

**MITIGATION MONITORING OR REPORTING PROGRAM**

**SANTANA ROW OFFICE  
DEVELOPMENT AND REZONING**

**CITY OF SAN JOSÉ**

**JULY 2012**

# P R E F A C E

Section 21081 of the California Environmental Quality Act (CEQA) requires a Lead Agency to adopt a Mitigation Monitoring or 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 monitoring or reporting program is to ensure compliance with the mitigation measures during project implementation.

The Initial Study concluded that the implementation of the project could result in significant effects on the environment and mitigation measures were incorporated into the proposed project or are required as a condition of project approval. This Mitigation Monitoring or Reporting Program addresses those measures in terms of how and when they will be implemented.

This document does *not* discuss those subjects for which the Initial Study concluded that the impacts from implementation of the project would be less than significant.

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Impact	Mitigation	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
<b>BIOLOGICAL RESOURCES</b>				
<p>Construction activities associated with future development could damage the existing trees which are proposed to be retained.</p>	<p><u>MM BIO 1-1:</u> A certified arborist will establish a tree protection zone for each of the street trees prior to start of construction. No grading, construction, demolition or other work shall occur within the tree protection zone. Any modification to the tree protection zone must be approved and monitored by the consulting arborist.</p> <p><u>MM BIO 1-2:</u> Prior to the issuance of demolition permits, all trees to be retained will be fenced in accordance to the established tree protection zone. Fences shall be 6 ft. chain link or equivalent as approved by the consulting arborist. The fences will remain on-site until all grading and construction is completed.</p> <p><u>MM BIO 1-3:</u> Any root pruning or canopy pruning required for construction purposes shall receive the prior approval of, and be supervised by, the consulting arborist.</p> <p><u>MM BIO 1-4:</u> Supplemental irrigation shall be applied as determined by the consulting arborist.</p> <p><u>MM BIO 1-5:</u> If injury should occur to any tree during construction, work will stop in the area around the tree and the damage shall be evaluated by the consulting arborist so that appropriate treatments can be applied.</p> <p><u>MM BIO 1-6:</u> No materials or liquids of any kind can be dumped or stored within the designated tree protection zones.</p> <p><b>Less Than Significant Impact With Mitigation</b></p>	<p>During all phases of construction on Lot 11 as well as all phases of future construction on the Santana Row property.</p>	<p>Project Applicant</p>	<p>City’s Director of Planning, Building and Code Enforcement</p>

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**HAZARDS AND HAZARDOUS MATERIALS**

<p>Construction activities could disturb soil with residual agricultural contamination.</p>	<p><u>MM HAZ 1-1</u>: Prior to issuance of a PD Permit for development, a Removal Action Workplan (RAW) will be developed in conjunction with the Department of Toxic Substances Control and the City of San José requirements. The RAW will describe the specific measures that will be implemented to reduce or avoid the potential exposure of future residents, workers, and users of the site to hazardous materials, if it is determined that such measures are necessary. The Workplan will include proposed remedial measures such as capping the contaminated soil with buildings or pavement, and/or removing all or a portion of the contaminated soil for off-site treatment or disposal at an appropriate disposal site. Once implemented, the RAW will reduce the levels of contamination within the areas designated for residential uses to acceptable threshold levels as established by local, State, and Federal regulatory agencies.</p> <p><b>Less Than Significant Impact with Mitigation</b></p>	<p>During all phases of construction on Lot 11 as well as all phases of future construction on the Santana Row property.</p>	<p>Project Applicant</p>	<p>City’s Director of Planning, Building and Code Enforcement</p> <p>State Department of Toxic Substances Control.</p>
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**HYDROLOGY AND WATER QUALITY**

<p>Construction activities would temporarily increase the amount of debris on-site and</p>	<p><u>MM HYD 1-1</u>: Burlap bags filled with drain rock shall be installed around storm drains to route sediment and other debris away from the drains.</p>	<p>During all phases of construction on Lot 11 as well as all phases of future</p>	<p>Project applicant and contractors</p>	<p>City’s Director of Public Works</p> <p>San Francisco Bay</p>
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grading activities could increase sedimentation carried by runoff into natural waterways.	<p><u>MM HYD 1-2:</u> Earthmoving or other dust-producing activities shall be suspended during periods of high winds.</p> <p><u>MM HYD 1-3:</u> All exposed or disturbed soil surfaces shall be watered at least twice daily to control dust as necessary.</p>	construction on the Santana Row property.		Regional Water Quality Control Board

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<b>HYDROLOGY AND WATER QUALITY <i>Continued</i></b>				
See previous page	<p><u>MM HYD 1-4:</u> Stockpiles of soil or other materials that can be blown by the wind shall be watered or covered.</p> <p><u>MM HYD 1-5:</u> All trucks hauling soil, sand, and other loose materials shall be covered and all trucks would be required to maintain at least two feet of freeboard.</p> <p><u>MM HYD 1-6:</u> All paved access roads, parking areas, staging areas and residential streets adjacent to the construction sites shall be swept daily (with water sweepers).</p> <p><u>MM HYD 1-7:</u> Vegetation in disturbed areas shall be replanted as quickly as possible.</p> <p><u>MM HYD 1-8:</u> All unpaved entrances to the site shall be filled with rock to knock much from truck tires prior to entering City streets. A tire wash system may also be employed at the request of the City.</p>	See previous page	See previous page	See previous page

	<p><u>MM HYD 1-9:</u> A Storm Water Permit will be administered by the RWQCB. Prior to construction grading for the proposed land uses, the project proponent will file a “Notice of Intent” (NOI) to comply with the General Permit and prepare a SWPPP which addresses measures that would be included in the project to minimize and control construction and post-construction runoff. Measures will include, but are not limited to, the aforementioned RWQCB mitigation.</p>			
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<b>HYDROLOGY AND WATER QUALITY <i>Continued</i></b>				
See previous page	<p><u>MM HYD 1-10:</u> The project proponent will submit a copy of the NOI and draft SWPPP to the City of San José for review and approval prior to start of construction on the project site. The certified SWPPP will be posted at the project site and will be updated to reflect current site conditions.</p> <p><u>MM HYD 1-11:</u> When construction is complete, a Notice of Termination (NOT) for the General Permit for Construction will be filed with the RWQCB. The NOT will document that all elements of the SWPPP have been executed, construction materials and waste have been properly disposed of, and a post-construction storm water management plan is in place as described in the SWPPP for the site.</p> <p><b>Less Than Significant Impact with Mitigation</b></p>	See previous page	See previous page	See previous page
<b>NOISE</b>				

<p>Noise from the construction of future development under the proposed rezoning as well as construction of the proposed office building/retail pavilion could pose a significant impact to nearby residential properties.</p>	<p><u>MM NOI 1-1:</u> Demolition and construction activities on- or off-site, within 500 feet of sensitive receptors, such as residential development, shall be restricted to the hours of 7 AM to 7 PM Monday through Friday, non-holidays only.</p> <p><u>MM NOI 1-2:</u> Staging areas and construction material areas shall be located as far away as possible from adjacent land uses.</p> <p><u>MM NOI 1-3:</u> All internal combustion engines for construction equipment used on the site shall be properly muffled and maintained.</p>	<p>During all phases of construction on Lot 11 as well as all phases of future construction on the Santana Row property.</p>	<p>Project applicant and contractors</p>	<p>City's Director of Planning, Building and Code Enforcement</p>
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**NOISE *Continued***

<p>See previous page</p>	<p><u>MM NOI 1-4:</u> All unnecessary idling of internal combustion engines is prohibited.</p> <p><u>MM NOI 1-5:</u> All stationary, noise-generating construction equipment, such as air compressors and portable power generators, shall be located as far as practical from existing residences and businesses.</p> <p><u>MM NOI 1-6:</u> The Director of Planning and residential neighborhoods proximately located to the project site shall be notified in writing by the developer of the construction schedule at least seven days prior to the start of construction.</p> <p><u>MM NOI 1-7:</u> A noise disturbance coordinator shall be designated who is responsible for responding to complaints about construction noise. The telephone number of the disturbance coordinator shall be posted in a conspicuous place at the construction site and shall also</p>	<p>See previous page</p>	<p>See previous page</p>	<p>See previous page</p>
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	be included in the notice sent to neighbors and the Director of Planning regarding the schedule.  <b>Less Than Significant With Mitigation</b>			
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<b>TRANSPORTATION</b>				
<p>Under background plus project conditions, the LOS of the Stevens Creek Boulevard/Monroe Street Intersection would operate at an unacceptable LOS E with a critical delay of 8.1 and a volume to capacity ration of 0.032.</p>	<p><u>MM TRAN 1-1</u>: An improvement project that will mitigate the project’s impacts at this intersection is designed and budgeted and is being implemented. The project will pay a fair share contribution to the cost of the improvement project based on the level of impacts that would otherwise occur. The improvement is as follows:</p> <p>The I-880/Stevens Creek Interchange consists of the reconfiguration of the existing full cloverleaf to improve traffic flow in the surrounding interchange area by widening and realigning ramps, widening the overcrossing structure at Stevens Creek Boulevard over I-880, improving intersections and providing enhanced access for pedestrians and bicyclists and separation of freeway-to-freeway traffic from local traffic by constructing a new direct connector from northbound I-280 to northbound I-880.</p> <p><b>Less Than Significant Impact With Mitigation</b></p>	<p>Prior to issuance of Public Works Clearance.</p>	<p>Project Applicant</p>	<p>City’s Director of Planning, Building and Code Enforcement</p> <p>City’s Director of Public Works</p>

**SOURCE:** City of San José, *Santana Row Office Development and Rezoning Initial Study*, June 2012.