EXHIBIT "A"
(File Nos. H20-037; ER20-242)

MITIGATION MONITORING AND REPORTING PROGRAM

San José Fountain Alley Mixed-Use Project
File Nos. H20-037 & ER20-242
October 2022

CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

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PREFACE

Section 21081.6 of the California Environmental Quality Act (CEQA) requires a Lead Agency to adopt a Mitigation Monitoring and Reporting Program (MMRP) 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 and reporting program is to ensure compliance with the mitigation measures during project implementation.

The Supplemental Environmental Impact Report (SEIR) prepared for the San José Fountain Alley Mixed-Use project 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 MMRP addresses those measures in terms of how and when they will be implemented.

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

I, andrew jacobson, the applicant, on the behalf of Project Fountain Alley LLC, hereby agree to implement the mitigation measures described below which have been developed in conjunction with the preparation of an SEIR for my proposed project. I understand that these mitigation measures or substantially similar measures will be adopted as conditions of approval with my development permit request to avoid or significantly reduce potential environmental impacts to a less than significant level.

Project Applicant's Signature  andrew jacobson (Nov 4, 2022 14:10 PDT)

Date Nov 4, 2022

MITIGATIONS	MONITORING AND REPORTING PROGRAM				
	Documentation of Compliance [Project Applicant/Proponent Responsibility]		**Documentation of Compliance [Lead Agency Responsibility]**		
	Method of Compliance Or Mitigation Action	**Timing of Compliance**	**Oversight Responsibility**	**Actions/Reports**	**Monitoring Timing or Schedule**
AIR QUALITY					
Impact AIR-1: Construction activities associated with the proposed project would expose the project maximum exposed individuals (MEIs) to a cancer risk of 32.44 cases per one million (for infants) and a maximum-annual $PM_{2.5}$ concentration of 0.46 µg/m^3 which exceeds BAAQMD significance thresholds of 10 cases per one million for cancer risk and 0.3 µg/m^3 for $PM_{2.5}$, respectively.					
MM AIR-1.1: Prior to the issuance of any demolition, grading and/or building permits (whichever occurs earliest), the project applicant shall prepare and submit a construction operations plan that includes specifications of the equipment to be used during construction to the Director of Planning, Building and Code Enforcement or the Director's designee. The plan shall be accompanied by a letter signed by a qualified air quality specialist, verifying that the equipment included in the plan meets the standards set forth below. • For all construction equipment larger than 25 horsepower used at the site for more than two continuous days or 20 hours total, use equipment that meet U.S. Environmental Protection Agency (EPA) Tier 4 Final emission standards for particulate matter (PM_{10} and $PM_{2.5}$). • If Tier 4 equipment is not available, all construction equipment larger than 25 horsepower used at the site for more than two continuous days or 20 hours total shall meet U.S. EPA emission standards for Tier 3 engines and include particulate matter	Submit a construction operations plan and a letter signed by a qualified air quality specialist, verifying that the equipment included in the plan meets the standards defined in MM AIR-1.1.	Prior to issuance of any demolition, grading, or building permits (whichever occurs earliest).	Director of Planning, Building and Code Enforcement or Director's designee.	Review and approve construction operations plan and letter for compliance with standards.	Prior to issuance of any demolition, grading, or building permits (whichever occurs earliest).

emissions control equivalent to CARB Level 3 verifiable diesel emission control devices that altogether achieve a 70 percent reduction in particulate matter exhaust in comparison to uncontrolled equipment. • Use of alternatively fueled or electric equipment. • Stationary cranes and construction generator sets shall be powered by electricity. Alternatively, the project applicant could develop a plan that reduces on- and near-site construction diesel particulate matter emissions by a minimum of 70 percent or greater. The plan shall be reviewed and approved by the Director of Planning or Director's designee of the City of San José Department of Planning, Building and Code Enforcement prior to the issuance of any demolition, grading, or building permits (whichever occurs earliest).					
BIOLOGICAL RESOURCES					
Impact BIO-1: Construction activities associated with the proposed project could result in the loss of fertile eggs, nesting raptors or other migratory birds, or nest abandonment.					
MM BIO-1.1: Tree removal and construction shall be scheduled to avoid the nesting season. The nesting season for most birds, including most raptors in the San Francisco Bay area, extends from February 1st through August 31st, inclusive. If tree removals and construction cannot be scheduled outside of nesting season, a qualified ornithologist shall complete pre-construction surveys to identify active raptor nests that may be disturbed during project implementation. This survey shall be completed no more than 14 days prior to the initiation of demolition/construction activities during the early part of the breeding season (February 1st through April 30th, inclusive) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May 1st through August 31st, inclusive), unless a shorter pre-construction survey is determined to be appropriate based on the presence of a species with a shorter nesting period, such as Yellow Warblers. During this survey, the qualified ornithologist shall inspect all trees and other possible nesting habitats in and immediately adjacent to the construction areas for nests. If an active nest is found in an area that will be	Avoid construction activities during nesting seasons. If construction activities cannot be scheduled outside of nesting season, conduct a pre-construction nesting bird survey by a qualified ornithologist in compliance with the survey timing defined in MM BIO-1.1, designate a construction-free buffer zone around any discovered nest. The qualified ornithologist shall submit a report indicating the results of the survey and any designated buffer zones to the Director of Planning, Building and	Prior to issuance of any tree removal, grading, demolition, and/or building permit or activities.	Director of Planning, Building and Code Enforcement or Director's designee.	Confirm that demolition and construction activities are scheduled outside of the nesting season, or review report indicating the results of the survey and any designated buffer zones.	Prior to issuance of any tree removal, grading, demolition, and/or building permit or activities.

disturbed by construction, the ornithologist will designate a construction-free buffer zone (typically 250 feet) to be established around the nest. The buffer would ensure that raptor or migratory bird nests will not be disturbed during project construction. Prior to any tree removal, or approval of any demolition or grading permits (whichever occurs first), the applicant shall submit an ornithologist's report indicating the results of the survey and any designated buffer zones to the satisfaction of the Director of Planning, Building and Code Enforcement or Director's designee.	Code Enforcement or Director's designee.				
CULTURAL RESOURCES					
Impact CUL-1: Project ground disturbing activities could result in a substantial adverse change in the significance of unknown archaeological resources.					
MM CUL-1.1: Cultural Sensitivity Training. Prior to issuance of any grading permit, the project applicant shall be required to submit evidence that a Cultural Awareness Training program has been provided to construction personnel. The training shall be facilitated by a qualified archaeologist in collaboration with a Native American representative registered with the Native American Heritage Commission for the City of San José and that is traditionally and culturally affiliated with the geographic area as described in Public Resources Code Section 21080.3.	A qualified archaeologist in collaboration with a Native American representative shall facilitate a Cultural Awareness Training for construction personnel.	Prior to issuance of any tree removal, grading, demolition, and/or building permit or activities.	Director of Planning, Building and Code Enforcement or Director's designee	Review and approve evidence that a Cultural Awareness Training has been provided to construction personnel	Prior to any ground disturbing activities or issuance of any grading, or building permits
MM CUL-1.2: Sub-Surface Monitoring. A qualified archaeologist, in collaboration with a Native American monitor, registered with the Native American Heritage Commission for the City of San José and that is traditionally and culturally affiliated with the geographic area as described in Public Resources Code Section 21080.3, shall also be present during applicable earthmoving activities including, but not limited to, trenching, initial or full grading, lifting of foundation, boring on site, or major landscaping. Prior to issuance of any tree removal, grading, demolition, and/or building permit or activities, the applicant shall notify the Director of Planning, Building, and Code Enforcement, or Director's designee, of grading and construction dates and activities that a qualified archeologist and Native American monitor would be present on the project site	Notify the Director of Planning, Building, and Code Enforcement, or Director's designee, of grading and construction dates and activities that a qualified archeologist and Native American monitor would be present on the project site during.	Prior to the issuance of any tree removal, grading, demolition, and/or building permit or activities.	Director of Planning, Building, and Code Enforcement or Director's designee	Review dates and activities that qualified archeologist and Native American monitor would be present on the project	Prior to issuance of any tree removal, grading, demolition, and/or building permit or activities.

during.					
MM CUL-1.3: Treatment Plan. A qualified archeologist in collaboration with a Native American monitor, registered with the Native American Heritage Commission for the City of San José and that is traditionally and culturally affiliated with the geographic area as described in Public Resources Code Section 21080.3, shall prepare a treatment plan that reflects permit-level detail pertaining to depths and locations of excavation activities. The treatment plan shall be prepared and submitted to the Director of Planning, Building, and Code Enforcement or Director's designee prior to the issuance of any grading permits. The treatment plan shall contain, at a minimum: • Identification of the scope of work and range of subsurface effects (including location map and development plan), including requirements for preliminary field investigations. • Description of the environmental setting (past and present) and the historic/prehistoric background of the parcel (potential range of what might be found). • Monitoring schedules and individuals. • Development of research questions and goals to be addressed by the investigation (what is significant vs. what is redundant information). • Detailed field strategy to record, recover, or avoid the finds and address research goals. • Analytical methods. • Report structure and outline of document contents. • Disposition of the artifacts. • Security approaches or protocols for finds. • Appendices: all site records, correspondence, and consultation with Native Americans, etc. The treatment plan shall utilize data recovery methods to reduce impacts on subsurface resources.	A qualified archaeologist in consultation with a Native American representative shall prepare a treatment plan that reflects permit-level detail pertaining to depths and locations of excavation activities.	Prior to issuance of any grading permits.	Director of Planning, Building, and Code Enforcement or Director's designee.	Review and approve the archaeological treatment plan	Prior to issuance of any grading permits.
MM CUL-1.4: Evaluation. The project applicant shall notify the Director of Planning, Building, and Code Enforcement or the Director's designee of any finds during grading or other construction activities. Any historic or prehistoric material identified in the project	Notify the oversight officer of any finds of cultural resources	During grading or other construction activities	Director of Planning, Building, and Code Enforcement or Director's designee	Evaluate materials for eligibility for listing in the California Register	During the preliminary field investigation, grading, or

area during excavation activities shall be evaluated for eligibility for listing in the California Register of Historic Resources as determined by the California Office of Historic Preservation. Data recovery methods may include, but are not limited to, backhoe trenching, shovel test units, hand augering, and hand-excavation. The techniques used for data recovery shall follow the protocols identified in the approved treatment plan. Data recovery shall include excavation and exposure of features, field documentation, and recordation. All documentation and recordation shall be submitted to the Northwest Information Center, and the Director of Planning, Building, and Code Enforcement or the Director's designee.				of Historic Resources as determined by the California Office of Historic Preservation	other construction activities
HAZARDS AND HAZARDOUS MATERIALS					
Impact HAZ-1: Construction activities associated with the proposed project could expose construction workers and nearby land uses to soil and/or groundwater contamination (e.g., tetrachloroethene) from the former coffee roaster business.					
MM HAZ-1.1: Prior to the issuance of any demolition or grading permit(s), the project applicant shall retain a qualified environmental professional to conduct a Phase II soil, soil gas and/or groundwater investigation to determine if the soil, soil gas, and groundwater from former uses of the site have contaminants in concentrations above established construction/trench worker and residential or commercial Regional Water Quality Control Board Environmental Screening Levels (ESLs). If the Phase II results indicate soil, soil gas and/or groundwater contamination above regulatory environmental screen levels, the project applicant must enter into the Santa Clara County Department of Environment Health (SCCDEH) Site Cleanup Program (SCP) to obtain regulatory oversight from SCCDEH. Any further investigation and remedial actions must be performed under regulatory oversight to mitigate the contamination and make the site suitable for the proposed residential development. A report of the findings and of applicable regulatory oversight will be provided to the Director of Planning, Building and Code Enforcement or Director's designee and the Municipal Compliance Officer of the City of San José Environmental Services Department for review.	Retain a qualified environmental professional to conduct a Phase II soil, soil gas and/or groundwater investigation. If the Phase II results indicate soil, soil gas and/or groundwater contamination above regulatory environmental screen levels, the project applicant must enter into the Santa Clara County Department of Environment Health (SCCDEH) Site Cleanup Program (SCP) to obtain regulatory oversight from SCCDEH.	Prior to the issuance of any demolition or grading permits.	Director of Planning, Building and Code Enforcement or Director's designee and the Municipal Compliance Officer of the City of San José Environmental Services Department, and SCCDEH.	Review findings report.	Prior to the issuance of any demolition or grading permits.

MM HAZ-1.2: If soil, soil gas, or groundwater contamination is identified, the project applicant shall implement appropriate management procedures, such as removal of the contaminated soil and implementation of a Site Management Plan (SMP), Removal Action Workplan (RAP), or equivalent document under regulatory oversight from the SCCDEH or State Department of Toxic Substances Control (DTSC). Copies of all environmental investigations shall be submitted to the Director of Planning, Building and Code Enforcement or Director's designee and the Supervising Environmental Compliance Officer in the City of San José's Environmental Services Department. The SMP shall be prepared by a qualified hazardous materials consultant and include the following: • Management practices for handling contaminated soil or other materials if encountered during construction or cleanup activities and measures to minimize dust generation, stormwater runoff, and tracking of soil off-site. • Preliminary Remediation Goals (PRGs) for environmental contaminants of concern to evaluate the site conditions following SMP implementation. • A health and safety plan (HSP) for each contractor working at the site that addresses the safety and health hazards of each site operation phase, including the requirements and procedures for employee protection. The HSP shall outline proper soil handling procedures and health and safety requirements to minimize work and public exposure to hazardous materials during construction. The SMP shall be prepared and submitted to SCCDEH or DTSC for review and approval prior to issuance of grading permits and commencement of cleanup activities. The approved SMP shall detail procedures and protocols for management of soil containing environmental contaminants during site development activities. The approved SMP or No Further Action letter (or equivalent assurance) from SCCDEH or DTSC documenting completion of cleanup activities shall be	If soil, soil gas, or groundwater contamination is identified, the project applicant shall implement appropriate management procedures, such as removal of the contaminated soil and implementation of a Site Management Plan (SMP), Removal Action Workplan (RAP), or equivalent document under regulatory oversight from the SCCDEH or State Department of Toxic Substances Control (DTSC). The SMP shall be submitted to SCCDEH or DTSC.	Prior to the issuance of any grading permits and commencement of cleanup activities.	Director of Planning, Building and Code Enforcement or Director's designee and the Supervising Environmental Compliance Officer in the City of San José's Environmental Services Department.	Review all environmental investigations. Review and approval of SMP or No Further Action letter (or equivalent assurance).	Prior to the issuance of any grading permits.

provided to the Director of Planning, Building and Code Enforcement or Director's designee prior to issuance of any grading permit.					
NOISE AND VIBRATION					
Impact NOI-1: Construction noise would exceed ambient levels of 64 to 69 dBA L_{eq} by five dBA or more for a period of more than one year.					
MM NOI-1.1: Prior to the issuance of any grading or demolition permits, whichever occurs first, the project applicant shall submit and implement a construction noise logistics plan that specifies hours of construction, noise and vibration minimization measures, posting and notification of construction schedules, equipment to be used, and designation of a noise disturbance coordinator. The noise disturbance coordinator shall respond to neighborhood complaints and shall be in place prior to the start of construction and implemented during construction to reduce noise impacts on neighboring residents and other uses. The noise logistics plan shall be submitted to the Director of Planning, Building and Code Enforcement or Director's designee prior to the issuance of any grading or demolition permits for review and approval. As part of the noise logistic plan, construction activities for the proposed project shall include, but is not limited to, the following best management practices: • The contractor shall use "new technology" power construction equipment with state-of-the-art noise shielding and muffling devices. All internal combustion engines used on the project site shall be equipped with adequate mufflers and shall be in good mechanical condition to minimize noise created by faulty or poorly maintained engines or other components. • Prohibit unnecessary idling of internal combustion engines. Staging areas and stationary noise-generating equipment shall be located as far as possible from sensitive receptors (a minimum of 200 feet, where feasible).	Submit and implement a construction noise logistics plan that specifies hours of construction, noise and vibration minimization measures, posting and notification of construction schedules, equipment to be used, and designation of a noise disturbance coordinator.	Submit the construction noise logistics plan for review prior to the issuance of any grading or demolition permits. Implement plan during all phases of construction.	Director of Planning, Building and Code Enforcement or Director's designee.	Review and approve the noise logistics plan.	Prior to the issuance of any grading or demolition permits.

• The surrounding neighborhood within 500 feet shall be notified early and frequently of the construction activities. • Utilize "quiet" air compressors and other stationary noise sources where technology exists. • A "noise disturbance coordinator" shall be designated to respond to any complaints about construction noise. The disturbance coordinator shall determine the cause of the noise complaint (e.g., beginning work too early, bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem. A telephone number for the disturbance coordinator shall be conspicuously posted at the construction site and include it in the notice sent to neighbors regarding the construction schedule.					
Impact NOI-2: Construction vibration levels would exceed the 0.08 in/sec PPV threshold by 0.13 in/sec PPV for historic buildings within 60 feet of the project site.					
MM NOI-2.1: Prior to issuance of any demolition, grading, or building permits, whichever occurs earliest, the project applicant shall implement a Construction Vibration Monitoring Plan (Plan) to document conditions prior to, during, and after vibration generating construction activities. All Plan tasks shall be undertaken under the direction of a licensed Professional Structural Engineer in the State of California and be in accordance with industry-accepted standard methods. The plan shall be submitted to the Director of Planning, Building and Code Enforcement or the Director's designee for review and approval prior to issuance of any demolition, grading, or building permit, whichever occurs earliest. The Plan shall include, but not be limited to, the following measures: • A description of measurement methods, equipment used, calibration certificates, and graphics as required to clearly identify vibration-monitoring locations. • A list of all heavy construction equipment to be used for this project known to produce high vibration levels (e.g., clam shovel drops, vibratory rollers, hoe rams, large bulldozers, caisson drillings,	Submit and implement a Construction Vibration Monitoring Plan (Plan) to document conditions prior to, during, and after vibration generating construction activities. All Plan tasks shall be undertaken under the direction of a licensed Professional Structural Engineer in the State of California and be in accordance with industry-accepted standard methods.	Submit the Plan for review prior to issuance of any demolition, grading, or building permits, whichever occurs earliest.	Director of Planning, Building and Code Enforcement or Director's designee.	Review and approval of the Plan and monitoring reports	Prior to issuance of any demolition, grading, or building permits, whichever occurs earliest.

loaded trucks, jackhammers, etc.) shall be submitted to the Director of Planning, Building or Code Enforcement or the Director's designee by the contractor. This list shall be used to identify equipment and activities that would potentially generate substantial vibration and to define the level of effort for reducing vibration levels below the thresholds. Phase demolition, earth-moving, and ground impacting operations so as not to occur during the same time period. • Use of heavy vibration-generating construction equipment shall be prohibited within 60 feet of any adjacent building (where possible). • Document conditions at all historic structures located within 60 feet of construction prior to, during, and after vibration generating construction activities. All Plan tasks shall be undertaken under the direction of a licensed Professional Structural Engineer in the State of California and be in accordance with industry-accepted standard methods. Specifically: o Vibration limits shall be applied to vibration-sensitive structures located within 60 feet of any construction activities identified as sources of high vibration levels. o Performance of a photo survey, elevation survey, and crack monitoring survey for each historic structure within 60 feet of construction activities. Surveys shall be performed prior to any construction activity, in regular intervals during construction, and after project completion. The surveys shall include internal and external crack monitoring in the structure, settlement, and distress, and shall document the condition of the foundation, walls and other structural elements in the interior and exterior of the structure. • Develop a vibration monitoring and construction contingency plan to identify structures where monitoring would be conducted, set up a vibration monitoring schedule, define structure-specific vibration limits, and address the need to conduct					

photo, elevation, and crack surveys to document before and after construction conditions. Construction contingencies shall be identified for when vibration levels approach the limits. • At a minimum, vibration monitoring shall be conducted during demolition and excavation activities. • If vibration levels approach limits, construction shall be suspended and contingency measures shall be implemented to lower vibration or secure affected structures. • Designate a person responsible for registering and investigating claims of excessive vibration. The contact information of such person shall be clearly posted on the construction site. • Conduct a post-survey on the structure where either monitoring has indicated high levels or complaints of damage. Make appropriate repairs in accordance with the Secretary of the Interior's Standards where damage has occurred as a result of construction activities. The survey shall be submitted to the City of San José Director of Planning, Building and Code Enforcement or the Director's designee.					
MM NOI-2.2: Prior to commencement of any construction activities, including any ground disturbing activities, the project applicant shall prepare and implement a Historical Resources Protection Plan (HRRP) that provides measures and procedures to protect nearby historic resources from direct or indirect impacts during construction activities (i.e., due to damage from operation of construction equipment, staging, and material storage). The HRRP shall be prepared by a qualified Historic Architect and reviewed and approved by the Historic Preservation Officer or equivalent of the City of San José Department of Planning, Building and Code Enforcement prior to demolition and Public Works clearance, including any ground-disturbing work. The project applicant shall ensure the construction contractor follows the HRRP while working near these historic resources. At a minimum, the plan shall include:	A qualified Historic Architect shall prepare and implement a Historical Resources Protection Plan (HRRP) that provides measures and procedures to protect nearby historic resources from direct or indirect impacts during construction activities.	Prior to commencement of any construction activities, including any ground disturbing activities.	Historic Preservation Officer or equivalent of the City of San José Department of Planning, Building and Code Enforcement	Review and approve HRRP.	Prior to demolition and Public Works clearance, including any ground-disturbing work.

• Guidelines for operation of construction equipment adjacent to historical resources; • Means and methods to reduce vibrations levels from excavation and construction; • Requirements for monitoring and documenting compliance with the HRRP; and • Education/training of construction workers about the significance of the adjacent historical resources.					
Impact NOI-2.3: The Historic Architect shall establish a "Monitoring Team" comprised of at least one qualified Historic Architect and one qualified structural engineer for the duration of the site monitoring process. The Monitoring Team shall monitor the adjacent historical resources and any changes to existing conditions shall be reported, including, but not limited to, expansion of cracks, new spalls, or other exterior deterioration during construction phase and any changes to the existing conditions shall be reported. In addition, the Monitoring Team shall prepare a site visit report documenting all site visits. The Monitoring Team shall submit the site visit reports and documents to the City's Historic Preservation Officer no later than one week after each reporting period (as defined by the HRRP). The City's Historic Preservation Officer shall determine the frequency of the reporting period. The structural engineer shall consult with the Historic Architect if any problems related to the character-defining features of the historic resources occur. The Director of Planning, Building and Code Enforcement or the Director's designee and the Historic Preservation Officer of the City of San José Department of Planning, Building and Code Enforcement may request any additional number of site visits at their discretion. If, in the opinion of the Monitoring Team, substantial adverse impacts related to construction activities are found during construction, the Monitoring Team shall inform the project applicant (or the applicant's designated representative responsible for construction activities), the Director of Planning, Building and Code Enforcement or the Director's designee, and the Historic Preservation Officer of the potential impacts immediately. The project applicant shall implement the	Historic Architect shall establish a "Monitoring Team" comprised of at least one qualified Historic Architect and one qualified structural engineer for the duration of the site monitoring process. Prepare a site visit report documenting all site visits and submit the reports and documents to the City's Historic Preservation Officer no later than one week after each reporting period (as defined by the HRRP). The Monitoring Team shall submit a final document associated with monitoring and repairs after completion of the construction activities.	Submit the reports and documents to the City's Historic Preservation Officer no later than one week after each reporting period (as defined by the HRRP). Submit final documentation after completion of the construction activities prior to the issuance of any Certificate of Occupancy (temporary or final).	Director of Planning, Building and Code Enforcement or the Director's designee Historic Preservation Officer of the City of San José Department of Planning, Building and Code Enforcement	Review reports after each reporting period and final documentation.	Prior to the issuance of any Certificate of Occupancy (temporary or final).

Monitoring Team's recommendations for corrective measures, including halting construction in situations where construction activities would imminently endanger historic resources. In the event of damage to a nearby historic resource during construction, the project applicant shall ensure that repair work is performed in compliance with the Secretary of the Interior's Standards for the Treatment of Historic Properties and shall restore the character-defining features in a manner that does not affect the structure's historic status. The Monitoring Report shall also include, but is not limited to, the following: • Summary of the construction progress; • Identification of substantial adverse impacts related to construction activities; • Problems and potential impacts to the historical resources during construction activities; • Recommendations to avoid any potential impacts; • Actions taken by the project applicant in response to the problem; • Progress and the level of success in meeting the applicable Secretary of the Interior's Standards for the Treatment of Historic Properties for the project as noted above for the character-defining features, and in preserving the character-defining features of nearby historic properties; and • Inclusion of photographs to explain and illustrate progress. • In addition, the Monitoring Team shall submit a final document associated with monitoring and repairs after completion of the construction activities to the Director of Planning, Building and Code Enforcement or the Director's designee and the Historic Preservation Officer of the City of San José Department of Planning, Building and Code Enforcement prior to the issuance of any Certificate of Occupancy (temporary or final).					

Source: City of San José. Draft SEIR. Fountain Alley Mixed-Use Project. June 2022.