

EXHIBIT “A”
To EIR Findings Resolution

MITIGATION MONITORING AND REPORTING PROGRAM

Revisions of the Evergreen Development Policy
PP08-121



December 2008

PREFACE

Section 21081.6 of the California Environmental Quality Act (CEQA) requires a Lead Agency to adopt a Mitigation Monitoring and Reporting Program whenever it approves a project for which measures have been required to mitigate or avoid significant effects on the environment. The purpose of the Mitigation Monitoring and Reporting Program is to ensure compliance with the mitigation measures during project implementation.

On December 3, 2008, the Environmental Impact Report for the project was certified by the Planning Commission. The Environmental Impact Report concluded that the implementation of the project could result in significant effects on the environment, and where feasible, mitigation measures were incorporated into the proposed project or are required as a condition of project approval. This Mitigation Monitoring and Reporting Program outlines these measures and how, when, and by whom they will be implemented.

Environmental Impacts	Mitigation Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
Transportation and Traffic				
<p>Capitol Expressway and Silver Creek Road. This intersection would operate at an unacceptable level of service (LOS E) during the AM and PM peak hours under background conditions. The proposed residential uses would add one or more trips to this intersection. Based on the Evergreen Development Policy, this constitutes a significant project impact.</p>	<p>Project impact TRAN-1 would be mitigated to a less-than-significant level through the implementation of either of the following two mitigation alternatives, both of which are proposed by the project. The Policy will insure implementation of one of the alternatives, but not both.</p> <p>1) The level of service impact could be mitigated by converting the HOV lanes on Capitol Expressway between U.S. 101 and Nieman Boulevard to "mixed-flow" lanes, meaning their use during weekday peak commute periods would no longer be restricted to vehicles with two or more occupants. The mitigation would improve the intersection's operations to an acceptable level (LOS D). Based on the Evergreen Development Policy, this improvement would satisfactorily mitigate the significant project impact. [Note: Independently of this project, the planned and approved Capitol Expressway LRT extension will remove the HOV lanes on Capitol Expressway between I-680 and Nieman Boulevard.] Capitol Expressway is under the jurisdiction of the County of Santa Clara and it is not known at this time whether the County would allow the removal of the HOV lanes. For this reason, an alternate mitigation is proposed below, in the event the City is unable to implement the HOV lane conversion.</p> <p><u>Or</u></p> <p>2) The impact at this intersection could be satisfactorily mitigated by constructing a third left-turn lane on the westbound Silver Creek Road approach to southbound Capitol. (The following discussion assumes Capitol is</p>	<p>Every new development will pay the applicable traffic impact fee prior to issuance of Public Works clearance.</p>	<p>Payment of traffic impact fees.</p>	<p>Director of Planning, Building and Code Enforcement, Department of Transportation</p>

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Transportation and Traffic				
	<p>aligned north-south and Silver Creek is east-west) This improvement would require the acquisition of right of way along the southwest side of Silver Creek Road, approximately five (5) feet wide and 300 linear feet. The resulting sidewalk width will be ten feet (10') and the landscaping would be reduced in width from 25 to 20 feet along the commercial frontage in the southwest quadrant. This improvement will also require the acquisition of commercial property along the southeast side of Silver Creek that would be 5 feet wide for 400 linear feet. In the southeast quadrant, the resulting sidewalk would be 10 feet wide and landscape width would be reduced from 20 to 15 feet along the commercial frontage. No structures or parking spaces would be affected by the right-of-way take. Construction of this improvement would also require signal modification, including removing the porkchop islands at the northwest and southeast corners and relocating the traffic signal pole at the southwest corner. This left-turn lane addition would improve the intersection's operations to an acceptable level (LOS D). Based on the Evergreen Development Policy, this improvement would satisfactorily mitigate the significant project impact.</p> <p>The certified EEHVS EIR (Section 4.6) identifies tree removal mitigation and tree protection mitigation measures, as well as nesting raptor mitigation, which is included in the proposed project to reduce any impacts from construction of the traffic improvements to a less than significant level. The certified EEHVS EIR (Section 4.5, MM 4.5-2) identifies mitigations measures for impacts to cultural resources that are included in the proposed project and would apply to any ground-disturbing activities associated with the traffic improvements. These measures would reduce potential impacts to cultural resources to a less than significant level.</p> <p>Mitigation Measure MM 4.6. MM 4.6-1 The site design and PD Permit approval, as well as any public improvements, shall incorporate preservation of existing trees to the maximum extent practicable, to the</p>			

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	<p>satisfaction of the City's Director of Planning, Building, and Code Enforcement (PBCE).</p> <p>MM 4.6-2 In locations where preservation of existing trees is not feasible due to site constraints, trees to be removed by the project shall be replaced at the ratios shown below.</p> <table border="1" data-bbox="543 451 1157 889"> <thead> <tr> <th rowspan="2">Diameter of Tree to be Removed</th> <th colspan="3">Type of Tree to be Removed</th> <th rowspan="2">Minimum Size of Each Replacement Tree</th> </tr> <tr> <th>Native</th> <th>Non-Native</th> <th>Orchard</th> </tr> </thead> <tbody> <tr> <td>18 inches or greater</td> <td>5:1</td> <td>4:1</td> <td>3:1</td> <td>24-inch box</td> </tr> <tr> <td>12 - 18 inches</td> <td>3:1</td> <td>2:1</td> <td>none</td> <td>24-inch box</td> </tr> <tr> <td>less than 12 inches</td> <td>1:1</td> <td>1:1</td> <td>none</td> <td>15-gallon container</td> </tr> </tbody> </table> <p>x:x = tree replacement to tree loss ratio</p> <p>MM 4.6-3 The species and exact number of trees to be planted on the site during the construction phase shall be determined in consultation with the City Arborist and to the satisfaction of the Director of the Department of PBCE.</p> <p>MM 4.6-4 In the event the developed portion of the project site does not have sufficient area to accommodate the required tree mitigation, one or more of the following measures shall be implemented:</p> <ul style="list-style-type: none"> • An alternative site(s) shall be identified for additional tree planting. Alternative sites may include local parks or schools, or installation of trees on adjacent properties for screening purposes, to the satisfaction of the Director of PBCE. • A donation equal to the replacement/installation cost per replacement tree shall be made to <i>Our City Forest</i> for in- 	Diameter of Tree to be Removed	Type of Tree to be Removed			Minimum Size of Each Replacement Tree	Native	Non-Native	Orchard	18 inches or greater	5:1	4:1	3:1	24-inch box	12 - 18 inches	3:1	2:1	none	24-inch box	less than 12 inches	1:1	1:1	none	15-gallon container			
Diameter of Tree to be Removed	Type of Tree to be Removed			Minimum Size of Each Replacement Tree																							
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Transportation and Traffic				
	<p>lieu off-site tree planting in the community. These funds shall be used for tree planting and maintenance of planted trees for approximately three years. A donation receipt for off-site tree planting shall be provided to the City's Environmental Principal Planner, Department of PBCE prior to removal of the trees.</p> <p>Tree Protection Measures: The following measures will protect trees to be preserved from harm that could occur during the construction phase:</p> <p>MM 4.6-5 The applicant shall retain a consultant arborist. The construction superintendent shall meet with the consulting arborist before beginning work to discuss work procedures and tree protection.</p> <p>MM 4.6-6 All trees to be retained shall be fenced to completely enclose the tree protection zone prior to demolition, grubbing, or grading. Fences shall be as approved by the consulting arborist and are to remain until all grading and construction is completed.</p> <p>MM 4.6-7 Trees to be preserved shall be pruned to clean the crown and to provide clearance. All pruning shall be completed or supervised by a Certified Arborist and adhere to the Best Management Practices for Pruning of the International Society of Arboriculture.</p> <p>MM 4.6-8 No grading, construction, demolition or other work shall occur within the tree protection zone. Any modifications must be approved and monitored by the consulting arborist.</p> <p>MM 4.6-9 Any root pruning required for construction purposes shall receive the prior approval of, and be supervised by, the consulting arborist.</p> <p>MM 4.6-10 Supplemental irrigation shall be applied as determined by the consulting arborist.</p> <p>MM 4.6-11 If injury should occur to any tree during construction, it shall be evaluated as soon as possible by the consulting arborist so that appropriate treatments can be applied.</p> <p>MM 4.6-12 No excess soil, chemicals, debris, equipment, or other materials shall be dumped or stored within the tree protection zone.</p> <p>MM 4.6-13 Any additional tree pruning needed for</p>			

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	<p>clearance during construction must be performed or supervised by an arborist.</p> <p>MM 4.6-14 As trees withdraw water from the soil, expansive soils may shrink within the root area. Therefore, foundations, footings and pavements on expansive soils near the trees shall be designed to withstand differential displacement.</p> <p>MM 4.6-15 A final report on tree protection measures, and the health of the protected trees, shall be submitted to the Environmental Principal Planner, Department of PBCE after grading and construction have been completed.</p> <p>Nesting Raptor Mitigation: The following measures will avoid potentially significant impacts to nesting raptors during the construction phase:</p> <p>MM 4.6-16 A qualified ornithologist shall conduct a protocol-level, pre-construction survey for nesting raptors onsite not more than 30 days prior to the onset of ground disturbance or tree removal, if disturbance is to occur during the breeding season (Feb. 1 to Aug. 31).</p> <p>MM 4.6-17 If a nesting raptor is detected, an appropriate construction buffer shall be established. Actual size of buffer will be determined by the ornithologist and will depend on species, topography, and type of construction activity that would occur in the vicinity of the nest but would be a minimum of 250 feet.</p> <p>MM 4.6-18 A report summarizing the results of the pre-construction survey and subsequent efforts to protect nesting raptors (if found to be present) shall be submitted to the Environmental Principal Planner, Department of PBCE.</p> <p>Mitigation Measure MM 4.5-2: Cultural Resources During construction, ground-disturbing activities shall be monitored by a qualified archaeologist. If suspected human bone or important archaeological features are encountered, work in the immediate area of the discovery shall be halted. The finds shall be exposed, recorded, and removed by an archaeologist. Any human remains encountered shall be handled in accordance with State law and any applicable Native American agreements. All human</p>			

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Transportation and Traffic				
<p>Capitol Expressway and Quimby Road This intersection would operate at an acceptable level (LOS D) during the AM and at an unacceptable level (LOS F) during the PM peak hour under background conditions. The proposed project would cause the intersection to degrade to an unacceptable level (LOS E) during the AM peak hour. During the PM peak hour, the intersection would continue to operate at LOS F and the proposed residential uses would add one or more new trips. Based on the Evergreen Development Policy, this constitutes a significant project impact.</p> <p>White Road and Quimby Road This intersection would operate at LOS D during the PM peak hour under background conditions, and the added project trips would cause the level of service to degrade to LOS F. Based on the Evergreen Development Policy, this constitutes a significant project impact.</p>	<p>remains and burial-associated artifacts shall be repatriated in a location that will not be subject to further disturbance. Using professionally-accepted methods, all archaeological resources shall be catalogued and analyzed and a report summarizing such work shall be prepared and provided to the City's Director of Planning, Building, & Code Enforcement.</p> <p>The impact could be mitigated by adding exclusive northbound and eastbound right-turn lanes. Adding exclusive northbound and eastbound right-turn lanes could be completed within the existing right-of-way. The mitigation would improve the intersection level of service to an acceptable level of service (LOS D) during the AM peak hour. During the PM peak hour, the intersection would continue to operate at an unacceptable level of service (LOS F); however, the mitigation would reduce the average intersection delay to 112.2 seconds per vehicle, which is better than the calculated LOS under background conditions. Based on the Evergreen Development Policy, these improvements would satisfactorily mitigate the significant project impact. The certified FEIR included and provided project-level environmental review for this mitigation measure.</p> <p>The level of service impact could be mitigated by adding a second northbound left-turn lane. The mitigation could be completed within the existing right-of-way and would improve the intersection level of service to LOS D. Based on the Evergreen Development Policy, this improvement would satisfactorily mitigate the significant project impact. The certified FEIR included and provided project-level environmental review for this mitigation measure.</p>	<p>Every new development will pay the applicable traffic impact fee prior to issuance of Public Works clearance.</p> <p>Every new development will pay the applicable traffic impact fee prior to issuance of Public Works clearance.</p>	<p>Payment of traffic impact fees.</p> <p>Payment of traffic impact fees.</p>	<p>Director of Planning, Building and Code Enforcement, Department of Transportation</p> <p>Director of Planning, Building and Code Enforcement, Department of Transportation</p>

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Transportation and Traffic				
<p>White Road and Aborn Road This intersection would operate at LOS D during the PM peak hour under background conditions and the added project trips would cause the level of service to degrade to LOS E. Based on the Evergreen Development Policy, this constitutes a significant project impact.</p>	<p>The level of service impact could be mitigated by adding a second westbound left-turn lane. The mitigation could be done within the existing ROW and would improve the intersection level of service to LOS D. The mitigation would improve the intersection level of service to LOS D. Based on the Evergreen Development Policy, this improvement would satisfactorily mitigate the significant project impact.</p>	<p>Every new development will pay the applicable traffic impact fee prior to issuance of Public Works clearance.</p>	<p>Payment of traffic impact fees.</p>	<p>Director of Planning, Building and Code Enforcement, Department of Transportation</p>
<p>San Felipe Road and Yerba Buena Road (South) This intersection would operate at LOS E with a V/C of 1.136 during the AM peak hour under background conditions, and the added project trips would cause the level of service to degrade to LOS F. Based on the Evergreen Development Policy, this constitutes a significant project impact.</p>	<p>The level of service impact could be mitigated by adding a second eastbound left-turn lane and a second southbound left-turn lane. The mitigation could be done within the existing ROW and would improve the intersection level of service to LOS E with a V/C of 1.076, which is better than that calculated under background conditions. Based on the Evergreen Development Policy, these improvements would satisfactorily mitigate the significant project impact. The certified FEIR included and provided project-level environmental review for this mitigation measure. MM 4.2.6.1/Section 2.2.5: The existing median opening at Yerba Buena Road/Buena Park Court will be closed in order to provide adequate left-turn storage for eastbound left-turns at Yerba Buena Road/San Felipe Road.</p>	<p>Every new development will pay the applicable traffic impact fee prior to issuance of Public Works clearance.</p>	<p>Payment of traffic impact fees.</p>	<p>Director of Planning, Building and Code Enforcement, Department of Transportation</p>
<p>Nieman Boulevard and Aborn Road This intersection would operate at LOS C during the PM peak hour under background conditions, and the added project trips would cause the level of service to degrade to LOS D. Based on the Evergreen Development Policy, this constitutes a significant project impact.</p>	<p>The level of service impact could be mitigated by converting a southbound through lane into a second southbound left-turn lane. The mitigation could be done within the existing right-of-way and would improve the intersection level of service to LOS C. Based on the Evergreen Development Policy, this improvement would satisfactorily mitigate the significant project impact.</p>	<p>Every new development will pay the applicable traffic impact fee prior to issuance of Public Works clearance.</p>	<p>Payment of traffic impact fees.</p>	<p>Director of Planning, Building and Code Enforcement, Department of Transportation</p>
<p>Nieman Boulevard and Yerba Buena Road This intersection would operate at LOS D during the AM peak hour under background conditions,</p>	<p>The level of service impact could be mitigated by adding a second westbound left-turn lane. The mitigation could be done within the existing ROW and would improve the intersection level of service to LOS D. Based on the</p>	<p>Every new development will pay the applicable traffic impact fee</p>	<p>Payment of traffic impact fees.</p>	<p>Director of Planning, Building and Code</p>

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Transportation and Traffic				
<p>and the added project trips would cause the level of service to degrade to LOS E. Based on the Evergreen Development Policy, this constitutes a significant project impact.</p> <p>Capitol Expressway and Aborn Road This intersection would operate at an unacceptable level of service (LOS E) during the PM peak hour under background conditions. The proposed residential uses would add one or more trips to this intersection. Based on the Evergreen Development Policy, this constitutes a significant project impact.</p>	<p>Evergreen Development Policy, this improvement would satisfactorily mitigate the significant project impact. The certified FEIR included and provided project-level environmental review for this mitigation measure.</p> <p>Project impact would be mitigated to a less-than significant level through the implementation of either of the following two mitigation alternatives, both of which are proposed by the project.</p> <p>1) The level of service impact could be mitigated by converting the HOV lanes on Capitol Expressway between U.S. 101 and Nieman Boulevard to "mixed-flow" lanes, meaning their use during weekday peak commute periods would no longer be restricted to vehicles with two or more occupants, and adding a second leftturn lane on northbound Capitol Expressway to westbound Aborn Road. This improvement could be constructed within the existing right-of-way, with signal modification at the northeast and southeast corners. Although the intersection would continue to operate at an unacceptable LOS E, the mitigation would reduce the average intersection delay to 58.3 seconds per vehicle, which is better than that calculated under background conditions. Based on the Evergreen Development Policy, this improvement would satisfactorily mitigate the significant project impact. [Note: Independently of this project, the planned and approved Capitol Expressway LRT extension will remove the HOV lanes on Capitol Expressway between I-680 and Nieman Boulevard.] Capitol Expressway is under the jurisdiction of the County of Santa Clara and it is not known at this time whether the County would allow the removal of the HOV lanes. For this reason, an alternate mitigation is proposed below, in the event the City is unable to implement the HOV lane conversion. Or</p> <p>2) The impact could be mitigated by constructing a third eastbound through lane on Aborn Road, while retaining the dedicated right turn lane. (The following discussion</p>	<p>prior to issuance of Public Works clearance.</p> <p>Every new development will pay the applicable traffic impact fee prior to issuance of Public Works clearance.</p>	<p>Payment of traffic impact fees.</p>	<p>Enforcement, Department of Transportation</p> <p>Director of Planning, Building and Code Enforcement, Department of Transportation</p>

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Transportation and Traffic				
	<p>assumes Capitol is aligned north-south and Aborn is east-west). This improvement would require the acquisition of additional right of way along the south side (west leg) of Aborn Road, approximately five (5) feet deep. The resulting sidewalk width would be seven (7) feet and the landscape width would be reduced from 22 to 17 feet along the adjacent commercial frontage. It is possible that the landscape area could be replaced to the east by removing the existing pork-chop island. No structures or parking spaces would be affected by the right-of-way take. This improvement would also require signal modification, including removal of the porkchop islands on the southwest and southeast corners of the intersection. With this improvement, the intersection would continue to operate at an unacceptable level of service (LOS E); however, the average delay would be reduced to 58.6 seconds per vehicle, which is better than that calculated under background conditions.</p> <p>The certified EEHVS EIR (Section 4.6) identifies tree removal mitigation and tree protection mitigation measures, as well as nesting raptor mitigation, which is included in the proposed project to reduce any impacts from construction of the traffic improvements to a less than significant level. The certified EEHVS EIR (Section 4.5, MM 4.5-2) identifies mitigations measures for impacts to cultural resources that are included in the proposed project and would apply to any ground-disturbing activities associated with the traffic improvements. These measures would reduce potential impacts to cultural resources to a less than significant level.</p> <p>Mitigation Measure MM 4.6. MM 4.6-1 The site design and PD Permit approval, as well as any public improvements, shall incorporate preservation of existing trees to the maximum extent practicable, to the satisfaction of the City's Director of Planning, Building, and Code Enforcement (PBCE). MM 4.6-2 In locations where preservation of existing trees is not feasible due to site constraints, trees to be removed</p>			

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Transportation and Traffic

by the project shall be replaced at the ratios shown below.

Diameter of Tree to be Removed	Type of Tree to be Removed			Minimum Size of Each Replacement Tree
	Native	Non-Native	Orchard	
18 inches or greater	5:1	4:1	3:1	24-inch box
12 - 18 inches	3:1	2:1	none	24-inch box
less than 12 inches	1:1	1:1	none	15-gallon container
x:x = tree replacement to tree loss ratio				

MM 4.6-3 The species and exact number of trees to be planted on the site during the construction phase shall be determined in consultation with the City Arborist and to the satisfaction of the Director of the Department of PBCE.

MM 4.6-4 In the event the developed portion of the project site does not have sufficient area to accommodate the required tree mitigation, one or more of the following measures shall be implemented:

- An alternative site(s) shall be identified for additional tree planting. Alternative sites may include local parks or schools, or installation of trees on adjacent properties for screening purposes, to the satisfaction of the Director of PBCE.
- A donation equal to the replacement/installation cost per replacement tree shall be made to *Our City Forest* for in-lieu off-site tree planting in the community. These funds shall be used for tree planting and maintenance of planted trees for approximately three years. A donation receipt for off-site tree planting shall be provided to the City's Environmental Principal Planner, Department of PBCE prior to removal of the trees.

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	<p>Tree Protection Measures: The following measures will protect trees to be preserved from harm that could occur during the construction phase:</p> <p>MM 4.6-5 The applicant shall retain a consultant arborist. The construction superintendent shall meet with the consulting arborist before beginning work to discuss work procedures and tree protection.</p> <p>MM 4.6-6 All trees to be retained shall be fenced to completely enclose the tree protection zone prior to demolition, grubbing, or grading. Fences shall be as approved by the consulting arborist and are to remain until all grading and construction is completed.</p> <p>MM 4.6-7 Trees to be preserved shall be pruned to clean the crown and to provide clearance. All pruning shall be completed or supervised by a Certified Arborist and adhere to the Best Management Practices for Pruning of the International Society of Arboriculture.</p> <p>MM 4.6-8 No grading, construction, demolition or other work shall occur within the tree protection zone. Any modifications must be approved and monitored by the consulting arborist.</p> <p>MM 4.6-9 Any root pruning required for construction purposes shall receive the prior approval of, and be supervised by, the consulting arborist.</p> <p>MM 4.6-10 Supplemental irrigation shall be applied as determined by the consulting arborist.</p> <p>MM 4.6-11 If injury should occur to any tree during construction, it shall be evaluated as soon as possible by the consulting arborist so that appropriate treatments can be applied.</p> <p>MM 4.6-12 No excess soil, chemicals, debris, equipment, or other materials shall be dumped or stored within the tree protection zone.</p> <p>MM 4.6-13 Any additional tree pruning needed for clearance during construction must be performed or supervised by an arborist.</p> <p>MM 4.6-14 As trees withdraw water from the soil, expansive soils may shrink within the root area. Therefore, foundations, footings and pavements on expansive soils near the trees shall be designed to withstand differential displacement.</p>			

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Transportation and Traffic				
	<p>MM 4.6-15 A final report on tree protection measures, and the health of the protected trees, shall be submitted to the Environmental Principal Planner, Department of PBCE after grading and construction have been completed.</p> <p>Nesting Raptor Mitigation: The following measures will avoid potentially significant impacts to nesting raptors during the construction phase:</p> <p>MM 4.6-16 A qualified ornithologist shall conduct a protocol-level, pre-construction survey for nesting raptors onsite not more than 30 days prior to the onset of ground disturbance or tree removal, if disturbance is to occur during the breeding season (Feb. 1 to Aug. 31).</p> <p>MM 4.6-17 If a nesting raptor is detected, an appropriate construction buffer shall be established. Actual size of buffer will be determined by the ornithologist and will depend on species, topography, and type of construction activity that would occur in the vicinity of the nest but would be a minimum of 250 feet.</p> <p>MM 4.6-18 A report summarizing the results of the pre-construction survey and subsequent efforts to protect nesting raptors (if found to be present) shall be submitted to the Environmental Principal Planner, Department of PBCE.</p> <p>Mitigation Measure MM 4.5-2: Cultural Resources During construction, ground-disturbing activities shall be monitored by a qualified archaeologist. If suspected human bone or important archaeological features are encountered, work in the immediate area of the discovery shall be halted. The finds shall be exposed, recorded, and removed by an archaeologist. Any human remains encountered shall be handled in accordance with State law and any applicable Native American agreements. All human remains and burial-associated artifacts shall be repatriated in a location that will not be subject to further disturbance. Using professionally-accepted methods, all archaeological resources shall be catalogued and analyzed and a report summarizing such work shall be prepared and provided to the City's Director of Planning, Building, & Code Enforcement.</p>			

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Air Quality				
<p>The vehicle trips allowed by the proposed Evergreen Development Policy revision would generate regional pollutants in excess of BAAQMD significance thresholds.</p>	<p>Mitigation for Long-Term Air Quality Impacts The following measures applied to the EEHVS Scenarios and would apply to development allowed by the proposed Evergreen Development Policy revision. These measures, which are included as part of the project, would partially reduce long-term air quality impacts, but <i>not</i> to a less-than-significant level:</p> <p>MM AIR-1.1 New bus stops shall be constructed at convenient locations with pedestrian access to the project sites. Pullouts will be designed so that normal traffic flow on arterial roadways would not be impeded when buses are pulled over to serve riders. Improvements to infrastructure near existing bus stops, including bus pads, lighting, sidewalks, shelter pads, benches and shelters, shall also be constructed as budgets permit and as developments occur. Developers will be responsible for frontage improvements with individual project approvals. The City and VTA will coordinate on specific improvements as developments are proposed.</p> <p>MM AIR-1.2 Bicycle amenities shall be provided on each of the Evergreen Development Policy Revision pool sites. Each site will be reviewed and appropriate bicycle amenities shall be included. As appropriate, this shall include secure bicycle parking for office and retail employees, bicycle racks for retail customers and bike lane connections throughout each project site.</p> <p>MM AIR-1.3 All buildings shall include outdoor electrical outlets so as to encourage the use of electrical landscape maintenance equipment.</p> <p>MM AIR-1.4 All fireplaces to be installed in residences shall comply with the San José Wood-Burning Appliance Ordinance (#26133).</p>	<p>Every development shall include measures where feasible prior to the issuance of a Development Permit.</p>	<p>Incorporation of the selected measures into the Development Permit.</p>	<p>Director of Planning, Building, and Code Enforcement</p>

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Air Quality				
	<p>MM AIR-1.5 For non-residential development sites, shuttle bus service, where feasible, shall be provided to regional transit centers.</p> <p>MM AIR-1.6 For non-residential development sites, all feasible and reasonable TDM measures such as ride-matching programs or guaranteed ride home programs shall be implemented. Future development allowed by the EDP revision would be required to implement all feasible and reasonable TDM measures, such as one or more of the following measures:</p> <ul style="list-style-type: none"> • Direct or Indirect Payments for Taking Alternate Modes • Transit Fare Incentives such as Eco Pass and Commuter Checks • Employee Carpool Matching • Vanpool Program • Preferentially Located Carpool Parking • Bicycle Lockers and Bicycle Racks • Showers and Clothes Lockers for Bicycle Commuters • On-site or Walk-Accessible Employee Services (day-care, dry-cleaning, fitness, banking, convenience store) • On-site or Walk-Accessible Restaurants • Guaranteed Ride Home Program • Car sharing • Provision of preferentially located electric vehicle parking with charging stations at work and shopping locations • New bus stops • Improvements to existing bus stops • All buildings shall include outdoor electrical outlets to encourage the use of electric landscape maintenance equipment • All fireplaces installed in residences shall comply with San Jose Ordinance #26133 • For non-residential development, shuttle bus service, where feasible, shall be provided to 			

Environmental Impacts	Mitigation Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
Air Quality				
	<p>regional transit centers</p> <ul style="list-style-type: none"> For non-residential development, feasible and reasonable TDM measures such as ride-matching programs or guaranteed ride home programs shall be implemented <p>Development allowed by the proposed Evergreen Development Policy revision will result in increases in regional pollutants (e.g., ROG, NOx, and PM10) that are in excess of BAAQMD thresholds. Measures to reduce this impact are proposed, but the impact cannot be reduced to a less-than- significant level. (Significant Unavoidable Impact)</p>			

Environmental Impacts	Mitigation Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
Cumulative Impacts				
<p>The project itself is the local cumulative development for the Evergreen Development Policy area, above and beyond the cumulative development that was already evaluated in the previously certified FEIR (incorporated here by reference). There are no pending development applications that require traffic reports adjacent to the EEHDP boundaries. For this reason, there is no further discussion of cumulative traffic impacts in this SEIR. The proposed project would not contribute to significant cumulative impacts of traffic or traffic-generated noise or air quality impacts. (Less than Significant Cumulative Impact)</p> <p>Global Climate Change Impacts</p>	<p>All future development allowed by the project would be subject to the City policies and regulations in place at the time they are proposed, including policies related to recycled water use, stormwater quality, alternative energy, and other "green" policies currently being considered by the City.</p>	<p>Every development shall be subject to applicable policies prior to the issuance of a Development Permit.</p>	<p>Incorporation of the applicable policies into the Development Permit.</p>	<p>Department of Planning, Building and Code Enforcement</p>

Environmental Impacts	Mitigation Measures	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
Cumulative Impacts				
<p>The project would result in an increase in greenhouse gas emissions, in terms of carbon dioxide equivalents, but through its consistency with many of the City's Green Vision policies and the state recommended CHG reduction measures, it is not expected to impede local, regional or statewide efforts to reduce overall greenhouse gas emissions to 1990 levels. (Less than Significant Cumulative Impact)</p> <p>The projects would result in an increase in greenhouse gas emissions; however, the provision of infill development within an urbanized area, is consistent with many of the City's Green Vision goals, and is not expected to contribute to a significant cumulative global climate change impact. (Less than Significant Cumulative Impact)</p>				