted HCP/NCCP nitrogen deposition fee was \$4.20 per new vehicle trip. Using Scheme B’s estimated trip generation (140,730 trips/day), taking into account the trip reduction effect of Mitigation Measure TRA-1.1 (reduction to 137,910 trips/day), and the 38 percent adjustment factor, if all fees were paid in 2015, the estimated total would be \$220,104.</p>	<p>Project Developer to provide to City proof of payment.</p>	<p>Project Developer</p>	<p>City Planning and Inspection Division</p>	<p>Prior to issuance of building permits: to be paid up front or in installments in proportion to mitigated vehicle trip generation for the phase of Project for which the building permits are issued.</p>

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing <sup>1</sup>
<b>GEOLOGY AND SOILS</b>				
<p><b>GEO-1.1: Detailed Grading and Erosion Control Plan.</b> A detailed grading and erosion control plan shall be prepared and submitted to the City Building Department. The plan shall cover all Project parcels (not just the landfill portions) and off-site areas and include all information required to demonstrate that earthwork activities will be in compliance with CCR 21190 et seq. and incorporate by reference the Project’s Storm Water Pollution Prevention Plan, as required by the Construction General Permit.</p>	<p>Project Developer to provide detailed grading and erosion control plan for review and approval by City.</p>	<p>Project Developer</p>	<p>City Planning and Inspection Division</p>	<p>Prior to the issuance of demolition and grading permits</p>
<p><b>GEO-2.1: Design-Level Geotechnical Investigation.</b> Prior to the issuance of demolition, grading, or construction permits at the Project site, a design-level geotechnical investigation shall be conducted by a qualified professional (the qualified professional shall be retained by the Project Developer). The investigation shall include further field exploration (e.g., borings, cone penetration tests, test pits and/or geophysical surveys) to develop design-level recommendations to address erosion and other geotechnical concerns for the Project. The design-level geotechnical investigation shall include:</p> <ul style="list-style-type: none"> <li>• Evaluation of anticipated settlement. Additional soil borings shall be installed to determine the depth to the refuse layer for aid in preparing grading plans. Additional samples shall be analyzed to determine potential settlement and determine the likely final post-settlement surface elevation. The potential magnitude of differential settlements between improvements supported by a combination of structural slab and deep foundations and those that are supported by other foundation systems shall be fully analyzed and detailed in the design-level geotechnical report.</li> <li>• Evaluation of liquefaction potential. Additional borings shall be drilled at the Project site and off-site areas to fully characterize the liquefaction hazard associated with the Project.</li> <li>• Evaluation of slope instability. A detailed slope stability analysis for all existing slopes that would remain under the Project, including the perimeter landfill slopes, and all proposed new slopes shall be prepared.</li> <li>• Evaluation of expansive soils. Additional borings shall be drilled at the Project site and off-site areas to fully characterize the expansive soil hazard associated with the Project.</li> <li>• Evaluation of corrosive soils. Project site and off-site soils and, in those areas where foundation components would come into contact with landfill materials, refuse shall be evaluated for corrosion potential.</li> </ul>	<p>Project Developer to provide design-level geotechnical investigation for review and approval by City. City and Developer to submit such investigation to regulatory agencies per GEO-2.6 with respect to areas underlain by landfill and secure approval as required. Project Developer to incorporate resulting measures into project plans.</p>	<p>Project Developer/ City</p>	<p>City Planning and Inspection Division</p>	<p>Prior to the issuance of demolition, grading, and building permits</p>

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing <sup>1</sup>
<p>The design-level geotechnical investigation work plan shall be submitted for review and approval in accordance with Mitigation Measure GEO-2.6.</p>	<p>Project Developer to provide final geotechnical report for review and approval by City. City and Developer to submit such report to regulatory agencies per GEO-2.6 and secure approval as required. Project Developer to incorporate resulting measures into project plans.</p>	<p>Project Developer/ City</p>	<p>City Planning and Inspection Division</p>	<p>Prior to the issuance of grading and building permits</p>
<p><b>GEO-2.2: Final Geotechnical Report Review.</b> A final geotechnical report shall be prepared by a qualified professional based on the findings of the design-level geotechnical investigation (the qualified professional shall be retained by the Project Developer). The final report shall be submitted for review and approval in accordance with Mitigation Measure GEO-2.6. The final geotechnical report shall include:</p> <p>Measures to address anticipated settlement:</p> <ul style="list-style-type: none"> <li>• Specifications of methods to address differential settlement between improvements supported by a combination of structural slab foundations and those that are supported by other deep foundation systems or unsupported areas.</li> <li>• Exterior slabs and ramps attached to buildings shall be hinged to allow the end of the slab or ramp not attached to the building to move downward as settlement occurs. The design shall not allow building entrance slabs to exceed a 5 percent grade, in compliance with ADA access requirements, and vehicular entrances shall not be allowed to exceed an 11 percent grade to prevent vehicles from scraping during entry or exit.</li> <li>• Settlement vaults and flexible connections shall be required at locations where utilities transfer from a pile-supported building to a non-supported area for all phases of construction.</li> <li>• Roadway and other paving at the Project site not located above an area-wide structural slab shall be constructed with flexible materials, such as asphalt or interlocking pavers. The use of concrete and other non-flexible materials shall be minimized. Where non-flexible material is used, expansion and spacing joints that allow rigid materials to shift without breaking shall be used to allow for anticipated settlement.</li> </ul> <p>Measures to address liquefaction:</p> <ul style="list-style-type: none"> <li>• In those areas not supported by the structural slab foundation (which would effectively mitigate the liquefaction hazard), other measures shall be developed to mitigate the hazard, such as shallow footings constructed over ground improvement. Foundations for structures shall be designed to completely mitigate settlement hazards associated with liquefaction (i.e., no liquefaction-induced settlement damage shall be accepted for the final design).</li> </ul> <p>Measures to address slope instability:</p> <ul style="list-style-type: none"> <li>• Measures (e.g., reducing slope steepness, providing structural support, or ground improvement) to ensure that an appropriate factor of safety (both static and</li> </ul>				

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing <sup>1</sup>
<p>seismic) is achieved for each slope.</p> <p>Measures to address expansive soils:</p> <ul style="list-style-type: none"> <li>• In those areas not supported by the structural slab foundation (which would effectively mitigate the hazard), other measures shall be developed to mitigate the hazard, such as removal of the problematic soils, treatment of the soils, or specification of appropriate foundation design. If any soils characterized as highly or moderately expansive (linear extensibility of 3.0 percent or more) are to remain at the surface or be used as fill in the upper 5.0 feet, these soils shall be treated (using calcium-based treatment or similar approach) such that the soils are reduced to a low expansion potential (linear extensibility of less than 3.0 percent).</li> </ul> <p>Measures to address corrosive soils:</p> <ul style="list-style-type: none"> <li>• A corrosion consultant shall be retained to provide specific recommendations regarding the long-term corrosion protection of pile elements and other subsurface materials. The recommendations of the corrosion consultant, which may include use of specific corrosion-resistant materials and/or treatment of corrosive soils, shall be implemented during construction.</li> </ul>	<p>Project Developer to provide a CQA Plan that covers both the Project site and off-site areas for review and approval by City. City and Developer to submit CQA to regulatory agencies per GEO-2.6 with respect to areas underlain by landfill and secure approval as required. Project Developer to submit to City applicable provisions of construction contracts incorporating requirements of CQA.</p>	<p>Project Developer</p>	<p>Director of Public Works</p>	<p>Prior to the issuance of grading, and building construction permits</p>
<p><b>GEO-2.4: Final Project Design Review.</b> Final Project design plans that cover both Project site and off-site areas shall be prepared by the Project Developer and submitted for review and approval in accordance with Mitigation Measure GEO-2.6.</p>	<p>Project Developer to provide final Project design plans meeting</p>	<p>Project Developer/ City</p>	<p>City Planning and Inspection Division</p>	<p>Prior to issuance of grading and</p>

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing <sup>1</sup>
<p>Project site structures shall be designed to accommodate predicted ground settlement, as determined in the design-level geotechnical investigation for the Project improvements (see Mitigation Measure GEO-1.1).</p> <p>For the portion of the Project overlying the Landfill, the Post-Closure Land Use Plan shall demonstrate that Project design will be protective of public health and safety and the environment, as required by 27 CCR 21190. Because of the potential for encountering buried obstructions, contingencies for relocating Auger Cast-in Place Piles and Drilled Displacement Columns during construction shall be included in the foundation design. The Project design plans shall be subject to review and approval by the City Building Department prior to initiation of field activities.</p>	<p>criteria of GEO-2.4 for review and approval by City. City and Developer to submit such Project design plans to regulatory agencies per GEO-2.6 with respect to areas underlain by landfill and secure approvals as required.</p>	<p>Project Developer/ City</p>	<p>City Planning &amp; Inspection Division</p>	<p>building permits</p>
<p><b>GEO-2.5: Site Operation, Monitoring, and Maintenance Plan.</b> A Site Operation, Monitoring, and Maintenance Plan that covers both the Project site and off-site areas shall be prepared by the Project Developer and submitted for review and approval in accordance with Mitigation Measure GEO-2.6. The Site Operation, Monitoring, and Maintenance Plan shall establish procedures for inspecting structures and improvements as well as evaluating the effects of settlement. It will also establish a mechanism for funding and implementing the Plan’s activities throughout the life of the Project.</p> <p>Inspections that focus on documenting settlement, particularly at locations where different support systems meet, shall take place at least quarterly during the first 2 years following the completion of each phase of Project construction. Documentation of each inspection shall be submitted to for review and approval in accordance with Mitigation Measure GEO-2.6 within 30 days of inspection completion. After 2 years, the frequency of inspections may be adjusted with written consent from each agency that approved the Site Operation, Monitoring, and Maintenance Plan Site Operation, Monitoring, and Maintenance Plan. The Site Operation, Monitoring, and Maintenance Plan shall detail the qualifications and responsibilities of monitoring personnel, including immediate notification of the City Building Department of any settlement that could affect the structural integrity of a building and/or structure or settlement that could create a hazard for the public (e.g., separations that create trip hazards for pedestrians). If the types of settlements are observed that could compromise structural integrity or cause hazards for the public, based on the judgment of the qualified inspector, remedial action shall be promptly completed. The Plan shall designate financial responsibility for remedial actions should the effects of settlement be identified and provide timetables for any required remedial action. All remedial action shall be overseen by the qualified geotechnical consultant designated by the Plan and approved by each agency that approved the Site Operation, Monitoring, and</p>	<p>Project Developer to provide Site Operation, Monitoring, and Maintenance Plan for review and approval by City. City and Developer to submit Site Operation, Monitoring, and Maintenance Plan to regulatory agencies per GEO-2.6 for areas underlain by landfill and secure approvals as required. Project Developer to submit inspections to City for review and approval, and to regulatory agencies as specified in GEO02.6 for areas underlain by landfill, within 30 days or inspections.</p>	<p>Project Developer/ City</p>	<p>City Planning &amp; Inspection Division</p>	<p>Plan approval prior to issuance of grading and building permits. Inspections at least quarterly during the first 2 years following the completion of each phase of construction. Documentation of each inspection shall be submitted within 30 days of inspection.</p>

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing <sup>1</sup>
<p>Maintenance Plan. Quarterly reports detailing inspection and remedial activities shall be submitted to each agency that approved the Site Operation, Monitoring, and Maintenance Plan following each inspection for review and approval.</p>				
<p><b>GEO-2.6: Review and Approval by Relevant Regulatory Agencies.</b> To the extent reports and plans required by Mitigation Measures GEO-2.1, -2.2, -2.3, -2.4 or -2.5 address the portion of the Project site overlying the Landfill, they shall be submitted jointly by the City (as owner and operator of the landfill) and the Project Developer for review and approval to the following: (i) the Local Enforcement Agency as principal landfill regulator; (ii) the Regional Water Board for approval of the issues related to the low permeability layer of the final landfill cover pursuant to 27 CCR 21990 (d) and pilings installed in or through the bottom liner of the landfill liner pursuant to 27 CCR 21990 (e)(6), and for review but not approval of other aspects of the plans and reports; (iii) to Cal Recycle for review, but not approval; and (iv) any other agency which is specifically required by applicable law to approve a particular report, plan or component thereof. To the extent reports and plans required by this mitigation measure relate to other portions of the site not overlying the Landfill, they shall be submitted by the Developer to the City, and to any agency which is specifically required by applicable law to approve a particular report, plan or component thereof, for review and approval.</p>	<p>Refer to GEO-2.1 through GEO-2.5</p>	<p>Refer to GEO-2.1 through GEO-2.5</p>	<p>Refer to GEO-2.1 through GEO-2.5</p>	<p>Refer to GEO-2.1 through GEO-2.5</p>
<b>HYDROLOGY AND WATER QUALITY</b>				
<p><b>WQ-1.1: Design and Implement Stormwater Control Measures.</b> In compliance with Provision C.3 of the San Francisco Bay MS4 Permit and the Santa Clara Valley Water District’s 100-year peak flood requirements, post-construction stormwater controls shall be implemented to reduce total runoff rates and associated pollutant discharges.</p> <p>According to the Santa Clara Valley Urban Runoff Pollution Prevention Program’s C.3. Stormwater Handbook, the three methods for hydraulically sizing flow-based stormwater treatment control measures are (1) volume-based, (2) flow-based, or (3) a combination of volume-/flow-based hydraulic sizing criteria. The simplified method for sizing bioretention areas and flow-through planters, known as the “4 percent method,” is based on a runoff inflow of 0.2 inch per hour, with an infiltration rate through biotreatment soil of 5 inches per hour. The 4 percent method requires the treatment measure to be 4 percent of the impervious area that drains to it.</p> <p>The design of the stormwater treatment measures is currently at the conceptual level and further details will be addressed as part of the planning, construction, and operation of the development. The treatment measures shall be designed to remove</p>	<p>Project Developer to provide to City Stormwater Management Report.</p>	<p>Project Developer</p>	<p>Department of Public Works</p>	<p>Prior to issuance of building permits</p>

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing <sup>1</sup>
<p>pollutants from stormwater using filtration, infiltration, and sedimentation. Because infiltration is not feasible due to the landfill, the treatment measures must be built into the structure of the development above the landfill itself. The stormwater treatment measures that provide infiltration shall be lined with an impermeable liner on the bottom and sides. Just above the liner there must be a layer of clean gravel and a network of perforated piping (underdrains). These underdrains must connect to solid drain piping at the exit of the treatment area and ultimately be connected to the storm drainage infrastructure. All of these components shall exist above the podium structure. The impermeable liner would prevent any leaks or ruptures into the landfill and structures. There shall also be perforated underdrain piping connected to solid piping at the exit of the treatment measure/planter solid piping that will connect to the storm drain infrastructure at manholes where leak monitoring can be performed. More information on the potential hazards of a leak or rupture of the stormwater treatment measures causing flooding of the landfill gas venting lines is provided in Section 3.11, <i>Hazards and Hazardous Materials</i>. The following stormwater treatment (or Low Impact Development [LID]) measures are examples that will be considered and carefully selected as part of the final design process for the different sections of the proposed development:</p>				
<ul style="list-style-type: none"> <li>• Bioretention Areas (impermeable liner with underdrain—no infiltration into landfill)</li> <li>• Flow-through Planters</li> <li>• Tree Well and Media Filters</li> <li>• Infiltration Trenches (impermeable liner with underdrain—no infiltration into landfill)</li> <li>• Rainwater Harvesting and Reuse</li> <li>• Green Roofs</li> <li>• Green Streets (with bioretention, impermeable liner, and underdrain)</li> <li>• Pervious Pavements (impermeable liner with underdrain—no infiltration into landfill)</li> </ul>				
<p>As noted above, a minimum of 4 percent of the site area shall be used for the stormwater treatment measures. As part of final design, these treatment measures for the Project site shall be incorporated into the aesthetics of the landscape. Some attenuation of the peak flows can be recognized, depending on the measures selected. The measures shall include an overflow to safely convey the more intense, less frequent rainfall events.</p>				
<p>The stormwater treatment measures shall capture sufficient flows so that 100-year peak flood elevations or existing design flows within San Tomas Aquino Creek and the</p>				

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing <sup>1</sup>
<p>Guadalupe River will not increase as part of the Project. The exact reduction in 100-year peak runoff volumes and flows that the stormwater management measures will need to accommodate will be determined during the design process for the stormwater management measures and will be provided in the detailed Project Stormwater Management Plan.</p> <p>Due to construction phasing, construction of interim treatment measures may be required once the 40-acre concrete pad has been constructed and before the surface of the pad is developed with new structures with their own associated post-construction stormwater treatment features. These interim measures will be reported to the San Francisco Bay Water Board. The stormwater management measures for each parcel shall be modeled during final design for buildings, parking garages, site landscaping, etc. Dynamic hydraulic modeling shall be used. Dynamic hydraulic modeling tracks the quantity and quality of runoff generated within each subcatchment as well as the flow rate, flow depth, and quality of water in each pipe and channel during a simulation period with multiple time steps. The results of the modeling shall be used to compare the proposed “permanent” stormwater peak flows and volumes for the Project with the existing peak flows and show compliance with the jurisdictional regulations. The dynamic hydraulic modeling shall consider the potential runoff volumes and rates coming from the top of the landfill. The resulting design of stormwater management measures shall be required to be sufficient to protect water quality and habitat resources along receiving waterways.</p> <p>A Stormwater Management Report, including detailed hydrologic and hydraulic calculations, analysis, and conclusions, shall be prepared to document the final design of the stormwater management and storm drain system and obtain the requisite approvals.</p>	<p>Project Developer to provide design for any new bridge or outfalls in San Tomas Aquino Creek or the eastside drainage channel for review and approval by City and</p>	<p>Project Developer</p>	<p>Department of Public Works</p>	<p>Prior to the issuance of the building permit for the development that triggers the need for the</p>
<p><b>WQ-3.1: Design New Bridge and Outfall Structures to Avoid Increase in 100-year Flow and Channel Erosion.</b> In compliance with the Santa Clara Valley Water District’s (SCVWD’s) 100-year peak flood requirements, any new bridge and new outfalls in San Tomas Aquino Creek shall be designed to avoid increases in the 100-year flow and to avoid creek bed/channel erosion. The design shall also consider erosive action or redirection of flow during more frequent flood events in compliance with the City of Santa Clara’s storm drainage design criteria<sup>10</sup> and consistent with SCVWD’s</p>				

<sup>10</sup> City of Santa Clara. 2015. Design Criteria for Improvements in Public Right-of-Ways and City Easements. Public Works Department. April. Available: <http://santaclaraca.gov/home/showdocument?id=14345>. Accessed: 12/29/15.

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing <sup>1</sup>
<p>guidance.<sup>11</sup> The outfalls will be set at elevations high enough to ensure the location of outfalls are above sediment levels within the bottom of the creek.<sup>12</sup> The design shall be provided to the City of Santa Clara and the SCVWD for review and approval for the Project. Construction would be done in phases. For example, the new bridge over the San Tomas Creek would not be needed until Phase 2 and outfalls to the eastside drainage ditch would not be needed until later phases. The design review approval of outfalls shall occur prior to the issuance of the building permit for the development that triggers the need for the outfall or associated construction activity, and on a schedule similar to the phases of construction.</p>	<p>submit to City evidence of approval from SCVWD.</p>			<p>outfall or associated construction activity</p>
<p><b>WQ-3.2: Vegetation Removal from the Retention Basin Drainage Swale.</b> In accordance with the Retention Basin Drainage Swale Vegetation Clearing Project, and prior to the placement of new impervious surfaces on Parcels 1 or 2, overgrown tule and cattails shall be removed from the entire length of the drainage swale to restore the swale’s flood protection capacity and protect residents and businesses. Vegetation in the drainage swale shall be mowed by hand using rotary mowers, and tule and cattails shall be cut down to 3 to 4 inches above the ground surface. The clippings shall be loaded by hand and hauled from the drainage swale to the Retention Basin where the vegetation will dry out. Once dry, the vegetation shall be transported to the Newby Island Landfill. It is estimated that initial removal of overgrown vegetation will generate approximately 300 cubic yards of debris. Prior to performance of this work, all necessary permits shall be obtained from environmental regulatory agencies for this vegetation removal, including any required compensation for loss of wetland/riparian vegetation.</p>	<p>City and Project Developer to execute an agreement to reimburse City for the one-time costs of removing vegetation from the swale (including compliance with any permit conditions requiring onsite actions to do so) as needed to restore flood protection capacity suitable to support the Project. City to be responsible for obtaining any necessary permits and for any maintenance of the swale thereafter.</p>	<p>Project Developer</p>	<p>Department of Public Works</p>	<p>Agreement executed prior to issuance of grading and building permits on Parcels 1 or 2. Vegetation removal complete prior to issuance of a certificate of occupancy for the first building on Parcels 1 or 2.</p>

**HAZARDS AND HAZARDOUS MATERIALS**

<p><b>HAZ-2.1: Finalize Waste Management Plan for Construction.</b> Prior to Project construction, a final Waste Management Plan shall be prepared and implemented. This plan shall be submitted to the LEA, CalRecycle, Regional Water Board, and</p>	<p>Project Developer to provide to City final, approved Waste</p>	<p>Project Developer</p>	<p>Department of Public Works</p>	<p>Plan approved by pertinent agencies must</p>
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<sup>11</sup> Santa Clara Valley Water District. 2006. *User Manual: Guidelines & Standards for Land Use Near Streams*. A Manual of Tools, Standards, and Procedures to Protect Streams and Streamside Resources in Santa Clara County. Prepared by the Santa Clara Valley Water Resources Protection Collaborative. Originally adopted in August 2005. Revised: July 2006.

<sup>12</sup> Outfalls and work within the SCVWD right-of-way are subject to approval and issuance of permits by the SCVWD.

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing <sup>1</sup>
<p>BAAQMD for review and approval. Specifically, the final Waste Management Plan shall contain, at a minimum, the following requirements, which are included in the draft Waste Management Plan:</p> <ul style="list-style-type: none"> <li>• Waste excavation shall be performed in accordance with a Health and Safety Plan (HASP) designed to minimize impacts from dust, odor, and other nuisances, and assure waste is handled in a safe and environmentally responsible manner.</li> <li>• During waste excavation and relocation, the worksite shall be monitored for dust, odor, or other nuisances in accordance with general landfill construction practices and the HASP.</li> <li>• At the end of the working day, any exposed waste shall be covered with soil or an alternative material, such as a geosynthetic blanket, (i.e., interim cover).</li> <li>• Odors, should they occur, shall be controlled by application of a deodorant, masking agent, neutralizing agent, or lime, and an interim landfill cover at the end of each working day.</li> <li>• A “Project Contact” shall be designated who will be responsible for responding to any local complaints about dust, odors, or other nuisances associated with the waste excavation and regrading operations.</li> <li>• During excavation activities, excavation areas shall be monitored using a hand-held instrument calibrated to measure combustible gases (including methane), hydrogen sulfide, oxygen, and VOCs.</li> <li>• No hot work (e.g., welding) shall be allowed in the vicinity of excavation activities unless methane concentrations are sufficiently below the lower explosive limit of 8 percent. If methane concentrations approach 5 percent, excavation activities shall be stopped until the landfill gas collection system can be modified to reduce the methane concentrations in the excavation area. If methane levels are persistent in areas where earthwork and/or hot work activities are necessary, inert gases (e.g., nitrogen) can be introduced into affected subsurface materials to lower oxygen and methane concentrations. By introducing an inert gas into the affected area, methane and oxygen can be displaced to create insufficient oxygen concentrations to support combustion.</li> </ul>	<p>Management Plan. City to verify that final Waste Management Plan includes all required components and all necessary approvals.</p>			<p>be submitted to City prior to issuance of demolition, grading, and building permits</p>
<p><b>HAZ-4.1: Landfill Closure, Monitoring, and Maintenance Plans.</b><sup>13</sup> Prior to issuance of building permits for structures within the area of the Landfill (Parcels 1, 2, 3, and 4), a revised Closure Plan and Post-Closure Maintenance Plan (PCMP) shall be prepared in accordance with the regulatory requirements described in 27 CCR</p>	<p>Project Developer to provide to City for its review and approval revised Closure Plan,</p>	<p>Project Developer/City</p>	<p>Department of Public Works</p>	<p>Prior to issuance of grading or building</p>

<sup>13</sup> To the extent the implementation of this mitigation measure at Parcel 3 is made necessary by, or altered by, the City’s park development activities, the City shall be responsible for implementation.

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing <sup>1</sup>
<p>21790–21840 and submitted to the LEA, CalRecycle, and Regional Water Board (as required) for review and approval. In addition, a PCLUP shall be prepared in accordance with the regulatory requirements described in 27 CCR 21190 and submitted to the LEA and Regional Water Board (as required) for review and approval. Collectively, these plans shall incorporate the requirements of Mitigation Measures HAZ-4.2 through 4.6, below. In addition, the Project Developer shall continue to work with the regulatory agencies (Regional Water Board, LEA, or CalRecycle) and ensure the implementation of all elements and measures necessary to mitigate Project-related health risks to residents and commercial workers to a level below the Regional Water Board’s cumulative incremental cancer risk threshold of 1E-06 and hazard index (HI) (i.e., adverse non-cancer risk) of 1.0 established for the Project are implemented.</p>	<p>Post-Closure Maintenance Plan and Post Closure Land Use Plan that include evidence that health risks can be mitigated to identified levels and contain all elements of HAZ 4.2 through 4.6. City to submit these Plans to the Regional Water Board, LEA, and CalRecycle for their approval. City and Project Developer/Master Owner Association to implement the actions required by these Plans in accordance with the allocation of responsibilities set forth in the Landfill O&amp;M Agreement attached to the DDA.</p>	<p>Project Developer/City</p>	<p>Department of Public Works</p>	<p>permits within the area of the Landfill (Parcels 1, 2, 3, and 4)</p>
<p><b>HAZ-4.2: Landfill Gas Collection and Removal System.</b><sup>14</sup> During Project construction, the existing landfill gas collection and removal system (i.e., wells and conveyance lines) shall be systematically abandoned and replaced in conjunction with the phased Project site development while complying with applicable regulatory requirements that govern the performance of these systems. The new system shall be designed to effectively draw landfill gases (e.g., methane, hydrogen sulfide, and volatile COPCs) away from building sub-slab areas. The system design shall be submitted to the City for review and approval, taking into account an evaluation of the following criteria: effective vacuum influence (based on</p>	<p>Project Developer to submit to City system design for review and approval . City to submit system design to the Regional Water Board, LEA, and/or CalRecycle for their approval, as required by the relevant</p>	<p>Project Developer/City</p>	<p>Department of Public Works</p>	<p>Prior to the issuance of grading or building permits within the area of the Landfill (Parcels 1, 2, 3, and 4)</p>

<sup>14</sup> To the extent the implementation of this mitigation measure at Parcel 3 is made necessary by, or altered by, the City’s park development activities, the City shall be responsible for implementation.

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing <sup>1</sup>
<p>pilot testing and pneumatic modeling), vacuum distribution control, oxygen management (for subsurface fire prevention), ease of maintenance, well location, effect of landfill settlement, mitigation of vapor intrusion risk, and the proposed development on the Project site. The system design shall incorporate temperature- and corrosion-resistant materials. The landfill gas collection and removal system shall be designed, operated, and maintained to control excessive gas concentrations as specified in 27 CCR 20939. The monitoring of landfill gases is described under Mitigation Measures HAZ-4.4, below.</p>	<p>regulations and approved plans. City to operate and maintain the system in accordance with the allocation of responsibilities set forth in the Landfill O&amp;M Agreement attached to the DDA.</p>			
<p><b>HAZ-4.3: Landfill Gas Protection Systems.</b><sup>15</sup> During Project construction, landfill gas protection systems shall be constructed beneath the sub-slabs of structures located on Parcels 1, 2, 3, and 4 to remove landfill gases (e.g., methane, hydrogen sulfide, and volatile COPCs) that could otherwise accumulate and/or migrate through the sub-slab. The systems may include active gas collection or passive ventilation mechanisms and shall meet the minimum design requirements described in 27 CCR 21190. The landfill gas protection systems shall be designed, operated, and maintained to control excessive gas concentrations as specified in 27 CCR 20939. The monitoring of landfill gases is described under Mitigation Measures HAZ-4.4, below.</p>	<p>Project Developer to provide plans to City for review and approval and “as built” drawings to City once work is complete. System will be operated by Project Developer until a Master Owners Association is formed, after with system will be operated by Master Owners Association..</p>	<p>Project Developer/Master Owner Association</p>	<p>Department of Public Works</p>	<p>Prior to issuance of building permits for Parcels 1, 2, 3, and 4, with “as built” drawings submitted prior to any certificates of occupancy on such sites</p>
<p><b>HAZ-4.4: Landfill Gas Monitoring and Control System Maintenance.</b><sup>16</sup> During Project construction and operation on Parcels 1-4, a landfill gas monitoring and control program shall be implemented in accordance with 27 CCR 20921-20939. The gas monitoring network shall be designed by a registered civil engineer or a certified engineering geologist and shall ensure detection of the presence of landfill gas migrating beyond the disposal site permitted facility boundary and also into on-site structures. The monitoring network design shall include provisions for monitoring all structures on the Project site, including but not limited to, buildings, large subsurface vaults, or any other areas where potential landfill gas buildup may cause adverse</p>	<p>Project Developer to provide landfill gas monitoring network plans and Operations and Maintenance Plan to City for review and approval. City to submit these Plans to the Regional Water Board,</p>	<p>Project Developer/Master Owners Association / City</p>	<p>Department of Public Works</p>	<p>Prior to issuance of grading and building permits for Parcels 1, 2, 3, and 4</p>

<sup>15</sup> To the extent the implementation of this mitigation measure at Parcel 3 is made necessary by, or altered by, the City’s park development activities, the City shall be responsible for implementation.

<sup>16</sup> To the extent the implementation of this mitigation measure at Parcel 3 is made necessary by, or altered by, the City’s park development activities, the City shall be responsible for implementation.

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing <sup>1</sup>
<p>impacts on the public health or safety or the environment. Methods for monitoring on-site structures may include, but are not limited to: periodic monitoring, utilizing either permanently installed monitoring probes or gas surveys, and continuous monitoring systems. A methane monitoring system shall be installed inside all buildings on the Project site. If methane gas concentrations exceed a threshold of 1.25 percent by volume in air, as described under 27 CCR 20921, the methane monitoring system shall automatically alert the Santa Clara Fire Department, who shall assess the methane conditions and, if necessary, trigger an audible fire alarm to initiate a building evacuation. In the event of an evacuation, the building shall not be reoccupied until the Santa Clara Fire Department has confirmed and approved by that: (1) concentrations of methane meet the applicable compliance requirements and (2) the landfill gas monitoring and control system is operating in a manner that ensures adequate control of methane/vapor intrusion.</p>	<p>LEA, and/or CalRecycle for their approval, as required by relevant regulations and approved plans. City and Project Developer/ Master Owners Association to implement the actions required by these Plans in accordance with the allocation of responsibilities set forth in the Landfill O&amp;M Agreement attached to the DDA.</p>			
<p>The landfill gas control system shall be operated and maintained to control excessive gas concentrations as specified in 27 CCR 20939. This includes operating the landfill gas control system in such a manner as to satisfy the following requirements specified in 27 CCR 20921(a):</p>				
<ul style="list-style-type: none"> <li>• The concentration of methane gas must not exceed 1.25 percent by volume in air within any portion of any on-site structures;</li> <li>• The concentration of methane gas migrating from the disposal site must not exceed 5 percent by volume in air at the disposal site permitted facility boundary or an alternative boundary approved in accordance with Section 20925; and</li> <li>• Trace gases shall be controlled to prevent adverse acute and chronic exposure to toxic and/or carcinogenic compounds that could result in a health risk exceedance of the Regional Water Board’s cumulative incremental cancer risk threshold of 1E-06 and HI (i.e., adverse non-cancer risk) of 1.0 established for the Project.</li> </ul>				
<p>In the event of an earthquake or other event that could cause a rupture or leak from overlying stormwater treatment measures (i.e., planters, vegetated areas), the landfill gas venting pipes shall be inspected at access ports within 24 hours of the event for leaks, ruptures, or any other conditions. Access ports shall be installed at select locations, to provide full coverage of the system based on system design and access constraints, within the venting layer to monitor for the presence of, and removal of, water that might flood the system in the event that water leaks from collection systems above the landfill gas mitigation system. This system would help prevent the water from further migrating into the underlying landfill gas mitigation system. The access ports will allow for use of portable moisture sensing devices to periodically monitor for moisture in the event that a leak is suspected. The access ports shall also be designed to allow for pumping of water from the interstitial space in the event that</p>				

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing <sup>1</sup>
<p>water is detected.</p> <p>In addition to the monitoring and control of excessive gas concentrations to protect public health and safety and the environment, as specified in 27 CCR 20939, the landfill gas monitoring and control program shall incorporate the monitoring and control requirements for preventing subsurface fires that are described under Mitigation Measure HAZ-9.1, below.</p>	<p>Project Developer to submit final detailed design plans for review and approval by City.</p>	<p>Project Developer</p>	<p>Department of Public Works</p>	<p>Concurrent with building permit application</p>
<p><b>HAZ-4.5: Building Restrictions.</b> The Project shall prohibit the construction of enclosed basements located over refuse on Parcels 1, 2, 3, and 4 to minimize the risk of landfill gas accumulation. Over the landfill area, the Project shall also limit residential construction to only Parcel 4 areas located over open-air podium level garages or over at least one level of enclosed commercial space to mitigate vapor intrusion effects by increasing the free flow and exchange of air beneath the residences.</p>	<p>Project Developer and City to include language in ground and tenant leases for space located over the landfill.</p>	<p>Project Developer/City</p>	<p>Department of Public Works</p>	<p>Prior to execution of ground or tenant leases</p>
<p><b>HAZ-4.6: Landfill Hazards Disclosure.</b> Information about the existing subsurface hazardous materials conditions and the ongoing mitigation and monitoring requirements described in the PCLUP shall be included in all ground leases and space leases for space located over the Landfill. The text to be inserted shall be subject to review and approval by City.</p>	<p>If additional remedial or risk mitigation measures are needed, Project Developer to submit plans to City for review and approval.</p>	<p>Project Developer</p>	<p>Department of Public Works</p>	<p>Prior to issuance of grading and building permits for Parcel 5 and the portion of Parcel 4 beneath the existing tennis courts.</p>
<p><b>HAZ-5.1: Phase II Site Investigation.</b> Prior to Project construction, a Phase II Site Investigation shall be performed on Parcel 5 and the tennis courts located in the southwest portion of Parcel 4 to (1) delineate the extent of soil, soil gas, and potential groundwater contamination on the site and (2) assess potential health risks posed to construction workers and future site users. The Phase II Site Investigation shall be conducted and evaluated by a licensed professional prior to construction and earthwork activities. The findings of the Phase II Site Investigation shall be submitted to the appropriate regulatory agency to the extent required by applicable law. The Project Developer shall conduct any additional investigation and/or risk assessment and/or implement any remedial or risk mitigation measures required by the regulatory agency.</p>	<p>City to review and approve a Soil and Groundwater Management Plan pertaining to Parcel 5 and the portion of Parcel 4 beneath the existing</p>	<p>Project Developer</p>	<p>Department of Public Works</p>	<p>Prior to issuance of grading and building permits for Parcel 5 and the portion of</p>

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing <sup>1</sup>
<p>construction worker health and safety requirements, and contingency measures in case unknown contamination is encountered during construction. The SGMP shall incorporate the soil and groundwater analytical data from the Phase II Site Investigation to ensure that soil and groundwater are stored, managed, and disposed of in a manner protective of human health and the environment, and in accordance with applicable laws and regulations. The SGMP shall specifically include the following:</p> <ul style="list-style-type: none"> <li>• Procedures for evaluating, handling, storing, testing, and disposing of known soil and groundwater contamination identified during the Phase II Site Investigation during Project excavation and dewatering activities, respectively;</li> <li>• Procedures for identifying, testing, and managing soil and groundwater suspected of containing hazardous materials (if any) that have not previously been identified at the site;</li> <li>• Descriptions of required worker health and safety provisions for all workers potentially exposed to hazardous materials in accordance with State and federal worker safety regulations; and</li> <li>• Identification of personnel responsible for implementation of the SGMP.</li> </ul>	tennis courts.			Parcel 4 beneath the existing tennis courts
<p><b>HAZ-5.3: Implement Measures Included in CCR Title 27, Section 21190(g).</b>                      Consistent with the Project Developer’s voluntary commitment, in order to mitigate gas migration into structures located within 1,000 feet of landfill, the City (as owner and operator of the landfill) and the Project Developer shall implement the following measures identified in Title 27, Section 21190(g), with respect to development on Parcel 5 and the southwest portion of Parcel 4:</p> <ol style="list-style-type: none"> <li>(1) a geomembrane or equivalent system with low permeability to landfill gas shall be installed between the concrete floor slab of the building and subgrade;</li> <li>(2) a permeable layer of open graded material of clean aggregate with a minimum thickness of 12 inches shall be installed between the geomembrane and the subgrade or slab;</li> <li>(3) a geotextile filter shall be utilized to prevent the introduction of fines into the permeable layer;</li> <li>(4) perforated venting pipes shall be installed within the permeable layer, and shall be designed to operate without clogging;</li> <li>(5) the venting pipe shall be constructed with the ability to be connected to an induced draft exhaust system;</li> <li>(6) automatic methane gas sensors shall be installed within the permeable gas layer, and inside the building to trigger an audible alarm when methane gas</li> </ol>	City to review and approve detailed construction plans including these measures for Parcel 5 and the areas of Parcel 4 beneath the existing tennis courts. Project Developer shall submit quarterly reports that report methane gas levels for review by City.	Project Developer	Department of Public Works	Prior to issuance of building permits for Parcel 5 and the areas of Parcel 4 beneath the existing tennis courts; quarterly monitoring

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing <sup>1</sup>
<p>concentrations are detected; and</p> <p>(7) periodic methane gas monitoring shall be conducted inside all buildings and underground utilities in accordance with Article 6, of Subchapter 4 of this chapter (section 20920 et seq.). At a minimum, quarterly monitoring is required, but more frequent monitoring may be required by LEA (Subchapter 4, section 20933(a)).</p>	<p>Project Developer to submit to City for its review and approval a Leachate Collection and Removal System Technical Memorandum. City to submit to LEA for review and approval and to CalRecycle and the Regional Water Board for review and comment. As part of the PCLUP City to operate and maintain the leachate recovery system in accordance with the allocation of responsibilities set forth in the Landfill O&amp;M Agreement attached to the DDA.</p>	<p>Project Developer/City</p>	<p>Department of Public Works</p>	<p>Submittal of Memo: Prior to issuance of grading or construction permits for Parcels 1 and 3.</p>
<p><b>HAZ-6.1: Finalize Draft Technical Memorandum: Leachate Collection and Removal System.</b><sup>17</sup> Prior to Project construction, a final Technical Memorandum: Leachate Collection and Removal System shall be prepared and implemented as part of the PCLUP. The technical memorandum shall be submitted to the LEA for review and approval and to CalRecycle and the Regional Water Board for review and comment. Specifically, the final technical memorandum shall contain, at a minimum, the following requirements:</p> <ul style="list-style-type: none"> <li>• During the construction phase of Parcel 3, the existing leachate collection and removal system (LCRS) risers LR-1 and LR-4 shall be protected and preserved during construction by flagging the well head locations, extending the risers, and installing a bollard around each riser.</li> <li>• If LR-1 or LR-4 are damaged during construction, repairs and modifications shall be completed promptly.</li> <li>• LR-1 and LR-4 shall be supported and anchored to prevent potential settlement over time and finished to grade at the end of excavation and/or completion of construction.</li> <li>• Ongoing operation and maintenance of the leachate recovery system shall continue during and after Project construction. The LCRS monitoring shall continue in accordance with the Regional Water Board’s WDR Order No. R2-2002-0008 for the site, which shall be revised to consider the proposed development and modifications to the landfill systems.</li> </ul>	<p>Project Developer to submit to City a Subsurface Fire Prevention, Detection,</p>	<p>Project Developer</p>	<p>Department of Public Works</p>	<p>Submittal of Plan prior to issuance of grading or</p>
<p><b>HAZ-9.1: Subsurface Fire Prevention, Detection, and Response Plan.</b><sup>18</sup> Prior to construction, a Subsurface Fire Prevention, Detection, and Response Plan shall be prepared that describes how subsurface heating conditions above the landfill will be monitored, prevented, and suppressed. The plan, which may be included as part of a</p>				

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<sup>18</sup> To the extent the implementation of this mitigation measure at Parcel 3 is made necessary by, or altered by, the City’s park development activities, the City shall be responsible for implementation.

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing <sup>1</sup>
<p>larger planning document, shall identify responsible parties and schedules for implementing the measures described in the plan. The Project Developer shall submit the plan to the LEA, CalRecycle, and the Santa Clara Fire Department (SCFD) for review and comment. Responses to comments shall be incorporated into a final Subsurface Fire Prevention, Detection, and Response Plan from the regulatory agencies. The plan shall also incorporate the prevention, detection, and response actions described under Mitigations HAZ-9.2 and HAZ-9.3, below, unless alternative actions are approved by LEA, CalRecycle, and SCFD. The final plan shall be implemented during Project construction and operation.</p>	<p>and Response Plan that has been reviewed and commented on by relevant agencies. The Plan shall be implemented consistent with the Landfill Operations and Maintenance Agreement.</p>			<p>construction permits for Parcels 1, 2, 3, and 4. Implementation during Project construction and operation</p>
<p><b>HAZ-9.2: Subsurface Fire Prevention and Detection Measures.</b><sup>19</sup> The following measures may be included in whole, or in part, in the Subsurface Fire Prevention, Detection, and Response Plan, as required by the LEA, CalRecycle, and SCFD. In addition, these agencies may require additional measures.</p> <p>The landfill gas collection system shall be monitored and maintained to minimize the intrusion of oxygen (i.e., air) into the landfill and prevent the overheating of waste due to aerobic decomposition. In accordance with BAAQMD monitoring requirements (Regulation 8-34), the gauge pressure, nitrogen or oxygen concentration, and temperature of landfill gas within each extraction wellhead shall be monitored once a month and evaluated to ensure the system is not overdrawing air into the landfill. The nitrogen and oxygen concentrations may be measured using a calibrated portable instrument. The landfill gas measured at each extraction well head must meet the following monitoring threshold requirements:</p> <ul style="list-style-type: none"> <li>• Nitrogen concentrations less than 20 percent or oxygen levels less than 5 percent; and</li> <li>• Maximum temperature of 140 degrees Fahrenheit.</li> </ul> <p>The nitrogen and oxygen thresholds shall be used to indicate if the gas collection system is overdrawing and causing excessive ambient air infiltration into the landfill through its surface and sides. An exceedance of the maximum temperature threshold shall indicate that a subsurface fire may exist. Other evidence of a potential subsurface fire shall include the following:</p> <ul style="list-style-type: none"> <li>• Observations of rapid settlement over a short period of time;</li> <li>• Smoke or smoldering odor emanating from the gas extraction system or landfill; or</li> <li>• Combustion residue in extraction wells and/or headers.</li> </ul>	<p>Project Developer to integrate these measures into the Subsurface Fire Prevention, Detection, and Response Plan as requested by relevant agencies.</p>	<p>Project Developer</p>	<p>Department of Public Works</p>	<p>Submittal of Plan: Prior to issuance of grading or construction permits for Parcels 1, 2, 3, and 4. Implementation during Project construction and operation</p>

<sup>19</sup> To the extent the implementation of this mitigation measure at Parcel 3 is made necessary by, or altered by, the City’s park development activities, the City shall be responsible for implementation.

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing <sup>1</sup>
<p>The landfill gas collection system shall be adjusted to reduce well extraction rates (if necessary) to ensure the monitoring thresholds for nitrogen/oxygen and temperature are not exceeded, while continuing to ensure the control of other excessive gas concentrations in the landfill (e.g., methane and trace gases) as specified in 27 CCR 20939. In the event that one or both of the monitoring thresholds are exceeded or other evidence of a potential subsurface fire is observed, then gas samples shall be collected from the extraction wells in the affected area and submitted to a certified laboratory for analysis of nitrogen, oxygen, and carbon monoxide. Analytical results for nitrogen and oxygen that exceed the monitoring thresholds shall be used as confirmation that an aerobic environment is present. Analytical results for carbon monoxide that exceed 1,000 parts per million shall be used as confirmation that a subsurface fire exists.</p>	<p>City to ensure that SCFD is aware of and trained on protocols. Project Developer and/or City to notify agencies if a subsurface fire condition is confirmed and to implement subsurface fire suppression measures.</p>	<p>Project Developer / City</p>	<p>City Planning &amp; Inspection; SCFD</p>	<p>Prior to operation of Project over landfill areas for SCFD protocols. After confirmation of a subsurface fire condition as to agency notification</p>
<b>UTILITIES AND SERVICE SYSTEMS</b>				
<p><b>UT-3.1: Make a Fair-Share Contribution to Upgrading the Rabello and Northside Pump Station System’s Capacity.</b> The City will conduct detailed engineering study and analysis to determine the precise size and timing needed for the required pump station capacity upgrades to address overcapacity due to projected cumulative development. The City will implement the required capacity upgrades and the Developer will fund its fair share of such upgrades. The City shall determine the fair-share cost contribution for the Project based on the Project’s percent of wastewater flow cumulative capacity needs above the current pump capacity (based on conceptual planning to date, that fair share is estimated as 27 percent of 2035 cumulative overcapacity amount). The City may require the Developer to fund the design and construction of the conveyance capacity upgrades to the Rabello and</p>	<p>Conduct a detailed engineering study and analysis to determine the precise size and timing needed for the required pump station capacity upgrades to address overcapacity due to projected cumulative development. Project</p>	<p>Department of Public Works</p>	<p>City Planning &amp; Inspection</p>	<p>Conduct study prior to construction of Phase 2 of the Project, fund prior to issuance of first building permit for Phase 2 of the Project or later as</p>

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing <sup>1</sup>
<p>Northside Sanitary Sewer Pump Stations concurrent with construction of Phase 2 of the Project; the pump station upgrades would be designed to address overcapacity due to projected cumulative development. If the Developer is required to fund pump station upgrade costs, with the exception of costs attributable to the Project’s fair share contribution to the upgrade, the City would reimburse the Developer for the design and construction costs through first (a) refunding the Project’s Sanitary Sewer Conveyance Fees already paid by Developer or crediting those fees when due and (b) providing to Developer Sanitary Sewer Conveyance Fees collected from developers of projects that would use the Rabello and Northside Sanitary Sewer Pump Stations.</p>	<p>Developer to contribute fair-share, and potentially front costs of full upgrade.</p>			<p>otherwise determined necessary by City; if Developer to fund full pump station upgrade costs, Developer and City enter funding and reimbursement agreement prior to upgrade</p>

**MITIGATION MONITORING & REPORTING PROGRAM**  
**City Place Santa Clara Project – Secondary Impacts for Intersection Improvements**  
**Planning/CEQA File # PLN2014-10554/CEQ2014-01180**  
**State Clearinghouse # 2014072078**

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing
<b>TRANSPORTATION</b>				
<p><b>IM-TRA-1: Prepare and Implement a Construction Traffic Control Plan.</b> Prior to issuance of grading permits, the construction contractor will develop the traffic control plan in accordance with the appropriate jurisdiction’s policies and submit for approval. The plan will be implemented throughout the course of construction and may include, but will not be limited to, the following elements.</p> <ul style="list-style-type: none"> <li>• Limit truck access to the intersection during peak commute times (7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 pm.).</li> <li>• Require that written notification be provided to contractors regarding appropriate routes to and from the intersection, and the weight and speed limits on local roads used to access the intersection.</li> <li>• Provide access for emergency vehicles at all times.</li> <li>• Provide adequate parking for construction employees, site visitors, and inspectors as feasible.</li> <li>• Maintain bicycle and pedestrian access and circulation during Project construction where safe to do so. If construction encroaches on a bike lane, warning signs will be posted that indicate bicycles and vehicles are sharing the roadway. If construction encroaches on a sidewalk, a safe detour will be provided for pedestrians at the nearest crosswalk.</li> <li>• Require traffic controls in the vicinity of the intersection, including flagpersons with bright orange or red vests and using a “Stop/Slow” paddle to control oncoming traffic.</li> <li>• Post standard construction warning signs in advance of the construction area and at any intersection that provides access to the construction area.</li> <li>• Repair or restore the road right-of-way to its original condition or better upon completion of the work.</li> </ul>	<p>Project Developer to prepare and submit a Construction Traffic Control Plan for the purpose of managing traffic and reducing traffic congestion during construction. City to review and approve Plan.</p>	<p>Project Developer/ Project Contractor</p>	<p>Department of Public Works</p>	<p>Prior to issuance of grading and building permits</p>
<b>AIR QUALITY</b>				
<p><b>IM-AQ-1: Implement Measures to Reduce Construction-Related Dust Emissions.</b> The Project Developer shall require all construction contractors to implement the specific construction mitigation measures below to reduce fugitive dust. Emissions reduction measures shall include, at a minimum, the measures below. Alternative</p>	<p>Project Developer to provide to City applicable provisions of construction contracts</p>	<p>Project Developer/ Project Contractor</p>	<p>City Planning &amp; Inspection Division</p>	<p>Prior to issuance of grading and building</p>

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing
<p>measures may be identified by the Project Developer or its contractor, as appropriate, provided that they are as effective as the measures below. Alternative measures shall be submitted to the City for approval.</p> <ul style="list-style-type: none"> <li>• All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe. If water infiltration into landfill refuse layers is a concern, non-toxic soil stabilizers may be used instead.</li> <li>• All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph for a period of 2 hours or more.</li> <li>• Windbreaks (e.g., fences) shall be installed on the windward side(s) of actively disturbed areas of construction. Windbreaks shall have at maximum 50 percent air porosity.</li> <li>• Exposed ground areas that are to be reworked more than 1 month after initial grading should be sown with fast-germinating native grass seed and watered appropriately until vegetation is established. If grass seeding is not feasible, then non-toxic soil stabilizers may be used.</li> <li>• All construction trucks and equipment, including tires, involved in ground disturbance or transit through loose soil areas shall be washed off prior to leaving the site.</li> <li>• Site accesses to a distance of 25 feet from the paved road shall be treated with a 6- to 12-inch compacted layer of wood chips, mulch, or gravel. Alternatively, a rumble plate may be used in place of chips, mulch, or gravel.</li> <li>• Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from sites with a slope greater than 1 percent.</li> </ul>	<p>specifying construction mitigation measures to reduce construction-related dust emissions.</p>			permits
<p><b>IM-AQ-2: Implement Measures to Reduce Construction-Related Exhaust Emissions.</b> The Project Developer shall require all construction contractors to implement the specific construction mitigation measures below to reduce equipment exhaust emissions. Emission reduction measures shall include, at a minimum, the measures below. Alternative measures may be identified by the Project Developer or its contractor, as appropriate, provided that they are as effective as the measures below. Alternative measures shall be submitted to the City for approval.</p> <ul style="list-style-type: none"> <li>• Idling time of diesel powered construction equipment shall be limited to 2 minutes.</li> <li>• Ensure that all off-road diesel-powered equipment used during construction between 2017 and 2022 is equipped with U.S. Environmental Protection Agency (EPA) Tier 3 or cleaner engines, except for specialized construction equipment for which an EPA Tier 3 engine is not available. Consistent with advancements of the statewide fleet average, the Project Developer shall ensure that all off-road diesel-</li> </ul>	<p>Project Developer to provide to City applicable provisions of construction contracts construction mitigation measures to reduce construction-related exhaust emissions.</p>	<p>Project Developer/ Project Contractor</p>	<p>City Planning &amp; Inspection Division</p>	<p>Prior to issuance of grading and building permits</p>

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing
<p>powered equipment used during construction between 2023 and 2030 is equipped with EPA Tier 4 engines. This requirement will ensure construction equipment remains cleaner than the fleet-wide average.</p> <ul style="list-style-type: none"> <li>• Ensure that all on-road heavy-duty diesel trucks with a gross vehicle weight rating (GVWR) of 19,500 pounds or greater used at the Project site comply with EPA 2007 on-road emissions standards for particulate matter of 10 micrometers or less (PM10) and nitrogen oxides (NO<sub>x</sub>) (0.01 grams per brake horsepower-hour [g/bhp-hr] and 0.20 g/bhp-hr, respectively).</li> <li>• Notwithstanding the above requirements, all construction equipment, diesel trucks, and generators shall meet the California Air Resources Board’s most recent certification standard for off-road heavy-duty diesel engines and shall employ Best Available Control Technology for reductions in NO<sub>x</sub> and particulate matter (PM) emissions if more stringent than the requirements above.</li> </ul>				
<b>GREENHOUSE GAS EMISSIONS</b>				
<p><b>IM-GHG-1: Utilize Alternative Fuels during Construction.</b> Require construction contractors to use alternative fuels in at least 30 percent of the construction equipment that uses diesel fuel. Alternative fuels may include electricity, compressed natural gas (CNG), biodiesel (B-20), or renewable diesel, such as diesel high-performance renewable (HPR).</p>	<p>Project Developer to provide to City applicable provisions of construction contracts requiring adequate use of alternative fuels.</p>	<p>Project Developer/ Project Contractor</p>	<p>City Planning &amp; Inspection Division</p>	<p>Prior to issuance of grading and building permits</p>
<b>CULTURAL RESOURCES</b>				
<p><b>IM-CR-1: Conduct Cultural Resource Investigations and Protect and Recover Significant Resources.</b> The Lead Agency shall conduct a cultural resource investigation that includes a background records search (including a search of records from Sonoma State and historical societies, contact with Native American representatives identified by the Native American Heritage Commission (NAHC), and site pedestrian surveys) for the areas of ground disturbance from each roadway improvement. If significant known or suspected sites are discovered within the Project footprint and would be disturbed by the Project, then a cultural resource treatment plan shall be prepared, defining Project monitoring and resource recovery and curation requirements concerning any encountered cultural resources.</p>	<p>Lead Agency to conduct a cultural resource investigation that includes a background records search during ground disturbance. If necessary, Lead Agency to prepare and execute cultural resource treatment plan.</p>	<p>City Planning &amp; Inspection Division</p>	<p>City Planning &amp; Inspection Division</p>	<p>Prior to issuance of grading and building permits</p>
<p><b>IM-CR-2: Stop Work if Cultural Resources Are Encountered during Ground-Disturbing Activities.</b> In the event that cultural resources are encountered during ground-disturbing activities, all work within proximity of the find shall temporarily halt so that the archaeological monitor can examine the find and document its provenience and nature (e.g., with drawings, photographs, written descriptions). The</p>	<p>Archaeological monitor (retained by the Project Developer), as necessary, and in consultation with the</p>	<p>Project Developer/ Qualified Archaeologist</p>	<p>City Planning &amp; Inspection Division</p>	<p>During construction if cultural resources are</p>

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing
<p>archaeological monitor shall then direct that the work proceed if the find is deemed to be insignificant, continue elsewhere, or cease until adequate mitigation measures are adopted. If the find is determined to be potentially significant, the archaeologist, in consultation with the appropriate jurisdiction, shall develop a treatment plan, which could include site avoidance, capping, or data recovery. If data recovery is determined to be appropriate, excavation shall target recovery of an appropriate amount of information from archaeological deposits to determine the potential of the resource to address specific research questions. If it occurs, data recovery shall emphasize the understanding of the archaeological deposit's structure, including features and stratification, horizontal and vertical extent, and content, including the nature and quantity of artifacts.</p>	<p>City, develop a Treatment Plan.</p>			<p>encountered</p>
<p><b>IM-CR-3: Stop Work if Human Remains Are Encountered during Ground-Disturbing Activities.</b> If human remains are discovered (in either an archaeological or construction context), all work within proximity of the remains shall stop so that the archaeological monitor can examine the remains. The County Coroner shall be notified to make a determination as to whether the remains are of Native American origin. If the remains are determined to be Native American, the coroner shall notify the NAHC immediately. The NAHC shall notify those persons it believes are most likely descended from the deceased Native American. Once the NAHC identifies the most likely descendants, the descendants will make recommendations regarding proper burial, which will be implemented in accordance with Section 15064.5(e) of the State CEQA Guidelines.</p>	<p>Project Developer to submit to City applicable provisions of construction contracts including applicable requirements.</p>	<p>Project Developer/ Project Contractor</p>	<p>County Coroner/ NAHC</p>	<p>Prior to issuance of grading and building permits.</p>
<b>BIOLOGICAL RESOURCES</b>				
<p><b>IM-BIO-1: Replace Removed Trees.</b> The Project Developer shall replace all trees removed as part of the intersection improvements in accordance with the tree preservation policies or ordinances of the jurisdiction in which the improvements are constructed.</p>	<p>Project Developer to provide to City report documenting plans to replace all trees removed as part of the intersection improvements.</p>	<p>Project Developer</p>	<p>City Planning &amp; Inspection Division</p>	<p>Prior to issuance of grading and building permits</p>
<p><b>IM-BIO-2: Preconstruction Surveys.</b> For all intersections that have trees within the intersection footprint or that will remove trees, the Project Developer and its contractors shall avoid conducting vegetation removal during the migratory bird nesting season (February 1–August 31), if feasible. If construction activities must commence during the migratory bird nesting season, the Project Developer shall retain a qualified wildlife biologist to conduct a survey for nests of migratory birds.</p>	<p>Project Developer to provide to City provisions of construction contracts including pertinent requirements. If</p>	<p>Project Developer/ Project Contractor/ Qualified wildlife</p>	<p>City Planning &amp; Inspection Division</p>	<p>Prior to issuance of grading and building permits for biologist and</p>

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing
<p>Surveys for nesting migratory birds shall occur within 3 days prior to the commencement of ground disturbance and vegetation removal.</p> <p>If an active nest is discovered, a no-disturbance buffer zone around the nest tree or shrub (or, for ground-nesting species, the nest itself) shall be established. The no-disturbance zone shall be marked with flagging or fencing that is easily identified by the construction crew and shall not affect the nesting bird or attract predators to the nest location. In general, the minimum buffer zone widths shall be as follows: 50 feet (radius) for non-raptor ground-nesting species, 50 feet (radius) for non-raptor shrub- and tree-nesting species, and 300 feet (radius) for raptor species. Buffer widths may be modified based on discussion with the California Department of Fish and Wildlife (CDFW). Buffers shall remain in place as long as the nest is active or young remain in the area and are dependent on the nest. If a burrowing owl nest is identified during preconstruction surveys, no-activity buffers will adhere to the recommendations in the 2012 California Department of Fish and Game Staff Report on Burrowing Owl Mitigation.</p>	<p>construction occurs in the nesting season, Project Developer to submit to City agreement with qualified wildlife biologist requiring surveys and protective measures.</p>	<p>biologist</p>		<p>construction contracts; prior to commencement of grading for biologist agreements; and prior to ground disturbance for surveys</p>
<p><b>IM-BIO-3: Site-Specific Surveys and Species/Habitat Avoidance, Minimization, and Compensation Measures.</b> For intersections with the potential to have sensitive habitats, the Project Developer, in consultation with a qualified biologist, shall conduct site-specific surveys for special-status species, sensitive habitats, wetlands and waters of the United States, and nesting birds. If found, the Project Developer and its contractor shall implement avoidance and minimization measures, where feasible. Where avoidance is not possible, the Project Developer shall compensate for lost habitat at a minimum 1:1 basis. Compensation for lost habitat will be determined in consultation with CDFW/U.S. Fish and Wildlife Service (USFWS), as appropriate. The Project Developer shall obtain all required permits from the U.S. Army Corps of Engineers (USACE), the Regional Water Quality Control Board, and CDFW, and USFWS, as appropriate. The Project Developer shall provide buffer fencing and species relocation, as necessary, if permitted by CDFW/USFWS. Additionally, if special-status species or habitats are identified during the site-specific surveys, a Worker Environmental Awareness Training Program for construction personnel will be conducted by a qualified biologist retained by the Project Developer. The program will provide workers with information on their responsibilities with regard to the special-status species. The training will provide a physical description of the special-status species that have potential to occur and be affected by construction activities to each construction crew prior to the initiation of the crew’s construction activities. The worker awareness training will also detail each species’ habitat and legal protections, a photo of relevant species, and contact information for the primary biologist.</p>	<p>Project Developer to conduct site-specific surveys for special-status species, sensitive habitats, wetlands and waters of the United States, and nesting birds and provide to City for review and approval. If special status species are found, Project Developer to submit documentation to City detailing protective measures for review and approval.</p>	<p>Project Developer/ Qualified biologist</p>	<p>City Planning &amp; Inspection Division</p>	<p>Prior to issuance of grading and building permits</p>

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing
<b>GEOLOGY AND SOILS</b>				
<p><b>IM-GEO-1: Prepare a Geotechnical Investigation.</b> Prior to construction of any intersection improvement that requires retaining walls (or disturbance of existing retaining wall), disturbance or placement of fill, substantial excavation below grade, establishment of new slopes, and/or placement of new structures above or below grade, the Project Developer shall prepare a geotechnical investigation to evaluate the potential for geologic, seismic, and soil risks. The geotechnical investigation shall include recommendations to abate any potential risks. If risks are identified, the Project Developer shall implement the recommendations included in the geotechnical investigation.</p>	<p>Project Developer to provide to City geotechnical investigation for review and approval. City and Developer to submit such report to regulatory agencies and secure approval as required. Project Developer to incorporate resulting measures into project plans.</p>	<p>Project Developer/City</p>	<p>City Planning and Inspection Division</p>	<p>Prior to issuance of grading and building permits</p>
<b>HYDROLOGY AND WATER QUALITY</b>				
<p><b>IM-WQ-1: Prepare a Hydrology and Water Quality Technical Report.</b> Prior to construction of any intersection improvement, the Project Developer shall prepare a hydrology and water quality technical report to evaluate the existing drainage and stormwater conditions at the subject intersections. The technical report shall include recommendations for drainage and stormwater controls to minimize impacts related to changes in drainage patterns that would result from the intersection improvements. The Project Developer shall be required to implement the report's recommendations.</p>	<p>Project Developer to provide to City a hydrology and water quality technical report to evaluate the existing drainage and stormwater conditions at the subject intersections for review and approval.</p>	<p>Project Developer</p>	<p>City Planning &amp; Inspection Division</p>	<p>Prior to issuance of grading and building permits</p>

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing
<b>HAZARDS AND HAZARDOUS MATERIALS</b>				
<p><b>IM-HAZ-1: Prepare a Phase I Environmental Site Assessment.</b> Prior to construction of any intersection improvement involving ground disturbance of acquired property, the Project Developer shall conduct a Phase I Environmental Site Assessment. Where the potential to encounter hazardous materials or waste is identified, the Project Developer shall prepare and implement a soil/groundwater handling plan that identifies measures to properly dispose of contaminated materials. Measures could include worker education and training, as appropriate, and site-specific controls to avoid risks to workers and adjacent residents or others.</p>	<p>Project Developer to submit Phase I Environmental Site Assessment to City for review and approval. Project Developer to implement soil/groundwater handling plan to City for review and approval.</p>	<p>Project Developer</p>	<p>Department of Public Works</p>	<p>Prior to issuance of grading and building permits</p>

**MITIGATION MONITORING & REPORTING PROGRAM**  
**City Place Santa Clara Project – Secondary Impacts for Soundwalls**  
**Planning/CEQA File # PLN2014-10554/CEQ2014-01180**  
**State Clearinghouse # 2014072078**

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing
<b>TRANSPORTATION</b>				
<p><b>SW-TRA-1: Prepare and Implement a Construction Traffic Control Plan.</b> Prior to issuance of grading permits, the construction contractor will develop the traffic control plan in accordance with the City’s policies and submit for approval. The plan will be implemented throughout the course of construction and may include, but will not be limited to, the following elements:</p> <ul style="list-style-type: none"> <li>• Limit truck access to the soundwall site during peak commute times (7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.).</li> <li>• Require that written notification be provided to contractors regarding appropriate routes to and from the soundwall and the weight and speed limits on local roads that would be used to access the soundwall site.</li> <li>• Provide access for emergency vehicles at all times.</li> <li>• Provide adequate parking for construction workers, site visitors, and inspectors as feasible.</li> <li>• Maintain bicycle and pedestrian access and circulation during Project construction where safe to do so. If construction encroaches on a bike lane, warning signs will be posted that indicate that bicycles and vehicles are sharing the roadway. If construction encroaches on a sidewalk, a safe detour will be provided for pedestrians at the nearest crosswalk.</li> <li>• Require traffic controls in the vicinity of the soundwall, including flagpersons with bright orange or red vests and using a “Stop/Slow” paddle to control oncoming traffic.</li> <li>• Post standard construction warning signs in advance of the construction area and at any soundwall that provides access to the construction area.</li> <li>• Repair or restore the road right-of-way to its original condition or better upon completion of the work.</li> </ul>	Project Developer to prepare and submit a Construction Traffic Control Plan for the purpose of managing traffic and reducing traffic congestion during construction. City to review and approve Plan.	Project Developer/Project Contractor	Department of Public Works	Prior to grading and building permit issuance.
<b>AIR QUALITY</b>				
<p><b>SW-AQ-1: Implement Measures to Reduce Construction-Related Dust Emissions.</b> The Project Developer shall require all construction contractors to implement the specific construction mitigation measures below to reduce fugitive dust. Emission reduction measures shall include, at a minimum, the measures below. Alternative</p>	Project Developer to City applicable provisions of construction contracts specifying construction	Project Developer/Project Contractor	City Planning & Inspection Division	Prior to issuance of grading and building

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing
<p>measures may be identified by the Project Developer or its contractor, as appropriate, provided that they are as effective as the measures below. Alternative measures shall be submitted to the City for approval.</p> <ul style="list-style-type: none"> <li>• All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe. If water infiltration into landfill refuse layers is a concern, non-toxic soil stabilizers may be used instead.</li> <li>• All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph for a period of 2 hours or more.</li> <li>• Windbreaks (e.g., fences) shall be installed on the windward side(s) of actively disturbed areas of construction. Windbreaks shall have at maximum 50 percent air porosity.</li> <li>• Exposed ground areas that are to be reworked more than 1 month after initial grading should be sown with fast-germinating native grass seed and watered appropriately until vegetation is established. If grass seeding is not feasible, then non-toxic soil stabilizers may be used.</li> <li>• All construction trucks and equipment, including tires, involved in ground disturbance or transit through loose soil areas shall be washed off prior to leaving the site.</li> <li>• Site accesses to a distance of 25 feet from the paved road shall be treated with a 6- to 12-inch compacted layer of wood chips, mulch, or gravel. Alternatively, a rumble plate may be used in place of chips, mulch, or gravel.</li> <li>• Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from sites with a slope greater than 1 percent.</li> </ul>	<p>mitigation measures to reduce construction-related dust emissions.</p>			<p>permits</p>
<p><b>SW-AQ-2: Implement Measures to Reduce Construction-Related Exhaust Emissions.</b> The Project Developer shall require all construction contractors to implement the specific construction mitigation measures below to reduce equipment exhaust emissions. Emission reduction measures shall include, at a minimum, the measures below. Alternative measures may be identified by the Project Developer or its contractor, as appropriate, provided that they are as effective as the measures below. Alternative measures shall be submitted to the City for approval.</p> <ul style="list-style-type: none"> <li>• Idling time of diesel powered construction equipment shall be limited to 2 minutes.</li> <li>• The Project Developer shall ensure that all off-road diesel-powered equipment used during construction between 2017 and 2022 is equipped with U.S. Environmental Protection Agency (EPA) Tier 3 or cleaner engines, except for specialized construction equipment for which an EPA Tier 3 engine is not available. Consistent with advancements of the statewide fleet average, the Project Developer</li> </ul>	<p>Project Developer to provide to City applicant provisions of construction contracts specifying construction mitigation measures to reduce construction-related exhaust emissions.</p>	<p>Project Developer/ Contractor</p>	<p>City Planning &amp; Inspection Division</p>	<p>Prior to issuance of grading and building permits</p>

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing
<p>shall ensure that all off-road diesel-powered equipment used during construction between 2023 and 2030 is equipped with EPA Tier 4 engines. This requirement will ensure that construction equipment remains cleaner than the fleet-wide average.</p> <ul style="list-style-type: none"> <li>The Project Developer shall ensure that all on-road heavy-duty diesel trucks with a gross vehicle weight rating (GVWR) of 19,500 pounds or greater used at the Project site comply with EPA 2007 on-road emissions standards for particulate matter of 10 micrometers or less (PM10) and nitrogen oxides (NO<sub>x</sub>) (0.01 grams per brake horsepower-hour [g/bhp-hr] and 0.20 g/bhp-hr, respectively).</li> <li>Notwithstanding the above requirements, all construction equipment, diesel trucks, and generators shall meet the California Air Resources Board's most recent certification standard for off-road heavy-duty diesel engines and shall employ Best Available Control Technology for emission reductions of NO<sub>x</sub> and particulate matter (PM) if more stringent than the requirements above.</li> </ul>				

**CULTURAL RESOURCES**

<p><b>SW-CR-1: Conduct Cultural Resource Investigations and Protect and Recover Significant Resources.</b> The improvement Lead Agency shall conduct a cultural resource investigation of the areas of ground disturbance associated with the soundwall that includes a background records search (including a search of records from Sonoma State and historical societies, contact with Native American representatives identified by the Native American Heritage Commission [NAHC], and site pedestrian surveys) for the areas of ground disturbance from each roadway improvement. If significant known or suspected sites are discovered within the Project footprint and would be disturbed by the Project, then a cultural resource treatment plan shall be prepared, defining Project monitoring and resource recovery and curation requirements concerning any encountered cultural resources.</p>	<p>City to conduct a cultural resource investigation that includes a background records search during ground disturbance. If necessary, City to prepare and execute cultural resource treatment plan.</p>	<p>City Planning &amp; Inspection Division</p>	<p>City Planning &amp; Inspection Division</p>	<p>Prior to issuance of grading and building permits</p>
<p><b>SW-CR-2: Stop Work if Cultural Resources Are Encountered during Ground-Disturbing Activities.</b> In the event that cultural resources are encountered during ground-disturbing activities, all work within proximity of the find shall temporarily halt so that the archaeological monitor can examine the find and document its provenience and nature (e.g., withdrawals, photographs, written descriptions). The archaeological monitor shall then direct that the work proceed if the find is deemed to be insignificant, continue elsewhere, or cease until adequate mitigation measures are adopted. If the find is determined to be potentially significant, the archaeologist, in consultation with the appropriate jurisdiction, shall develop a treatment plan, which could include site avoidance, capping, or data recovery. If data recovery is determined to be appropriate, excavation shall target recovery of an appropriate amount of information from archaeological deposits to determine the potential of the resource</p>	<p>Archaeological monitor (retained by the Project Developer), as necessary, and in consultation with the City, develop a Treatment Plan.</p>	<p>Project Developer/ Qualified Archaeologist</p>	<p>City Planning &amp; Inspection Division</p>	<p>During construction if cultural resources are encountered</p>

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing
<p>to address specific research questions. If it occurs, data recovery shall emphasize the understanding of the archaeological deposit’s structure, including features and stratification, horizontal and vertical extent, and content, including the nature and quantity of artifacts.</p> <p><b>SW-CR-3: Stop Work if Human Remains Are Encountered during Ground-Disturbing Activities.</b> If human remains are discovered (in either an archaeological or construction context), all work within proximity of the remains shall stop so that the archaeological monitor can examine the remains. The County Coroner shall be notified to make a determination as to whether the remains are of Native American origin. If the remains are determined to be Native American, the coroner shall notify the NAHC immediately. The NAHC shall notify those persons it believes are most likely descended from the deceased Native American. Once the NAHC identifies the most likely descendants, the descendants will make recommendations regarding proper burial, which will be implemented in accordance with Section 15064.5(e) of the State CEQA Guidelines.</p>	<p>Project Developer to submit to City applicable provisions of construction contracts including applicable requirements.</p>	<p>Project Developer/ Project Contractor</p>	<p>County Coroner/ NAHC</p>	<p>Prior to issuance of grading and building permits</p>
<b>BIOLOGICAL RESOURCES</b>				
<p><b>SW-BIO-1: Replace Removed Trees on a 2:1 Basis.</b> The Project Developer shall replace all trees removed as part of soundwall construction at a minimum of 2:1, or more, as required by the local tree ordinance.</p>	<p>Project Developer to provide to City report documenting plans to replace all trees removed at a 2:1 ratio for review and approval.</p>	<p>Project Developer</p>	<p>City Planning &amp; Inspection Division</p>	<p>Prior to issuance of grading and building permits</p>
<p><b>SW-BIO-2: Preconstruction Surveys.</b> The Project Developer and its contractors shall avoid conducting vegetation removal during the migratory bird nesting season (February 1–August 31) if feasible. If construction activities must commence during the migratory bird nesting season, the Project Developer shall retain a qualified wildlife biologist to conduct a survey for nests of migratory birds. Surveys for nesting migratory birds shall occur within 3 days prior to the commencement of ground disturbance and vegetation removal.</p> <p>If an active nest is discovered, a no-disturbance buffer zone around the nest tree or shrub (or, for ground-nesting species, the nest itself) shall be established. The no-disturbance zone shall be marked with flagging or fencing that is easily identified by the construction crew and shall not affect the nesting bird or attract predators to the nest location. In general, the minimum buffer zone widths shall be as follows: 50 feet (radius) for non-raptor ground-nesting species, 50 feet (radius) for non-raptor shrub- and tree-nesting species, and 300 feet (radius) for raptor species. Buffer widths may</p>	<p>Project Developer to provide to City provisions of construction contracts including pertinent requirements. If construction occurs in the nesting season, Project Developer to submit to City agreement with qualified wildlife biologist requiring surveys and protective</p>	<p>Project Developer/ Project Contractor/ Qualified wildlife biologist</p>	<p>City Planning &amp; Inspection Division</p>	<p>Prior to issuance of grading and building permits for biologist and construction contracts; prior to commencement of grading for biologist agreements;</p>

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing
<p>be modified based on discussion with the California Department of Fish and Wildlife (CDFW). Buffers shall remain in place as long as the nest is active or young remain in the area and are dependent on the nest. If a burrowing owl nest is identified during pre-construction surveys, no-activity buffers will adhere to the recommendations in the 2012 California Department of Fish and Game Staff Report on Burrowing Owl Mitigation.</p>	<p>measures.</p>			<p>and prior to ground disturbance for surveys</p>
<p><b>SW-BIO-3: Site-Specific Surveys and Species/Habitat Avoidance, Minimization, and Compensation Measures.</b> The Project Developer, in consultation with a qualified biologist, shall conduct a site-specific surveys for special-status species, sensitive habitats, wetlands and waters of the United States, and nesting birds. If found, the Project Developer and its contractor shall implement avoidance and minimization measures, where feasible. Where avoidance is not possible, the Project Developer shall compensate for lost habitat on a minimum 1:1 basis. Compensation for lost habitat will be determined in consultation with CDFW/U.S. Fish and Wildlife Service (USFWS), as appropriate. The Project Developer shall obtain all required permits from the U.S. Army Corps of Engineers (USACE), the Regional Water Quality Control Board, and CDFW and USFWS as appropriate. The Project Developer shall provide buffer fencing and species relocation, as necessary, if permitted by CDFW/USFWS. Additionally, if special-status species or habitats are identified during the site-specific surveys, a Worker Environmental Awareness Training Program for construction personnel will be conducted by a qualified biologist retained by the Project Developer. The program will provide workers with information on their responsibilities with regard to the special-status species. The training will provide a physical description of the special-status species that have potential to occur and be affected by construction activities to each construction crew prior to the initiation of the crew’s construction activities. The worker awareness training will also provide details regarding each species’ habitat and legal protections, a photo of relevant species, and contact information for the primary biologist.</p>	<p>Project Developer to conduct site-specific surveys for special-status species, sensitive habitats, wetlands and waters of the United States, and nesting birds and provide to City for review and approval. If special status species are found, Project Developer to submit documentation to City detailing protective measures for review and approval.</p>	<p>Project Developer/ Qualified biologist</p>	<p>City Planning &amp; Inspection Division</p>	<p>Prior to issuance of grading and building permits</p>
<b>GEOLOGY AND SOILS</b>				
<p><b>SW-GEO-1: Prepare a Geotechnical Investigation.</b> Prior to construction of the soundwall, the Project Developer shall prepare a geotechnical investigation to evaluate the potential for geologic, seismic, and soil risks. The geotechnical investigation shall include recommendations to abate any potential risks. If risks are identified, the Project Developer shall implement the recommendations included in the geotechnical investigation.</p>	<p>Project Developer to provide to City geotechnical investigation for review and approval. City and Developer to submit such report to regulatory agencies and</p>	<p>Project Developer/City</p>	<p>City Planning and Inspection Division</p>	<p>Prior to issuance of grading and building permits</p>

Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing
	secure approval as required. Project Developer to incorporate resulting measures into project plans.			

**HYDROLOGY AND WATER QUALITY**

<p><b>SW-WQ-1: Prepare a Hydrology and Water Quality Technical Report.</b> Prior to construction of the soundwall, the Project Developer shall prepare a hydrology and water quality technical report to evaluate the existing drainage and stormwater conditions at the soundwall site. The technical report shall include recommendations for drainage and stormwater controls to minimize impacts related to changes in drainage patterns that would result from the soundwall. The Project Developer shall be required to implement the report’s recommendations.</p>	<p>Project Developer to provide to City a hydrology and water quality technical report to evaluate the existing drainage and stormwater conditions at the soundwall site for review and approval.</p>	<p>Project Developer</p>	<p>City Planning &amp; Inspection Division</p>	<p>Prior to issuance of grading and building permits</p>
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**HAZARDS AND HAZARDOUS MATERIALS**

<p><b>SW-HAZ-1: Prepare a Phase I Environmental Site Assessment.</b> Prior to construction of the soundwall, the Project Developer shall conduct a Phase I Environmental Site Assessment. Where the potential to encounter hazardous materials or waste is identified, the Project Developer shall prepare and implement a soil/groundwater handling plan that identifies measures to properly dispose of contaminated materials. Measures could include worker education and training, as appropriate, and site-specific controls to avoid risks to workers and adjacent residents or others.</p>	<p>Project Developer to submit Phase I Environmental Site Assessment to City. Project Developer to implement soil/groundwater handling plan to City for review and approval.</p>	<p>Project Developer</p>	<p>Department of Public Works</p>	<p>Prior to issuance of grading and building permits</p>
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Mitigation and Avoidance Measures	Action	Implementing Party	Monitoring Party	Timing
<b>UTILITIES AND SERVICE SYSTEMS</b>				
<p><b>SW-UT-1: Identify Underground and Overhead Utilities and Provide Coordination with Utility Providers.</b> Prior to construction of the soundwall, the Project Developer shall identify all underground and overhead utilities within the footprint of the soundwall. If utilities are present, the Project Developer shall coordinate with the appropriate utility owners regarding utility shutoff during construction and relocation, as necessary.</p>	<p>Project Developer to identify all underground and overhead utilities within the footprint of the soundwall and provide documentation to City of coordination with the appropriate utility owners regarding utility shutoff during construction and relocation for review and approval.</p>	<p>City Planning &amp; Inspection</p>	<p>City Planning &amp; Inspection</p>	<p>Prior to issuance of grading and building permits</p>

**EXHIBIT MMRP-1**  
**City Place Santa Clara Project – Intersection Mitigation Implementation**  
**Planning/CEQA File # PLN2014-10554/CEQ2014-01180**  
**State Clearinghouse # 2014072078**

## **With Each Development Area Plan**

Each DAP application must include: (1) a calculation of the number of vehicle trips projected to result from development proposed in the DAP using the methods and trip generation rates in the Final EIR (adjusted as appropriate for the success of TDM measures), that accounts for the site design, density and diversity of proposed land uses of the current DAP application and previous DAP applications, (2) the vehicle trips allocated by building and summarized by land use, and (3) a site access analysis (including a simulation, if needed, as determined by the Director of Planning and Inspection or at the applicant's discretion) to determine which site access improvements should be constructed to serve the development proposed in the DAP.

The City (with assistance of consultants as desired) will peer review the data in the application and will determine at DAP approval for the development proposed in the DAP (1) the number of trips projected to result and the allocation of such trips by building and/or uses, and (2) the site access improvements required and the trip thresholds or development stages at which those improvements must be constructed.

## **As Development Occurs**

The Project Trip thresholds set forth in the table below, *Intersection Mitigation Sensitivity Analysis Results: Full Funding Responsibility*, establish the number of Project Trips at which each of the required intersection mitigation measures that are wholly the Project's responsibility to implement must be in place. The Project Phase column of the table is informational and not controlling.

Prior to the issuance of each building permit for a new building, using the calculated number of vehicle trips from the DAP application, Developer will calculate and submit to City the cumulative number of Project trips that will result from all prior development within the Project for which building permits have been issued plus the proposed new building. If the cumulative number of Project Trips meet or exceed any of the intersection Project Trip thresholds, the mitigation measures identified for each of those intersections shall be completed prior to issuance of the certificate of occupancy for the building for which the new permit is being sought, except that, for Intersections 48, 55, 57, 82, 84, 109 and 123, Developer will instead fund the mitigation measures at the costs specified in the table below, *Costs for Certain Full Funding Responsibility Improvements*, prior to the issuance of the pertinent building permit. Any building permits for renovations, remodeling or changes in use to previously permitted and occupied buildings prior to the completion of all Full Funding Responsibility intersection mitigations that result in net new vehicle trips will be subject to the same process.

Prior to the issuance of a building permit for each new building, the Developer shall pay to City a transportation fair share fee of \$2,474.18 per PM peak hour trip based on the calculated number of vehicle trips for each new building. The per trip fair share fee was determined by summing the Project's fair share of the estimated costs of mitigation measures for impacts to intersections located in the Cities of Santa Clara, San Jose, Sunnyvale, and those under the jurisdiction of the County of Santa Clara, totaling \$14,292,901 plus the Project's voluntary contribution to the Santa Clara Valley Transportation Authority (VTA) for impacts to freeway segments in Santa Clara and San Mateo Counties in the amount of \$16,164,220, divided by the 12,310 PM peak hour trips projected to be generated by the Project. The fee will be allocated among pertinent jurisdictions as follows: VTA 53.07%; County of Santa Clara 32.97%; City of San Jose 13.25%; City of Sunnyvale 0.11%; and City of Santa Clara 0.60%. Any building permits for renovations, remodeling or changes in use to previously permitted and occupied buildings that result in net new vehicle trips will be subject to the fee on the basis of net new PM peak hour vehicle trips until the full amount of the combined fair share fee and voluntary contribution of \$30,457,121 has been paid, after which no additional fee shall be paid.

Site access improvements will be built as required by DAP conditions of approval.

**EXHIBIT MMRP-1**

**City Place Santa Clara Project – Intersection Mitigation Sensitivity Analysis Results: Full Funding Responsibility  
 Planning/CEQA File # PLN2014-10554/CEQ2014-01180  
 State Clearinghouse # 2014072078**

<b>ID</b>	<b>Intersection</b>	<b>Jurisdiction/ CMP<sup>20</sup></b>	<b>Mitigation Measure<sup>21</sup></b>	<b>Impact Peak Hour</b>	<b>Project Trips</b>	<b>Project Phase</b>
22	Agnew Road-De La Cruz Boulevard/Montague Expressway	Santa Clara County (CMP)	Partial Mitigation: Add a second northbound left-turn lane.	AM	450	Phase 1
54	Lawrence Expressway/Benton Street	Santa Clara County	Partial Mitigation: Add a second southbound left-turn lane and a second eastbound left-turn lane.	AM	2,240	Phase 2
55	Lawrence Expressway/Homestead Road	Santa Clara County (CMP)	Add a third eastbound through lane and a third westbound through lane (Yahoo! Santa Clara Campus TIA, August 2009; City of Sunnyvale Citywide Deficiency Plan, September 2005; and City of Santa Clara Traffic Mitigation Program, June 2011).	AM	2,240	Phase 2
76	San Tomas Expressway/Walsh Avenue	Santa Clara County	Partial Mitigation: Add a second eastbound left-turn lane.	AM	2,240	Phase 2
82	San Tomas Expressway/Pruneridge Avenue	Santa Clara County	Partial Mitigation: Add a second northbound left-turn lane.	AM	2,240	Phase 2
8	Great America Parkway/Tasman Drive*	Santa Clara (CMP)	Partial Mitigation: Add a southbound right-turn lane and add a third westbound left-turn lane.	PM	2,610	Phase 2
48	Lawrence Expressway/US 101 SB Ramps	Santa Clara County	Convert eastbound left-turn lane to a shared left-/right-turn lane.	PM	2,610	Phase 2
59	Great America Parkway/Yerba Buena (Great America) Way	Santa Clara	Partial Mitigation: Add a second westbound right-turn lane with an overlap phase and a second southbound left-turn lane.	PM	3,650	Phase 2
60	Great America Parkway/Old Mountain View-Alviso Road	Santa Clara	Partial Mitigation: Add a second eastbound left-turn lane.	PM	3,650	Phase 2

<sup>20</sup> CMP = Congestion Management Program intersection (VTA).

<sup>21</sup> Partial Mitigation: The proposed mitigation measure mitigates the impact at one but not the other peak hour or reduces the delay but not enough to mitigate the impact.

ID	Intersection	Jurisdiction/ CMP <sup>20</sup>	Mitigation Measure <sup>21</sup>	Impact Peak Hour	Project Trips	Project Phase
71	Bowers Avenue/ Central Expressway	Santa Clara County (CMP)	Partial Mitigation: Add third southbound left-turn lane and third eastbound left-turn lane.**	PM	3,650	Phase 2
57	Great America Parkway/SR 237 WB Ramps	San José (CMP) <sup>22</sup>	Add third westbound left-turn lane and associated receiving lane under underpass. Add a second westbound right-turn lane. Include safe and convenient bicycle and pedestrian facilities along Great America Parkway. Intersections #58 and #123 would also need to be modified to accommodate these intersection improvements. <sup>23</sup>	AM	2,690	Phase 3
58	Great America Parkway/SR 237 EB Ramps	Santa Clara (CMP)	Add third southbound through lane and a second eastbound right-turn lane. <sup>24</sup>	AM	2,690	Phase 3
123	Great America Parkway/Gold Street Connector	San José	Add a second northbound right-turn lane. <sup>25</sup>	AM	2,690	Phase 3
79	San Tomas Expressway/Benton Street*	Santa Clara County	Add a second eastbound left-turn lane.	AM	3,140	Phase 3
120	De La Cruz Boulevard/ Laurelwood Road	Santa Clara	Reconfigure the northbound and southbound approaches to include one left-turn lane, one through, and one shared through/right-turn lane; change the phasing from split to protected in the northbound and southbound directions; and increase cycle length.	AM	3,140	Phase 3
14	Lick Mill Boulevard/ Tasman Drive	Santa Clara	Partial Mitigation: Reconfigure northbound and southbound approach to two left-turn lanes, one through lane, and one right-turn lane. Change the northbound/southbound signal phasing from split to protective. Add a second westbound left-turn lane.	PM	4,690	Phase 3
23	Lick Mill Boulevard/ Montague Expressway	Santa Clara County	Add a third southbound left-turn lane.	PM	5,730	Phase 4

<sup>22</sup> An LOS D threshold is used for study intersections within San José, including CMP designated intersections. Santa Clara County intersections in San José use an LOS E threshold.

<sup>23</sup> Intersection #58 (Great America Parkway/SR 237 EB Ramps) and #123 (Great America Parkway/Gold Street Connector) are not impacted intersections, but would need to be modified to accommodate the improvements at Intersection #57 (Great America Parkway/SR 237 WB Ramps).

<sup>24</sup> Intersection #58 (Great America Parkway/SR 237 EB Ramps) and #123 (Great America Parkway/Gold Street Connector) are not impacted intersections, but would need to be modified to accommodate the improvements at Intersection #57 (Great America Parkway/SR 237 WB Ramps).

<sup>25</sup> Intersection #58 (Great America Parkway/SR 237 EB Ramps) and #123 (Great America Parkway/Gold Street Connector) are not impacted intersections, but would need to be modified to accommodate the improvements at Intersection #57 (Great America Parkway/SR 237 WB Ramps).

ID	Intersection	Jurisdiction/ CMP <sup>20</sup>	Mitigation Measure <sup>21</sup>	Impact Peak Hour	Project Trips	Project Phase
96	Lafayette Street/ Montague Expressway WB Ramps	Santa Clara	Add second westbound right-turn lane with an overlap phase and a second southbound left-turn lane.	AM	6,730	Phase 7
84	Gold Street/Gold Street Connector	San José <sup>26</sup>	Convert northbound through lane to a shared left-turn/through lane, add a second northbound left-turn lane and second eastbound right-turn lane. (move pedestrian crossing to north leg of intersection).	AM	7,180	Phase 7
114	Calle Del Sol/Calle Del Luna	Santa Clara	Signalize.	PM	8,340	Phase 7
90	Lafayette Street/Calle De Luna	Santa Clara	Reconstruct the westbound approach to include two left-turn lanes and one right-turn lane.	AM	8,970	Phase 8
13	Calle Del Sol/Tasman Drive*	Santa Clara	Add a westbound right-turn lane. Reconfigure southbound approaches to include two left-turn lanes and one right-turn lane with overlap phase.	PM	9,380	Phase 8
73	Bowers Avenue/ Monroe Street	Santa Clara	Add a northbound and a southbound left-run lane. Change the northbound and southbound from split to protected left-turn phasing.	PM	10,420	Phase 8
94	Lafayette Street/ Agnew Road	Santa Clara	Add a second eastbound left-turn lane and a second southbound left-turn lane.	PM	10,420	Phase 8
109	Liberty Street/Taylor Street	San José <sup>27</sup>	Signalize. Off-setting Mitigation: Construct traffic control devices to divert traffic from entering the Alviso neighborhood.**	PM	10,420	Phase 8

## Notes:

Based on information concerning funding sources and status of planning for and construction of transportation improvements identified in the EIR as being 100% the responsibility of the Project Developer, the City Engineer has made relatively minor changes to the responsibilities for implementing such measures; those adjustments are reflected in this table.

\* Intersection improvement identified at this intersection under existing or background no-project conditions. See Appendix 3.3-D of the *City Place Santa Clara Project Draft Environmental Impact Report* (October 2015).

\*\* City-preferred mitigation option.

Source: Fehr & Peers, 2016.

<sup>26</sup> An LOS D threshold is used for study intersections within San José, including CMP designated intersections. Santa Clara County intersections in San José use an LOS E threshold.

<sup>27</sup> An LOS D threshold is used for study intersections within San José, including CMP designated intersections. Santa Clara County intersections in San José use an LOS E threshold.

**EXHIBIT MMRP-1**

**City Place Santa Clara Project – Costs for Certain Full Funding Responsibility Improvements**

**Planning/CEQA File # PLN2014-10554/CEQ2014-01180**

**State Clearinghouse # 2014072078**

<b>ID</b>	<b>Intersection</b>	<b>Mitigation</b>	<b>Total Cost</b>	<b>Basis of Cost</b>
48	Lawrence Expressway/ US 101 SB Ramps	Convert eastbound left turn lane to a shared left/right turn lane.	<b>\$13,500</b>	The cost estimate was prepared by BKF Engineers and accepted by the City. The cost estimate assumes that the work is limited to striping.
55	Lawrence Expwy/ Homestead Rd	Add a third eastbound through lane and a third westbound through lane (Yahoo! Santa Clara Campus TIA, August 2009; City of Sunnyvale Citywide Deficiency Plan, September 2005; and City of Santa Clara Traffic Mitigation Program, June 2011).	<b>\$2,841,800</b>	The cost estimate was prepared by BKF Engineers and accepted by the City. The cost estimate assumes that 10' turn lanes and 11' through lanes will be implemented. While the Project has 100% responsibility for this mitigation, the project's responsibility for the cost is reduced by previous contributions made by Yahoo (\$96,060) and the County of Santa Clara (\$400,000). Right of way for this mitigation has been previously dedicated by Kaiser negating the need for the Project to acquire any right of way for mitigation. The Project will make a monetary contribution equal to its cost responsibility in lieu of constructing the mitigation.
57	Great America Pkwy/SR 237 WB Ramps	Add third westbound left-turn lane and associated receiving lane under underpass. Add a second westbound right-turn lane.	<b>\$2,351,652</b>	The Total Cost includes both local road work and freeway ramp work. The cost estimate was prepared by BKF Engineers and accepted by the City. The cost of the local road work is estimated at \$963,508 and the freeway ramp work at \$1,388,144. Since the freeway ramp work will be performed concurrently with the intersection mitigation, the estimated cost of the freeway ramp work is deducted from the Freeway Fair Share voluntary contribution amount.
82	San Tomas Expwy/ Pruneridge Ave	Partial Mitigation: Add a second northbound left-turn lane.	<b>\$271,900</b>	The cost estimate was prepared by BKF Engineers and accepted by the City after concurrence with the cost by the County. The estimate assumes that the second northbound left turn lane will be implemented by the County as part of the San Tomas widening project.

ID	Intersection	Mitigation	Total Cost	Basis of Cost
84	Gold Street/Gold Street connector	Convert northbound through lane to a shared left-turn/through lane, add second northbound left-turn lane and a second eastbound right-turn lane (move pedestrian crossing to north leg of intersection).	<b>\$735,100</b>	<p>In order to avoid modifications to existing electrical transmission line towers, the City waived the mitigation requirement to add a second northbound left turn lane. The City also agreed to include a surveillance camera at the intersection as requested by the City of San Jose.</p> <p>The cost estimate was prepared by BKF Engineers and accepted by the City. The estimated cost includes \$685,100 for the intersection mitigation and an additional \$50,000 for the surveillance camera requested by the City of San Jose. The estimated cost assumes that 11' lanes will be implemented and the work associated with the addition of the surveillance camera does not require a new signal controller or installation of equipment to the control station.</p>
109	Liberty St/Lewis St	Signalize.	<b>\$300,000</b>	<p>The City of San Jose requested that the intersection not be signalized per the mitigation. The City of Santa Clara will provide the City of San Jose with the monetary equivalent of the cost of installing a signal. BKF Engineers estimated and the City of Santa Clara concurred with a cost for signalization of \$300,000.</p>
123	Great America Pkwy/ Gold Street connector	Add a second northbound right-turn lane (from Int. 57 dual westbound right-turn lanes).	<b>\$ --</b>	<p>The cost of this work is included in the cost estimate for intersection #57.</p>