

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE ADOPTING THE RACE STREET AND GRAND AVENUE RESIDENTIAL DEVELOPMENT PROJECT MITIGATED NEGATIVE DECLARATION, FOR WHICH AN INITIAL STUDY WAS PREPARED, ALL IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AS AMENDED, AND ADOPTING A RELATED MITIGATION MONITORING AND REPORTING PROGRAM

WHEREAS, prior to the adoption of this Resolution, the Planning Director of the City of San José prepared an Initial Study and approved for circulation a Mitigated Negative Declaration for the Race Street and Grand Avenue Residential Development Project under Planning File No. PDC17-019 (the “Initial Study/Mitigated Negative Declaration”), all in accordance with the requirements of the California Environmental Quality Act of 1970, together with state and local guidelines implementing said Act, all as amended to date (collectively “CEQA”); and

WHEREAS, the Race Street and Grand Avenue Residential Development Project (the “Project”) analyzed under the Initial Study/Mitigated Negative Declaration consists of a rezoning from the A(PD) Planned Development Zoning District to A(PD) Planned Development Zoning District to allow for the demolition of all buildings and structures on site and construct one of two scenarios: (1) 206 multi-family apartment units with approximately 8,500 square feet of retail/commercial space; or (2) 116 multi-family and 90 senior apartment units with approximately 8,500 square feet of retail/commercial space on an approximate 2.3 gross acre site located west of Race Street, east of Grand Avenue, south of Park Avenue, and north of West San Carlos Street in the City of San José (Assessor’s Parcel Number 261-42-007, -008, -011, -058, -069 to -072, and -079), San José, California; and

WHEREAS, the Initial Study/Mitigated Negative Declaration concluded that implementation of the Project could result in certain significant effects on the environment and identified mitigation measures that would reduce each of those significant effects to a less-than-significant level; and

WHEREAS, in connection with the approval of a project involving the preparation of an initial study/mitigated negative declaration that identifies one or more significant environmental effects, CEQA requires the decision-making body of the lead agency to incorporate feasible mitigation measures that would reduce those significant environmental effects to a less-than-significant level; and

WHEREAS, whenever a lead agency approves a project requiring the implementation of measures to mitigate or avoid significant effects on the environment, CEQA also requires a lead agency to adopt a mitigation monitoring and reporting program to ensure compliance with the mitigation measures during project implementation, and such a mitigation monitoring and reporting program has been prepared for the Project for consideration by the decision-maker of the City of San José as lead agency for the Project (the “Mitigation Monitoring and Reporting Program”); and

WHEREAS, the City of San José is the lead agency on the Project, and the City Council is the decision-making body for the proposed approval to undertake the Project; and

WHEREAS, the City Council has reviewed and considered the Initial Study/Mitigated Negative Declaration and related Mitigation Monitoring and Reporting Program for the Project and intends to take actions on the Project in compliance with CEQA and state and local guidelines implementing CEQA; and

WHEREAS, the Initial Study/Mitigated Negative Declaration and related Mitigation Monitoring and Reporting Program for the Project are on file in the Office of the Director

of Planning, located at 200 East Santa Clara Street, 3rd Floor Tower, San José, California, 95113, are available for inspection by any interested person at that location and are, by this reference, incorporated into this Resolution as if fully set forth herein;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE:

THAT THE CITY COUNCIL does hereby make the following findings: (1) it has independently reviewed and analyzed the Initial Study/Mitigated Negative Declaration and other information in the record and has considered the information contained therein, prior to acting upon or approving the Project; (2) the Initial Study/Mitigated Negative Declaration prepared for the Project has been completed in compliance with CEQA and is consistent with state and local guidelines implementing CEQA; and (3) the Initial Study/ Mitigated Negative Declaration represents the independent judgment and analysis of the City of San José, as lead agency for the Project. The City Council designates the Director of Planning at the Director's Office at 200 East Santa Clara Street, 3rd Floor Tower, San José, California, 95113, as the custodian of documents and records of proceedings on which this decision is based.

THAT THE CITY COUNCIL does hereby find that based upon the entire record of proceedings before it and all information received that there is no substantial evidence that the Project will have a significant effect on the environment and does hereby adopt the Mitigated Negative Declaration and related Mitigation Monitoring and Reporting Program prepared for the Project (Planning File Nos. PDC17-019). The Mitigation Monitoring and Reporting Program for the Project is attached hereto as Exhibit "A" and fully incorporated herein. The Initial Study/ Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program are: (1) on file in the Office of the Director of Planning, located at 200 East Santa Clara Street, 3rd Floor Tower, San José, California, 95113; and (2) available for inspection by any interested person.

ADOPTED this ____ day of _____, 2018, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk

MITIGATION MONITORING AND REPORTING PROGRAM

Race Street and Grand Avenue Residential Development

File No. PDC17-019

CITY OF SAN JOSÉ
February 2018



P R E F A C E

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 monitoring and reporting program is to ensure compliance with the mitigation measures during project implementation.

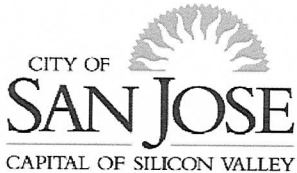
The Initial Study/Mitigated Negative Declaration prepared for the Race Street and Grand Avenue Residential Development Project concluded that the implementation of the project could result in significant effects on the environment and mitigation measures were incorporated into the proposed project or are required as a condition of project approval. This Mitigation Monitoring and 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/Mitigated Negative Declaration concluded that the impacts from implementation of the project would be less than significant.

I, VINCE CANTORE, the applicant, on the behalf of ^{THE}CORE COMPANIES, hereby agree to fully implement the Mitigation Measures described below which have been developed in conjunction with the preparation of an Initial Study/Mitigated Negative Declaration 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, where feasible.

Project Applicant's Signature 

Date 2/15/2018



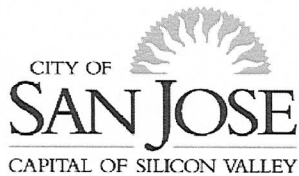
Planning, Building and Code Enforcement

ROSALYNN HUGHEY, INTERIM DIRECTOR

Race Street and Grand Avenue
Residential Development
File No. PDC17-019

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 MM AIR-1: The project would result in a maximum residential cancer risk during construction activities that would exceed the BAAQMD significance threshold.					
<p>MM-AIR-1.1: The project shall develop a plan demonstrating that the off-road equipment used on-site to construct the project would achieve a fleet-wide average 37 percent reduction in PM₁₀ exhaust emissions (assumed to be diesel particulate matter [DPM]) or more. Feasible methods to achieve this reduction would include, but are not limited to, the following:</p> <ul style="list-style-type: none"> All mobile diesel-powered off-road equipment larger than 25 horsepower and operating on the site for more than two days continuously shall meet, at a minimum, U.S. EPA particulate matter emissions standards for Tier 2 engines or equivalent and include the use of equipment that includes CARB-certified Level 3 Diesel Particulate Filters. Use of alternatively-fueled equipment (i.e., non-diesel). Other measures may be the use of added exhaust devices, or a combination of measures, provided that these measures are approved by the City and demonstrated to reduce community risk impacts to a less than significant level. The project applicant shall prepare a construction operations plan that includes specifications of the equipment to be used 	<p>The proposed plan to achieve a fleet-wide average 37 percent reduction in diesel particulate matter (DPM) emissions shall be submitted to the Supervising Environmental Planner of the Planning, Building, and Code Enforcement Department for review/approval.</p>	<p>Prior to the issuance of any demolition, grading, and/or building permits (whichever occurs earliest).</p>	<p>Supervising Environmental Planner of Department of Planning, Building, and Code Enforcement.</p>	<p>Review/approve the proposed plan to achieve a fleet-wide average 37 percent reduction in DPM emissions.</p>	<p>Prior to the issuance of any demolition, grading, and/or building permits (whichever occurs earliest).</p>

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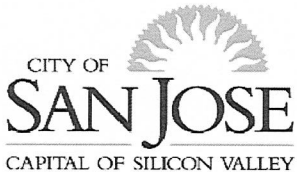
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<p>during construction to demonstrate how a fleet-wide average 37 percent reduction in DMP emissions would be achieved.</p> <p>The plan shall be submitted to the Supervising Environmental Planner of the City of San José Department of Planning, Building, and Code Enforcement prior to the issuance of any demolition, grading, and/or building permits (whichever occurs earliest). 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 in this mitigation measure.</p>					
BIOLOGICAL RESOURCES					
Impact BIO-1: Demolition, grading, and construction activities and tree removal during nesting season could impact nearby migratory birds.					
<p>MM BIO-1.1: <u>Avoidance:</u> The project applicant shall schedule demolition and construction activities 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), as amended.</p>	<p>All measures shall be printed on all construction documents, contracts, and project plans.</p> <p>Avoid construction activities during nesting seasons.</p>	<p>Prior to the issuance of any tree removal, demolition, grading, and/or building permits (whichever occurs earliest).</p>	<p>Supervising Environmental Planner of the City of San José Department of Planning, Building, and Code Enforcement.</p>	<p>Ensure that all measures are printed on all construction documents, contracts, and project plans. Confirm if project is scheduled outside of nesting season.</p>	<p>Prior to the issuance of any tree removal, demolition, grading, and/or building permits (whichever occurs earliest).</p>
<p>MM BIO-1.2: <u>Nesting Bird Surveys:</u> If it is not possible to schedule demolition and construction between September 1st and January 31st (inclusive),</p>	<p>All measures shall be printed on all construction</p>	<p>Prior to the issuance of any tree removal, demolition, grading,</p>	<p>Supervising Environmental Planner of the City of San José</p>	<p>Ensure that all measures are printed on all</p>	<p>Prior to the issuance of any tree removal,</p>

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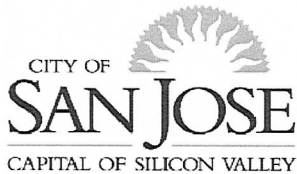


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<p>pre-construction surveys for nesting birds shall be completed by a qualified ornithologist to ensure that no nests shall be disturbed during project implementation. This survey shall be completed no more than 14 days prior to the initiation of construction 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). During this survey, the ornithologist shall inspect all trees and other possible nesting habitats immediately adjacent to the construction areas for nests.</p>	<p>documents, contracts, and project plans.</p> <p>Submit a report indicating the results of the preconstruction survey and any designated buffer zones to the Supervising Environmental Planner at the Department of Planning, Building, and Code Enforcement.</p>	<p>and/or building permits (whichever occurs earliest).</p>	<p>Department of Planning, Building, and Code Enforcement.</p>	<p>construction documents, contracts, and project plans.</p> <p>Review/approve preconstruction survey report, if applicable.</p>	<p>demolition, grading, and/or building permits (whichever occurs earliest).</p>
<p>MM BIO-1.3: Buffer Zones: If an active nest is found sufficiently close to work areas to be disturbed by construction, the ornithologist, in consultation with the California Department of Fish and Wildlife, shall determine the extent of a construction free buffer zone to be established around the nest, typically 250 feet, to ensure that raptor or migratory bird nests shall not be disturbed during project construction.</p>	<p>All measures shall be printed on all construction documents, contracts, and project plans.</p> <p>Submit a report indicating the results of the preconstruction survey and any designated buffer zones to the Supervising Environmental Planner of the Department of Planning, Building, and Code Enforcement.</p>	<p>Prior to the issuance of any tree removal, demolition, grading, and/or building permits (whichever occurs earliest).</p>	<p>Supervising Environmental Planner of the City of San José Department of Planning, Building, and Code Enforcement.</p>	<p>Ensure that all measures are printed on all construction documents, contracts, and project plans.</p> <p>Review/approve preconstruction survey report.</p>	<p>Prior to the issuance of any tree removal, demolition, grading, and/or building permits (whichever occurs earliest).</p>
<p>MM BIO-1.4: Reporting: Prior to any tree removal, or approval of any grading or demolition permits (whichever occurs first), the ornithologist shall submit a report indicating the results of the survey and any</p>	<p>All measures shall be printed on all construction documents, contracts, and project plans.</p>	<p>Prior to the issuance of any tree removal, demolition, grading, and/or building</p>	<p>Supervising Environmental Planner of the City of San José Department of</p>	<p>Ensure that all measures are printed on all construction</p>	<p>Prior to the issuance of any tree removal, demolition,</p>

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designated buffer zones to the satisfaction of the City’s Supervising Environmental Planner.	Submit a report indicating the results of the preconstruction survey and any designated buffer zones to the Supervising Environmental Planner at the Department of Planning, Building, and Code Enforcement.	permits (whichever occurs earliest).	Planning, Building, and Code Enforcement.	documents, contracts, and project plans. Review/approve preconstruction survey report.	grading, and/or building permits (whichever occurs earliest).

CULTURAL RESOURCES

Impact CUL-1: Construction activities could impact unknown archaeological resources.

<p>MM CUL-1.1: Preliminary Investigation: Once the buildings and structures have been demolished and the pavement and landscaping removed, a qualified archaeologist shall complete a presence/absence exploration to determine if there are any indications of discrete historic-era subsurface archaeological features. Shallow mechanical excavations shall be focused along the back part of the lot boundaries dividing the eastern and western parcels between Grand Avenue and Race Street where historical outbuildings were once situated. At least one trench shall be excavated to 15 feet deep to address the potential for subsurface Native American archaeological resources within the project area. The results of the presence/absence exploration shall be submitted to the Supervising Environmental Planner and Historic Preservation Officer of the City of San José Department of Planning, Building, and Code Enforcement for review and approval prior to issuance</p>	<p>All measures shall be printed on all construction documents, contracts, and project plans.</p> <p>Complete a presence/absence exploration to determine whether historic archaeological features exist on the site and submit the results to the Supervising Environmental Planner and Historic Preservation Officer of the City of San José Department of Planning, Building, and Code Enforcement.</p>	<p>Prior to issuance of any grading permits and during all phases of construction.</p>	<p>Supervising Environmental Planner and Historic Preservation Officer of the City of San José Department of Planning, Building, and Code Enforcement.</p>	<p>Review the presence/absence exploration results.</p>	<p>Prior to issuance of any grading permits and during all phases of construction.</p>
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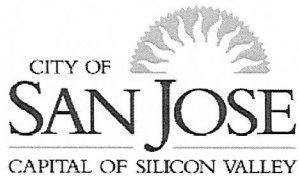
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of any grading permit. Based on the findings of the presence/absence exploration, an archaeological resources treatment plan (as described in MM CUL-1.2) shall be prepared by a qualified archaeologist if necessary.	Prepare and implement a treatment plan for historic and prehistoric artifacts, as necessary.				
<p>MM CUL-1.2 Treatment Plan: If required by MM CUL-1.1, the project applicant shall retain a qualified archaeologist to prepare a treatment plan that reflects the permit-level detail pertaining to depths and locations of all ground disturbing activities. The treatment plan shall be prepared and submitted to the Supervising Environmental Planner and the Historic Preservation Officer of the City of San José Department of Planning, Building, and Code Enforcement prior to approval of any grading permit. The treatment plan shall contain, at a minimum:</p> <ul style="list-style-type: none"> • 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). • 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. 	A qualified archaeologist shall prepare and implement the project-specific archaeological resource treatment plan, as necessary. The plan shall be reviewed and approved by the Supervising Environmental Planner and Historic Preservation Officer of the City of San José Department of Planning, Building, and Code Enforcement.	Prior to issuance of any grading permits and during all phases of construction.	Supervising Environmental Planner and Historic Preservation Officer of the City of San José Department of Planning, Building, and Code Enforcement.	Review the treatment plan for historic and prehistoric artifacts.	Prior to issuance of any grading permits.

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<ul style="list-style-type: none"> Analytical methods. Report structure and outline of document contents. Disposition of the artifacts. Appendices: all site records, correspondence, and consultation with Native Americans, etc. <p>Implementation of the plan, by a qualified archaeologist, shall be required prior to the issuance of any grading permits. The treatment plan shall utilize data recovery methods to reduce impacts on subsurface resources.</p>					
<p>MM CUL-1.3: Accidental Discovery: In the event that prehistoric or historic resources are encountered during excavation and/or grading of the site, all activity within a 50-foot radius of the find shall be stopped, the Supervising Environmental Planner and Historic Preservation Officer of the City of San José Department of Planning, Building, and Code Enforcement shall be notified, and a qualified archaeologist will examine the find. Project personnel shall not collect or move any cultural material.</p> <p>The archaeologist shall 1) evaluate the find(s) to determine if they meet the definition of a historical or archaeological resource; and (2) make appropriate recommendations regarding the disposition of such finds prior to issuance of any occupancy permits. Construction and potential impacts to the area(s) within a radius determined by the archaeologist shall not recommence until the assessment is complete. If the</p>	<p>All measures shall be printed on all construction documents, contracts, and project plans.</p> <p>If prehistoric or historic resources are found on the site, stop work and implement additional measures to address the resource(s).</p>	<p>Prior to issuance of any occupancy permits and before and during all phases of construction.</p>	<p>Supervising Environmental Planner and Historic Preservation Officer of the City of San José Department of Planning, Building, and Code Enforcement, and the Northwest Information Center.</p>	<p>Ensure that all measures are printed on all construction documents, contracts, and project plans.</p> <p>Review/approve report of findings of any data recovery.</p>	<p>Prior to issuance of any occupancy permits and before and during all phases of construction.</p>

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<p>finds do not meet the definition of a historical or archaeological resources, no further study or protection is necessary prior to project implementation. If the find(s) does meet the definition of a historical or archaeological resource, then it shall be avoided by project activities. Project personnel shall not collect or move any cultural material. Fill soils that may be used for construction purposes shall not contain archaeological materials.</p> <p>If avoidance is not feasible, adverse effects to such resources shall be mitigated in accordance with the recommendations of the archaeologist. Recommendations shall include, but are not limited to, collection, recordation, and analysis of any significant cultural materials. 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 per MM CUL-1.2, or otherwise equivalent as determined by the qualified archaeologist.</p> <p>Data recovery shall include excavation and exposure of features, field documentation, and recordation. A final report documenting any data recovery shall be submitted to the Supervising Environmental Planner and Historic Preservation Officer of the City of San José Department of Planning, Building, and Code Enforcement and the Northwest Information Center (NWIC) prior to issuance of occupancy permits.</p>					

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HAZARDS AND HAZARDOUS MATERIALS					
Impact HAZ-1: Tetrachloroethylene was detected in soil gas samples on the project site indicating a past release originating offsite.					
MM HAZ-1.1: Preliminary Investigation: Additional soil gas investigation and testing shall be completed to determine the extent of tetrachloroethylene (PCE) contamination on the project site. Based on the results of the investigation, additional mitigation measures may be required, including soil removal and vapor barriers. The results of the preliminary investigation shall be submitted to the Santa Clara County Department of Environmental Health (SCCDEH), or equivalent agency. This can also be part of the submittal as mentioned in MM HAZ 2.1 below. A copy of the preliminary investigation results shall be submitted to the Supervising Environmental Planner of the City of San José Department of Planning, Building, and Code Enforcement and Municipal Compliance Officer of the City of San José Environmental Services Department for approval prior to the issuance of any grading permits.	All measures shall be printed on all construction documents, contracts, and project plans. Complete preliminary investigation of soil gas testing and implement additional measures as necessary.	Prior to issuance of any grading permits.	Code Enforcement and Municipal Compliance Officer of the City of San José Environmental Services Department. Supervising Environmental Planner of the City of San José Department of Planning, Building, and Code Enforcement.	Review/approve additional measures to address PCE contamination, as applicable.	Prior to the issuance of any grading permits.
Impact HAZ-2: Shallow soils to be removed under the proposed project may include elevated hydrocarbon and metals concentrations, and removal of USTs may be needed as part of development.					
MM HAZ-2.1: Site Management Plan: Under regulatory oversight from the Santa Clara County Department of Environmental Health (SCCDEH) using their Voluntary Cleanup Program (VCP), or equivalent regulatory agency, the project applicant shall prepare the following documents: <ul style="list-style-type: none"> As mentioned in MM HAZ-1.1, soil gas investigation and testing shall be completed to 	All measures shall be printed on all construction documents, contracts, and project plans. Complete preliminary investigation of soil gas testing and implement	Prior to issuance of any grading permits.	Santa Clara County Department of Environmental Health, Supervising Environmental Planner of the City of San José Department of Planning, Building,	SCCDEH (or equivalent agency) reviews and approves SMP and HSP, if applicable. A copy of the SMP, HSP, and	Prior to issuance of any grading permits.

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<p>determine the extent of PCE contamination on the project site. Based on the results of the investigation, the regulatory agency may require a Site Management Plan (SMP) or similar document to manage the cleanup of potential contamination.</p> <ul style="list-style-type: none"> • If applicable, a SMP shall be prepared prior to construction to reduce or eliminate exposure risk to human health and the environment, specifically, potential risks associated with the presence of lead-contaminated soils. • The SMP shall be prepared by a qualified hazardous materials consultant to establish management practices for handling contaminated soil or other materials encountered during construction activities. The SMP shall include, but is not limited to, the following: <ul style="list-style-type: none"> ○ A detailed discussion of the site background; ○ Proper mitigation as needed for demolition of existing structures; ○ Management of stockpiles, including sampling, disposal, and dust and runoff control including implementation of a stormwater pollution prevention program; ○ Management of underground structures encountered, including utilities and/or underground storage 	<p>additional measures as necessary.</p> <p>Prepare and submit a Site Management Plan and Health and Safety Plan.</p>		<p>and Code Enforcement, and Municipal Compliance Officer of the City of the San José Environmental Services Department.</p>	<p>confirmation from SCCDEH (or equivalent agency) shall be reviewed by City of San José Supervising Environmental Planner of the Department of Planning, Building, and Code Enforcement.</p>	

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<p>tanks (also specified in MM HAZ-2.2);</p> <ul style="list-style-type: none"> ○ Procedures to follow if evidence of an unknown historic release of hazardous materials (e.g., underground storage tanks, polychlorinated biphenyls, asbestos-containing materials, lead-based paint, etc.) is discovered during excavation or demolition; ○ A health and safety plan (HSP) for each contractor working at the site, in an area below grade, 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; ○ A section about regulatory agencies and protocol if underground storage tanks (USTs) are encountered during construction activities; and ○ A section about regulatory agencies and protocol if complete removal of USTs is needed. 					

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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
The SMP shall be submitted to the SCCDEH (or equivalent agency) for review and approval. A copy of the approved SMP shall be submitted to the Supervising Environmental Planner of the City of San José Department of Planning, Building, and Code Enforcement and Municipal Compliance Officer of the City of San José Environmental Services Department for approval prior to the issuance of any grading permits.					
MM HAZ-2.2: <u>Discovery of USTs:</u> If USTs are encountered during demolition, construction, or grading activities, the project applicant shall notify SCCDEH and the City of San José Fire Department. Earthmoving activities shall be ceased until appropriate measures, approved by SCCDEH and/or the City of San José Fire Department, are taken to address the UST.	All measures shall be printed on all construction documents, contracts, and project plans. If USTs are found on the site, stop work and implement additional measures to address the UST(s).	All measures shall be printed on all construction documents, contracts, and project plans prior to the issuance of any grading permits. During all phases of construction.	Santa Clara County Department of Environmental Health and City of San José Fire Department. Supervising Environmental Planner of the City of San José Department of Planning, Building, and Code Enforcement.	Ensure that all measures are printed on all construction documents, contracts, and project plans. Review/approve additional measures to address USTs, as applicable.	All measures shall be printed on all construction documents, contracts, and project plans prior to the issuance of any grading permits. During all phases of construction.
NOISE AND VIBRATION					
Impact NOI-1: Construction noise and vibration generated by the proposed project could impact nearby sensitive receptors.					
MM NOI-1.1: <u>Construction Noise and Vibration Plan:</u> The project applicant shall develop and implement a Construction Noise and Vibration Logistics Plan during all phases of construction on the project site. The Plan shall be included as part of the contracts for	All measures shall be printed on all construction documents, contracts, and project plans.	Prior to issuance of any grading permits.	Supervising Environmental Planner of the City of San José Department of Planning, Building,	Ensure that all measures are printed on all construction documents,	Prior to issuance of any grading permits.

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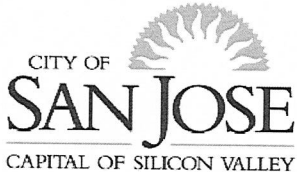


Planning, Building and Code Enforcement
 ROSALYNN HUGHEY, INTERIM DIRECTOR

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<p>construction workers and applicable supervisors. All measures shall be printed on all approved construction documents, contracts, and/or project plans. The project applicant shall submit a copy of all approved plans, construction documents, contracts, and/or project plans to the Supervising Environmental Planner prior to the issuance of any grading permit. The Plan shall include, but is not limited to, the following:</p> <ul style="list-style-type: none"> • A list of all potential equipment (including specs) that will be used during all earthmoving activities. • A schedule of all earthmoving activities. • Responsibilities of personnel on the site. • Outreach strategies to inform nearby residences of construction hours and phase. • Best management practices to reduce construction noise such as, but is not limited to, the following: <ul style="list-style-type: none"> ○ Construct solid plywood fences around construction sites adjacent to operational businesses, residences, or noise-sensitive land uses. ○ Utilize “quiet” models of air compressors and other stationary noise sources where technology exists. ○ Equip all internal combustion engine-driven equipment with mufflers, which are in good condition and appropriate for the equipment. 	<p>Prepare and submit a Construction Noise and Vibration Logistics Plan.</p>		<p>and Code Enforcement.</p>	<p>contracts, and project plans. Review the Construction Noise and Vibration Logistics Plan.</p>	

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<ul style="list-style-type: none"> ○ Locate all stationary noise-generating equipment, such as air compressors and portable power generators, as far away as possible from adjoining noise-sensitive land uses. ○ Prohibit all unnecessary idling of internal combustion engines. ○ Notify all adjacent business, residences, and other noise-sensitive land uses of the construction schedule, in writing, and provide a written schedule of “noisy” construction activities to the adjacent land uses and nearby residences. ● The name and contact information (i.e., telephone number and email address) of the disturbance coordinator, who would be responsible for responding to complaints about construction noise, shall be posted at the construction site and included in the notice sent to neighboring noise-sensitive land uses regarding the construction schedule. 					
<p>MM NOI-1.2: Construction equipment: In addition to MM NOI-1.1, the project applicant shall include the following requirements in all construction documents, contracts, and project plans to reduce vibration impacts to nearby residences and structures during construction activities.</p> <ul style="list-style-type: none"> ● The contractor shall alert heavy equipment operators to the proximity of the adjacent structures so they can exercise care. 	<p>All measures shall be printed on all construction documents, contracts, and project plans.</p>	<p>Prior to issuance of any grading permits.</p>	<p>Supervising Environmental Planner of the City of San José Department of Planning, Building, and Code Enforcement.</p>	<p>Ensure that all measures are printed on all construction documents, contracts, and project plans.</p>	<p>Prior to issuance of any grading permits.</p>

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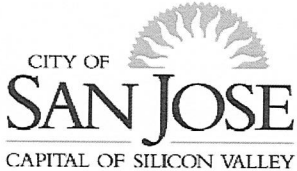


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<ul style="list-style-type: none"> The contractor shall retain a qualified firm to complete a pre- and post-construction cosmetic crack survey of the buildings adjacent to the southern boundary and shall repair any cosmetic cracking that is reasonably determined to have occurred due to the construction, based on the recommendation of the qualified firm. Limit the use of heavy vibration-generating construction equipment within 30 feet of the northern and southern site boundaries. 					
Impact NOI-2: Mechanical equipment noise generated by the proposed project could impact nearby sensitive receptors.					
<p>MM NOI-2.1: <u>Mechanical equipment selection:</u> The project applicant shall select and design mechanical equipment that will reduce impacts on surrounding uses to comply with the City’s 55 dBA DNL noise level requirement at the property boundary of the nearby noise-sensitive land uses. A qualified acoustical consultant shall be retained to review mechanical equipment noise levels prior to their installation to determine specific noise reduction measures necessary to comply with the City’s noise level requirements. The results of the review shall be submitted to the Department of Planning, Building, and Code Enforcement along with the building plans and approved design, prior to issuance of any building permits. Noise reduction measures may include, but are not limited to, selection of equipment that emits low noise levels; and/or installation of noise barriers, such as enclosures and parapet walls, to block the line-</p>	<p>All measures shall be printed on all construction documents, contracts, and project plans.</p> <p>Prepare and implement a mechanical noise review and specific noise reduction measures.</p>	<p>Prior to issuance of any building permits and before and during all phases of construction.</p>	<p>Supervising Environmental Planner of the City of San José Department of Planning, Building, and Code Enforcement.</p>	<p>Ensure that all measures are printed on all construction documents, contracts, and project plans.</p> <p>Review/approve mechanical noise review and specific noise reduction measures.</p>	<p>Prior to issuance of any building permits.</p>

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of-sight between the noise source and the nearest receptors. Alternate measures may include locating equipment in less noise-sensitive areas, such as the rooftop of the buildings away from the building's edge nearest the noise-sensitive receptors, where feasible. Alternate measures shall be reviewed by the Department of Planning, Building, and Code Enforcement prior to issuance of any building permits.					

Source: City of San José. *Race Street and Grand Avenue Residential Development Initial Study / Environmental Assessment.* January 2018.

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