MITIGATION MONITORING AND REPORTING PROGRAM

JAPANTOWN CORPORATION YARD REDEVELOPMENT PROJECT
File No. PDC15-018

CITY OF SAN JOSÉ
SEPTEMBER 2015

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

In order to avoid or significantly reduce significant environmental impacts of the project to a less than significant level so that an Addendum to the *Japantown Corporation Yard Redevelopment Project Final EIR* may be adopted, the applicant must agree to revise the project to include the mitigation measures contained herein before a proposed Addendum and Initial Study are released for public review in accordance with the California Environmental Quality Act Guidelines 15070 (b)(1).

I, _____, the applicant, on the behalf of_____, hereby agree to fully implement the Mitigation Measures described below which have been developed in conjunction with the preparation of an Addendum and Initial Study 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.

This Mitigation Monitoring and Reporting Program addresses those measures in terms of how and when they will be implemented.

Applicant's Signature _____

Date_____

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
Aesthetics				
Impact VIS-1: The proposed project could detract from the existing visual character of historic resources located adjacent to the project site.	**MM VIS-1:** Implement Mitigation Measures CULT-3a and 3b (below), which require project design modifications to reduce the project's impacts to the San José Japantown Historic District's integrity of setting and feeling. This would be achieved by designing new construction that is sympathetic to the district's existing architectural context and historical qualities.	Project sponsor and/ or contractor(s); and the Department of Planning, Building and Code Enforcement	All required design measures shall be included on a complete Development Permit and Building Permit plan set.	Prior to Development Permit approval, during and post construction
Impact VIS-2: The removal of all ordinance sized trees from the project site would substantially damage scenic resources.	**MM VIS-2:** Implement Mitigation Measure BIO-1, which requires mitigation for the loss of ordinance sized trees by implementation of landscaping plans approved by the City of San José. Tree replacement for those trees greater than 18 inches in diameter shall occur at a ratio of 4:1 (trees planted to trees removed) with 24-inch box trees.	Project sponsor and/ or contractor(s); and the Department of Planning, Building and Code Enforcement	A tree mitigation/ replacement plan shall be included on a Landscape Plan sheet as part of a complete Development Permit plan set and/or evidence [receipt] of a donation to Our City Forest shall be provided to the Project Manager.	Prior to issuance of a Development Permit

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
Air Quality				
Impact AIR 1: Demolition and construction period activities could generate significant dust, exhaust, and organic emissions.	**MM AIR 1:** Consistent with guidance from the BAAQMD, the following actions shall be required of construction contracts and specifications. *Demolition*. The following controls shall be implemented during demolition: • Water during demolition work, including the break-up of pavement and infrastructure, to control dust generation; • Cover all trucks hauling demolition debris from the site; and • Use dust-proof chutes to load debris into trucks whenever feasible. *Construction*. The following controls shall be implemented at all construction sites: • Water all active construction areas at least twice daily and more often during windy periods; active areas adjacent to existing land uses shall be kept damp at all times, or shall be treated with non toxic stabilizers to control dust; • Cover all trucks hauling soil, sand, and other loose materials; • Pave, apply water three times daily, or apply (non toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites; • Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas at construction sites; water sweepers shall vacuum up excess water to avoid runoff related impacts to water quality; • Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets; • Apply non toxic soil stabilizers to inactive construction areas; • Enclose, cover, water twice daily, or apply non toxic soil binders to exposed stockpiles (dirt, sand, etc.); • Limit traffic speeds on unpaved roads to 15 mph; • Install sandbags or other erosion control measures to prevent silt runoff to public roadways; • Replant vegetation in disturbed areas as quickly as possible; • Install baserock at entryways for all exiting trucks, and wash off the tires or tracks of all trucks and equipment in designated areas before leaving the site; and • Suspend excavation and grading activity when winds (instantaneous	Project sponsor and/ or contractor(s); and the Department of Planning, Building and Code Enforcement	The project proponent or their contractor shall prepare and submit to the satisfaction of the Planning Environmental Senior Planner a construction work plan to implement the listed control measures throughout the construction period.	Prior to issuance of a grading permit and pre-construction and during construction

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
	gusts) exceed 25 mph.			
AIR-1 *Continued*	Consistent with guidance from the BAAQMD, the following additional measures shall be required of construction contracts and specifications for the project and shall be implemented at all times: • Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points. • All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. • Post a publicly visible sign with the telephone number and person to contact at the City of San José regarding dust complaints. This person shall respond and take corrective action within 48 hours. •			
<u>Impact AIR 2</u>: Long-term project-related regional emissions would exceed the BAAQMD thresholds of significance for the ozone precursor ROG.	**<u>MM AIR-2</u>:** The *BAAQMD CEQA Guidelines* document identifies potential mitigation measures for various types of projects. The following are considered to be feasible and effective in further reducing vehicle trip generation and resulting emissions from the project: • Provide transit facilities (e.g., bus bulbs/turnouts, benches, shelters). • Provide bicycle lanes and/or paths, connected to community-wide network. • Provide sidewalks and/or paths, connected to adjacent land uses, transit stops, and/or community-wide network. • Provide secure and conveniently located bicycle and storage. • Implement feasible transportation demand management (TDM) measures including a ride matching program, coordination with regional ridesharing organizations and provision of transit information.	Project sponsor and/ or contractor(s); and the Department of Planning, Building and Code Enforcement .	The project proponent shall prepare and submit to the satisfaction of the Planning Environmental Senior Planner plans and reports that include the feasible and effective measures listed.	Prior to the issuance of Development Permit

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
Biological Resources				
Impact BIO-1: Construction of the proposed project could result in the removal of ordinance-size trees.	**MM BIO-1:** Loss of ordinance size trees will be mitigated by implementation of landscaping plans approved by the City of San José, in conformance with the City of San José Landscape and Irrigation Guidelines and City of San José Planning Department specifications. For private projects, the City of San José requires tree replacement for those trees greater than 18 inches in diameter with 24-inch box trees at a ratio of 4:1 (trees planted to trees removed). The project applicant shall submit a landscape plan at the development permit stage illustrating the details by which these trees will be replaced and maintained.	Project sponsor and/ or contractor(s); and the Department of Planning, Building and Code Enforcement	A tree mitigation/ replacement plan shall be included on a Landscape Plan sheet as part of a complete Development Permit plan set and/or evidence [receipt] of a donation to Our City Forest shall be provided to the Project Manager.	Prior to the issuance of a Development permit.
Impact BIO-2: Construction activities may disturb nesting Cooper's hawks and other native birds.	**MM BIO-2:** All work on trees proposed for removal or pruning as part of redevelopment of the Corporation Yard site should occur during the non-breeding season (August 1 to February 28) in the year prior to the start of grading if feasible. If tree pruning or removal cannot occur in the non-breeding season, then a preconstruction survey for active bird nests shall be conducted. Surveys to determine the presence of active raptor and bird nests on or adjacent to the construction area shall be conducted by a qualified biologist no more than 30 days prior to the initiation of construction-related activities, including removal of existing vegetation or facilities. Results from the survey shall be submitted to the Environmental Senior Planner in the Department of Planning, Building and Code Enforcement. If native birds are observed nesting on or within 100 feet from the site, exclusion zones shall be established around all active nests. The size of the exclusion zone shall be determined based on consultation with the CDFW, which typically requires a zone of 50 to 300 feet around the nest, depending on the bird species. Active Cooper's hawk nests within urban areas would likely require a 100-foot exclusion zone. No activity shall be allowed inside the exclusion zone until a qualified biologist has determined that the young have successfully fledged from the nest or that the nest is no longer active.	Project sponsor and/ or contractor(s); and the Department of Planning, Building and Code Enforcement	No more than 30 days prior to initiation of construction activities on or adjacent to the site, a qualified biologist hired by the project proponent shall undertake pre-construction surveys for active raptor nests. If active raptor nests are identified, the construction contractor, in consultation with the California Department of Fish and Wildlife (CDFW) and the PBCE Environmental Senior Planner shall create exclusion zones around all nests.	Prior to issuance of Grading and Building permits

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
Cultural Resources				
Impact CULT-1: Construction-related excavation may result in significant impacts to human remains.	**MM CULT-1:** If human remains are discovered during archaeological investigations or construction, any such remains shall be treated in accordance with the requirements of CCR Title 14(3) §15064.5(e), which has particular procedures that apply to the discovery of remains of Native American origin. These procedures are provided below. (1) There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until: (A) The coroner of the County must be contacted to determine that no investigation of the cause of death is required, and (B) If the coroner determines the remains to be Native American: 1. The coroner shall contact the Native American Heritage Commission within 24 hours. 2. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American. 3. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in PRC §5097.98, or (2) Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance. (A) The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission; (B) The descendent identified fails to make a recommendation; or (C) The landowner or his authorized representative rejects the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.	Project sponsor and/ or contractor(s); and the Department of Planning, Building and Code Enforcement .	Upon discovery of human remains, the project proponent shall immediately notify the County Coroner and, subsequently, the Planning Division's Environmental Senior Planner and follow the procedures outlined in Mitigation Measure CULT-1.	Prior to construction and during construction

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
CULT-1 *Continued*	Compliance with the requirements of CCR Title 14(3) §15064.5(e) shall be coordinated with the Native American community contacts already established for this project. If, following the fulfillment of the notification requirements described above, human remains are discovered that are determined to not be of Native American origin, then the City shall consult with the appropriate descendent community regarding means for treating or disposing of the human remains, and any associated items, with appropriate dignity.			
Impact CULT-2: Construction-related excavation may result in impacts to significant archaeological resources.	**MM CULT-2a:** Research conducted by the Anthropological Studies Center has established that it is likely that the project area may contain significant archaeological resources associated with historic-era Japanese and Chinese settlement. To identify these resources in the field, an appropriate Testing Strategy is necessary to specify the appropriate investigative methods and approaches. If resources are identified, they will require evaluation to determine if they qualify as significant archaeological resources. The evaluation shall be conducted through the application of the principles contained in the Archaeological Research Design (described below). The ARDTEP will guide fieldwork and help to determine if identified archaeological remains constitute significant archaeological resources. The ARDTEP is being prepared by professionals who meet the Secretary of the Interior's Professional Qualifications Standards in historical archaeology, prehistoric archaeology, and history (36 CFR Part 61, Appendix A).	Project sponsor and/ or contractor(s); and the Department of Planning, Building and Code Enforcement	Following implementation of the ARDTEP, the project archaeologist shall submit a report (the content of which is specified in the ARDTEP) of his/her findings to the Planning Department. If the project archaeologist, in consultation with the Planning Department, determines that significant archaeological resources are present, and that such resources may be impacted by the project, then the Planning Project Manager shall require the preparation and implementation of an Archaeological Treatment Plan to mitigate project impacts.	Prior to the issuance of Grading Permits

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
CULT-2 *Continued*	The *research design* component of the document will contain the following major sections: Introduction and Purpose Project Location and Description Regulatory Context Methods and Sources Holocene Landscape Evolution Prehistory and Ethnography History Previous Archaeological Research Prehistoric Archaeology Historical Archaeology Archaeological Research Design Geoarchaeology Archival and Oral History Research Block Histories by Address Research Context: Prehistoric Archaeology Research Themes and Issues Data Requirements Property Types: Prehistoric Archaeology Archaeological Sensitivity: Prehistoric Research Context: Historical Archaeology Research Themes and Issues Data Requirements Property Types: Historical Archaeology Archaeological Sensitivity: Historical Archaeology. The *testing strategy* component of the document will contain the following major sections: Introduction and Purpose Test Areas and their Potential Significance Fieldwork Methods Hazardous Materials, Health, and Safety Treatment of Human Remains and Burial Goods Public Involvement Laboratory Work Laboratory Methods Archaeological Evaluation Plan: Evaluation Procedures and Criteria Integrity Infield Evaluation Post-field Evaluation Reporting and Dissemination of Results Public Outreach Curation			

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
CULT-2 *Continued*	The ARDTEP shall be subject to review and approval by the Director of Planning (or their designated representative) in consultation with the City of San José Historic Preservation Officer. On approval, the Planning Director (or their designated representative) shall require that the terms of the ARDTEP be carried out by professionals who meet the Secretary of the Interior's Professional Qualifications Standards in historical archaeology, prehistoric archaeology, and history (36 CFR Part 61, Appendix A). The ARDTEP will be used to inform the City's decision regarding project design, and will be carried out prior to project construction. Artifacts recovered as a result of the implementation of the ARDTEP will be curated at an appropriate curation facility. The appropriate curation facility will meet the standards in the Office of Historic Preservation's *Guidelines for the Curation of Archaeological Collections* (State Historic Resources Commission 1993), or, at the City's discretion, an alternate facility will be selected to provide for the long-term curation of archaeological materials in a manner that allows for future community interpretation and/or scientific analysis. Following implementation of the ARDTEP, the project archaeologist shall submit a report (the content of which is specified in the ARDTEP) of his/her findings to the Planning Department. If the project archaeologist, in consultation with the Planning Department, determines that significant archaeological resources are present, and that such resources may be impacted by the project, then the Planning Department shall require the preparation and implementation of an Archaeological Treatment Plan to mitigate project impacts. The Plan may include archaeological data recovery, archaeological monitoring, and/or public interpretation of important remains. The Archaeological Treatment Plan is described below in Mitigation Measure CULT-2b.			

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
CULT-2 ***Continued***	**<u>MM CULT-2b</u>:** Unavoidable project impacts on significant archaeological resources shall be treated according to the requirements of an Archaeological Treatment Plan (ATP). The Director of Planning (or their designated representative) shall review, authorize, and require the implementation of the ATP, which shall be prepared by professionals who meet the Secretary of the Interior's Professional Qualifications Standards in historical archaeology, prehistoric archaeology, and history (36 CFR Part 61, Appendix A), and who will work in consultation with the City and the appropriate descendent communities. The ATP shall specify the treatment of previously identified significant archaeological resources, as well as the treatment of property types that may be uncovered during additional archaeological excavation. Depending on the nature of the resources and project impacts, the ATP may include requirements for any or all of the following: additional archaeological identification efforts, data recovery (scientific excavation), laboratory analysis, preparation of technical and interpretive reports, *in situ* preservation of remains, archaeological monitoring during construction, and the preparation of feasible public outreach products. Treatment, including archaeological data recovery, shall be limited to significant archaeological resources that may be adversely impacted by the project. The ATP shall contain the following sections, as appropriate to the resources under consideration: Introduction and Purpose Project Description Impact Locations Historic Resources Data Recovery Plan: Field Methods Site Security Measures Laboratory Methods Artifact Discard and De-accession Policy Final Reporting and Dissemination of Results Curation Public Interpretation Plan Archaeological Monitoring Plan	Project sponsor and/ or contractor(s); and the Department of Planning, Building and Code Enforcement	After the City has approved the project design and the ATP has been implemented, the City, in consultation with the project archaeologist, may determine that it is necessary to prepare an Archaeological Monitoring Plan. This decision will be based on information about field conditions collected during the Archaeological Monitoring Plan's implementation, and will specifically address the likelihood that undiscovered, significant archaeological resources may be present in the project area and may be impacted by project activities. The decision shall be made by the Director of Planning (or their designated representative).	Prior to issuance of Grading Permits

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
CULT-2 *Continued*	After the City has approved the project design and the ATP has been implemented, the City, in consultation with the project archaeologist, may determine that it is necessary to prepare an Archaeological Monitoring Plan. This decision will be based on information about field conditions collected during the Archaeological Monitoring Plan's implementation, and will specifically address the likelihood that undiscovered, significant archaeological resources may be present in the project area and may be impacted by project activities. The decision shall be made by the Director of Planning (or their designated representative).			
	MM CULT-2c: The purpose of the Archaeological Monitoring Plan (AMP) will be to ensure that significant archaeological resources discovered during construction are identified, evaluated, and appropriately treated. The City will review, authorize, and require the implementation of the AMP. The AMP shall be reviewed, authorized, and its implementation required by the Director of Planning (or their designated representative). The AMP shall include the following requirements: • Construction monitoring shall be undertaken by an individual who meets the Secretary of the Interior's Professional Qualifications Standards in historical archaeology and/or prehistoric archaeology (36 CFR Part 61, Appendix A), as appropriate in relation to the anticipated resources. A Native American cultural monitor shall be present if previous archaeological excavations indicate that Native American archaeological deposits may be discovered. The cultural monitor's function shall be to advise the project archaeologist and the City regarding the respectful treatment of any prehistoric archaeological remains that are uncovered. • The City, in consultation with the project archaeologist, shall determine which project activities and/or which portions of the project area will be archaeologically monitored. This information will be included in the AMP. In most cases, all soil-disturbing activities in sensitive portions of the project area—such as demolition, foundation removal, excavation, grading, utilities installation, and foundation work—will require archaeological monitoring. The project archaeologist shall have the authority to redirect construction personnel and equipment while discoveries are being assessed. The monitoring and project archaeologists would make every effort to ensure that evaluation and treatment of remains is carried out with as little disruption as possible. If it is necessary to suspend construction for more than one	Project sponsor and/or contractor(s); and the Department of Planning, Building and Code Enforcement	The project archaeologist shall be responsible for including the requirements outlined in Mitigation Measure CULT-2c into the AMP. The project proponent shall retain a qualified archaeologist to implement the Archaeological Monitoring Plan, as described in Mitigation Measure CULT-2c.	Prior to the issuance of Grading Permits

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
	working day, the project archaeologist shall consult with the City to assess the appropriate course of action.			
CULT-2 *Continued*	During construction monitoring, if the project archaeologist and the City determine that the finds in question represent significant archaeological resources, and that these resources may be adversely impacted by the project, then the City shall require the implementation of the appropriate portions of the Archaeological Treatment Plan to mitigate project effects on significant resources. These efforts may include archaeological data recovery and public interpretation of important remains.	Project sponsor and/ or contractor(s); and the Department of Planning, Building and Code Enforcement	The City shall require the implementation of the appropriate portions of the Archaeological Treatment Plan to mitigate project effects on significant resources. These efforts may include archaeological data recovery and public interpretation of important remains.	During construction
Impact CULT-3: New construction may result in significant impacts to the integrity of setting and feeling of the NRHP/CRHR-eligible San José Japantown Historic District.	**MM CULT-3a:** The proposed project shall have regular ground-floor entries along the portions of North 6th Street that are across from Buildings 8 through 16. While of varying scales and designs, the nine contributing buildings along the west side of North 6th Street, although interrupted by vacant parcels and surface parking lots, create a pedestrian-scaled rhythm of ground floor entries and storefronts. Buildings 13 through 16 will be across North 6th Street from the up to four-story community amenity building; Buildings 8 through 12 will be across the street from a proposed six- to 7-story buildings. These proposed buildings shall maintain and extend the scaled rhythm established by the contributing buildings along North 6th Street. The project should not "wall off" this portion of North 6th Street with an undifferentiated, continuous façade. Nor shall the buildings of this portion of the project be set so far back from the street that North 6th Street fails to feel like a commercial-lined street. Staggered setbacks of up to 5 feet and/or architectural differentiation will be incorporated into the ground floor retail frontage. Building to the property line on North 6th Street from Jackson Street to approximately Building 16 (APN 249-39-012) is desirable.	Project sponsor and/ or contractor(s); and the Department of Planning, Building and Code Enforcement .	The project architect shall incorporate the design requirements outlined in Mitigation Measure CULT-3a into project plans.	Prior to issuance of a Planned Development Permit

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
CULT-3 *Continued*	**MM CULT-3b**: The proposed project shall employ setbacks and horizontal façade elements to reflect the scale of the NRHP/CRHR-eligible San José Japantown Historic District along the portions of North 6th Street that is directly across from Buildings 8 through 16. This mitigation measure shall not be construed to require specific building materials or design elements. Maximum building heights fronting North 6th Street in proximity to Buildings 8 through 16 shall be mid-rise in order to be compatible with the mid-rise scale of the greater Japantown area and the low-rise scale of the identified NRHP/CRHR-eligible San José Japantown Historic District. Proposed buildings directly across North 6th Street from Buildings 8 through 16 shall incorporate horizontal façade elements to distinguish the first story or two from the stories above. The third through sixth stories on buildings proposed across North 6th Street from Buildings 8 through 12 shall be set back substantially (10 to 15 feet) from second stories. Such elements will prevent the taller proposed buildings from overwhelming the contributing one- and two-story buildings on the west side of North 6th Street. A two-part review process would be used to ensure that proposed designs meet the objectives of Mitigation Measures CULT-3a and 3b. First, conceptual elevations and architectural standards for the proposed development shall be subject to City Council approval, following community input at the Planned Development zoning stage. Then, final elevations will be subject to the approval of the Director of Planning, following community input at the Planned Development Permit stage.	Project sponsor and/ or contractor(s); and the Department of Planning, Building and Code Enforcement	The project architect shall incorporate the design requirements outlined in Mitigation Measure CULT-3b into project plans.	Prior to issuance of a Planned Development Permit

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
Impact CULT-4: New construction may result in significant impacts to the integrity of design, materials, and workmanship of the NRHP/CRHR-eligible San José San José Japantown Historic District.	**MM CULT-4a:** Should the implementation of Mitigation Measure NOI-2b demonstrate that construction-related vibration levels may be in excess of the damage threshold, a qualified geologist or other professional with expertise in ground vibration and its effect on existing structures shall determine the likelihood that such vibration would damage any of the contributing buildings of the NRHP/CRHR-eligible San José Japantown Historic District. If such damage is likely, the qualified professional shall develop specifications regarding the restriction and monitoring of construction activities that shall be incorporated into the contract. Project modifications recommended by the qualified professional shall be made prior to project construction to reduce vibrations to below damage threshold levels. Construction-related vibration levels in the vicinity of Buildings 8-16 shall be monitored during initial construction. If construction-related vibration exceeds threshold levels, then, prior to the commencement of construction within 50 feet of any of the NRHP/CRHR-eligible San José Japantown Historic District contributing buildings (including subsurface utility construction in North 6th Street), an architect specializing in historic architecture and a registered structural engineer shall undertake an existing condition study of those contributing buildings at risk. The purpose of the study would be to establish the baseline condition of at-risk buildings, prior to construction that may exceed vibration thresholds, by identifying the location and extent of any visible exterior surface cracks, spalls, or structural deficiencies. The documentation shall consist of written descriptions and photographs, and shall specifically address those physical characteristics of the resource that convey its historical significance and that justify its inclusion in, or eligibility for inclusion in, the California Register and the local register. The documentation would be reviewed and approved by the City of San José's Historic Preservation Officer.	Project sponsor and/ or contractor(s); and the Department of Planning, Building and Code Enforcement	Should the implementation of Mitigation Measure NOI-2b demonstrate that construction-related vibration levels may be in excess of the damage threshold, the project proponent shall retain a qualified geologist or other professional with expertise in ground vibration and its effect on existing structures to perform the analysis and make recommendations outlined in Mitigation Measure CULT-4a.	During the pre-construction and construction periods

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
CULT-4 *Continued*	Following the baseline condition assessment, the architect and structural engineer shall monitor groundborne vibration levels during construction and report any changes to existing condition of the at-risk buildings, including, but not limited to, expansion of existing cracks, new spalls, or other exterior deterioration. Monitoring reports shall be submitted to the City of San José's Historic Preservation Officer, who shall also establish the frequency of monitoring and reporting. The structural engineer shall consult with the architect if any problems with character-defining features of a contributing building are discovered. If, in the opinion of the structural engineer in consultation with the architect, substantial adverse changes to the character-defining features of the contributing buildings are found during construction (and can be reasonably attributed to the effects from construction activities), the monitoring team shall immediately inform the project sponsor or sponsor's designated representative responsible for construction activities. The monitoring team shall also provide recommendations for preventive and/or corrective measures, and such measures shall be followed by the project sponsor. The preventive/measures may include (1) halting construction in situations where construction activities would imminently endanger historical buildings; (2) redesigning the project to avoid certain activities that would pose future risks to historical buildings; and (3) repairing any construction-related damage such that the character-defining features of any affected buildings are restored to their pre-project condition. The monitoring teams recommendations shall be reviewed by the City of San José's Historic Preservation Officer for feasibility and appropriateness, but preventive measures shall be implemented in a timely manner to avoid additional potential damage.			

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
CULT-4 *Continued*	**MM CULT-4b:** The monitoring architect (described above) shall establish a training program for construction personnel to emphasize the importance of protecting the historical buildings in the vicinity of the project area. This program shall include information on recognizing historic fabric and materials, and directions on how to exercise care when working around and operating equipment near historical buildings, including the proper storage of materials. The program shall also include information on ways to minimize vibrations from demolition and construction, as well as ways to monitor and report any potential damage to historical buildings from such vibration. A provision for establishing this training program shall be incorporated into the contract, and the contract provisions would be reviewed and approved by the City of San José's Historic Preservation Officer.	Project sponsor and/ or contractor(s); and the Department of Planning, Building and Code Enforcement	A monitoring architect hired by the project proponent shall be responsible for establishing a training program for construction personnel to emphasize the importance of protecting the historical buildings in the vicinity of the project area, as outlined in Mitigation Measure CULT-4b. The monitoring architect shall incorporate a provision for establishing this training program into the contract.	During the pre-construction and construc-tion periods
Impact CULT-5: New construction may result in inadvertent damage to paleontological resources.	**MM CULT-5:** If paleontological resources are encountered during project subsurface construction on the Corporation Yard site, all work within 25 feet of the discovery shall be redirected and a qualified paleontologist contacted to evaluate the finds and make recommen-dations. If the exposed geological formation is found to contain signifi-cant paleontological resources, such resources shall be avoided by project activities, if feasible. If project activities cannot avoid the paleontological resources, the resources shall be evaluated for their significance. If the resources are found to be significant, adverse effects shall be mitigated. Mitigation may include, but is not limited to, monitoring, data recovery and analysis, and accessioning of all fossil material to a paleontological repository. A final report documenting the methods, findings, and recommendations of the consulting paleontologist shall be prepared and submitted to the paleontological repository.	Project sponsor and/ or contractor(s); and the Department of Planning, Building and Code Enforcement	If paleontological resources are encountered during project subsurface construction, the project proponent shall retain a qualified paleontologist to evaluate the resources, make recommendations, produce a report and file the report, as outlined in Mitigation Measure CULT-5.	During the pre-construction and construc-tion periods

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
Geology and Soils				
Impact GEO-1: Seismically-induced ground shaking at the project could result in damage to life and/or property.	**MM GEO-1:** Prior to the issuance of individual site-specific grading or building permits, a design-level geotechnical investigation shall be prepared by a licensed professional, commissioned by the project applicant, and submitted to the City of San José Department of Public Works for review and confirmation that the proposed development fully complies with the California Building Code (Seismic Zone 4). The reports shall describe the project site's geotechnical conditions and address potential seismic hazards, such as liquefaction. The reports shall identify building techniques appropriate to minimize seismic damage. In addition, analysis presented in the geotechnical reports shall conform to the California Division of Mines and Geology recommendations presented in the *Guidelines for Evaluating Seismic Hazards in California*. All mitigation measures, design criteria, and specifications set forth in the geotechnical and soils reports shall be followed. It is acknowledged that seismic hazards cannot be completely eliminated even with site-specific geotechnical investigation and advanced building practices. However, exposure to seismic hazards is a generally accepted part of living in the San Francisco Bay Area. The mitigation measure described above reduces the potential hazards associated with seismic activity to a less-than-significant level.	Project sponsor and/ or contractor(s); and the Department of Planning, Building and Code Enforcement	The project proponent shall retain a certified geologist to prepare and submit a design-level geotechnical investigation, as described in Mitigation Measure GEO-1, to the satisfaction of the City Geologist.	Prior to the issuance of Building and Grading Permits
Impact GEO-2: Structures or property at the project could be adversely affected by expansive soils or by settlement of project soils.	**MM GEO-2:** The Corporation Yard is underlain by expansive soils and/or non-engineered fill and the designers of building foundations and other improvements (including the sidewalks, roads, and underground utilities) shall consider these conditions. The design-level geotechnical investigations required under Mitigation Measure GEO-1 shall include measures to ensure potential damages related to expansive soils and non-uniformly compacted fill are minimized. Mitigation options may range from removal of the problematic soils and replacement, as needed, with properly conditioned and compacted fill to design and construction of improvements to withstand the forces exerted during the expected shrink-swell cycles and settlements. All mitigation measures, design criteria, and specifications set forth in the geotechnical and soils reports shall be followed to reduce impacts	Project sponsor and/ or contractor(s); and the Department of Planning, Building and Code Enforcement	The project proponent shall retain a certified geologist to prepare and submit a design-level geotechnical investigation, as described in the mitigation measure, to the satisfaction of the City Geologist.	Prior to issuance of Building or Grading Permits

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
	associated with shrink-swell soils to a less-than-significant level.			
Impact GEO-3: Differential settlement at the project site could result in damage to project buildings and other improvements.	**MM GEO-3:** As required under Mitigation Measure GEO-1, prior to the issuance of individual grading permits for the applicable site, a site-specific grading plan and geotechnical report shall be prepared by licensed professionals and submitted to the City of San José Department of Public Works for review and approval. The plans shall include specific recommendations for mitigating potential settlement associated with fill placement and areas of different fill thickness. All mitigations measures set forth in the geotechnical report and/or grading plan shall be followed.	Project sponsor and/ or contractor(s); and the Department of Planning, Building and Code Enforcement	The project proponent shall retain a certified geologist to prepare and submit a design-level geotechnical investigation, as described in the mitigation measure, to the satisfaction of the City Geologist.	Prior to issuance of Building and Grading Permits
Impact GEO-4: Liquefaction at the project site could result in damage to buildings and other improvements.	**MM GEO-4:** Project design shall be in accordance with the recommendations contained in site-specific geotechnical reports, as required under Mitigation Measure GEO-1, prepared by a licensed professional and reviewed and approved by the San José Department of Public Works. The City of San José Department of Public Works shall approve all final design and engineering plans. Project design and construction shall be in conformance with current best standards for earthquake resistant construction in accordance with the California Building Code (Seismic Zone 4), applicable local codes and in accordance with the generally accepted standard of geotechnical practice for seismic design in Northern California. The City shall submit one copy of the approved geotechnical reports, including mitigation measures, if any, that are to be taken, to the State Geologist within 30 days of approval of the reports. The design-level geotechnical investigations shall include measures to reduce potential damage related to liquefaction to a less-than-significant level.	Project sponsor and/ or contractor(s); and the Department of Planning, Building and Code Enforcement	The project proponent shall retain a certified geologist to prepare and submit a design-level geotechnical investigation, as described in the mitigation measure, to the satisfaction of the City Geologist.	Prior to issuance of Building and Grading Permits

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
Hazards and Hazardous Materials				
Impact HAZ-1: Development of the project could expose remediation/construction workers and/or the public to hazardous materials from contaminants in soil and groundwater, during and following site redevelopment activities.	**MM HAZ-1b:** Prior to approval for any grading or construction permits, the contractor(s) shall prepare procedures to be undertaken in the event that previously unreported contamination or subsurface hazards are discovered during redevelopment activities (e.g., identified by odor or visual staining), including a contingency plan for sampling of unknown materials, and shall designate personnel responsible for implementation of these procedures. The procedures shall be submitted by the contractor(s) with the application for a grading permit(s) from the City of San José Department of Public Works.	Project sponsor and/ or contractor(s); and the Department of Planning, Building and Code Enforcement	The project proponent shall retain a licensed professional to prepare and submit procedures to be undertaken in the event that previous unreported contamination or subsurface hazards are discovered during redevelopment activities. The licensed professional shall submit these procedures with the application for grading permit(s) to the City Public Works Department.	Prior to issuance of Building and Grading Permits
Impact HAZ-2: Improper use or transport of hazardous materials during construction activities could result in releases affecting construction workers and the general public.	**MM HAZ-2a:** The contractor(s) shall designate storage areas that are suitable for material delivery, storage, and waste collection. These locations must be as far away from catch basins, gutters, drainage courses, and water bodies as possible. All hazardous materials and wastes used or generated during project site redevelopment activities shall be labeled and stored in accordance with applicable local, state, and federal regulations, and General Plan policies for Hazardous Materials and Fire Hazards. In addition, an accurate up-to-date inventory, including Material Safety Data Sheets, shall be maintained on-site to assist emergency response personnel in the event of a hazardous materials incident. All maintenance and fueling of vehicles and equipment shall be performed in a designated, bermed area, or over a drip pan that will not allow run-off of spills. Vehicles and equipment shall be regularly checked and have leaks repaired promptly at an off-site location. Secondary containment shall be used to catch leaks or spills any time that vehicle or equipment fluids are dispensed, changed, or poured.	Project sponsor and/ or contractor(s); and the Department of Planning, Building and Code Enforcement	The construction contractor shall implement Mitigation Measure HAZ-2a regarding the use and transport of hazardous materials.	Prior to issuance of Building and Grading Permits

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
HAZ-2 *Continued*	MM HAZ-2b: The contractor(s) shall prepare emergency procedures including notification procedures in the event of spills or other on-site hazardous materials releases, evacuation procedures, spill containment procedures, and required personal protective equipment, as appropriate, in responding to the emergency. Use, storage, disposal, and transport of hazardous materials during construction activities at both sites shall be performed in accordance with existing local, state, and federal hazardous materials regulations. These emergency procedures shall be prepared by the contractor(s) and submitted to the City prior to earthworking activities.	Project sponsor and/ or contractor(s); and the Department of Planning, Building and Code Enforcement	he construction contractor shall implement Mitigation Measure HAZ-2b regarding the use and transport of hazardous materials.	Prior to issuance of Building and Grading Permits
Hydrology and Water Quality				
Impact HYD-1: Alteration of local drainage patterns could potentially exceed the capacity of downstream stormwater conveyance structures, resulting in localized flooding.	**MM HYD-1:** As a condition of approval of the Planned Development Permit plans of the project site, the applicant shall demonstrate through the preparation of a detailed hydraulic analysis, that implementation of proposed drainage plans for the applicable development site would not increase total off-site peak flow rates, or exceed the capacities of local system components. The projects must use drainage components and methods that are designed in compliance with City of San José standards. The grading and drainage plans shall be reviewed for compliance with these requirements by the City of San José Department of Public Works. Any improvements deemed necessary by the City will be part of the conditions of approval. Implementation of this mitigation measure would reduce potential impacts associated with increased peak runoff volumes to a less-than-significant level.	Project sponsor and/ or contractor(s); and the Department of Planning, Building and Code Enforcement and the Department of Public Works	The project proponent shall retain a qualified professional to conduct a detailed hydraulic analysis and incorporate appropriate drainage components into project designs.	Prior to issuance of a Planned Development Permit

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
Impact HYD-2: Construction activities and post-construction site uses could result in degradation of water quality in the receiving waters by reducing the quality of stormwater runoff.	**MM HYD-2a:** The applicant(s) shall each prepare a SWPPP designed to reduce potential impacts to surface water quality through the construction period of the project. The SWPPPs must be maintained on-site and made available to City inspectors and/or Water Board staff upon request. The SWPPPs shall include specific and detailed BMPs designed to mitigate construction-related pollutants. At minimum, BMPs shall include practices to minimize the contact of construction materials, equipment, and maintenance supplies (e.g., fuels, lubricants, paints, solvents, adhesives) with stormwater. The SWPPPs shall specify properly designed centralized storage areas that keep these materials out of the rain. An important component of the stormwater quality protection effort is the knowledge of the site supervisors and workers. To educate on-site personnel and maintain awareness of the importance of stormwater quality protection, site supervisors shall conduct regular tailgate meetings to discuss pollution prevention. The frequency of the meetings and required personnel attendance list shall be specified in the SWPPPs. The SWPPPs shall specify a monitoring program to be implemented by the construction site supervisor, which must include both dry and wet weather inspections. In addition, in accordance with State Water Resources Control Board Resolution No. 2001-046, monitoring would be required during the construction period for pollutants that may be present in the runoff that are "not visually detectable in runoff." BMPs designed to reduce erosion of exposed soil may include, but are not limited to: soil stabilization controls, watering for dust control, perimeter silt fences, placement of hay bales, and sediment basins. The potential for erosion is generally increased if grading is performed during the rainy season as disturbed soil can be exposed to rainfall and storm runoff. If grading must be conducted during the rainy season, the primary BMPs selected shall focus on erosion control; that is, keeping sediment on the site. End-of-pipe sediment control measures (e.g., basins and traps) shall be used only as secondary measures. If hydroseeding is selected as the primary soil stabilization method, then these areas shall be seeded by September 1 and irrigated as necessary to ensure that adequate root development has occurred prior to October 1. Entry and egress from the construction site shall be carefully controlled to minimize off-site tracking of sediment. Vehicle and equipment wash-down facilities shall be designed to be accessible and functional during both dry and wet conditions.	Project sponsor and/ or contractor(s); and the Department of Planning, Building and Code Enforcement, and the Department of Public Works	The project proponent shall prepare and implement a Storm Water Pollution Prevention Plan (SWPPP) that includes specific and detailed Best Management Practices (BMPs). The SWPPP shall specify a monitoring program to be implemented by the construction site supervisor. The SWPPP shall be completed and submitted to the satisfaction of the Planning Environmental Division Manager. The SWPPP shall specify a monitoring program to be implemented by the construction site supervisor. The SWPPP must be maintained on-site and made available upon request.	Prior to the issuance of a Grading Permit, during construction and post-construction

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
HYD-2 ***Continued***	The City of San José Department of Public Works shall review and approve the SWPPPs and drainage plans prior to approval of the planning development permit or grading plan. The Director of Public Works and City inspectors from Building, Public Works or Environmental Services Departments may require more stringent stormwater treatment measures than required by the SWPPPS, at their discretion. Implementation of this two-part mitigation would reduce this impact to a less-than-significant level.			
	MM HYD-2b: Project applicants for the site shall comply with the City of San José's Post-Construction Urban Runoff Management Policy (Policy Number 6-29), which requires use of Low Impact Development (LID) techniques including infiltration, harvest and reuse, evapotranspiration, or biotreatment to manage stormwater. In addition, the project shall incorporate the following measures: • The applicants for the site shall have a stormwater control plan prepared by a qualified professional, prior to approval of the planning development permit. In accordance and compliance with City of San José Policy 6-29, the stormwater control plan shall include, and show, calculations in compliance with the numerical sizing criteria listed in Chapter 4 of the C.3 Stormwater manual, as issued by the SCVURPPP. As part of the determination as to suitability of the site, location-specific soil testing is required if landscape treatment is part of the treatment strategy to be employed at the site(s). • The stormwater control plans shall demonstrate through detailed hydraulic analysis that implementation of the proposed drainage plans would result in treatment of the appropriate percentage of the runoff from the site~~s~~ (in compliance with the County NPDES permit). The permit provides for more than one methodology for calculating numeric sizing criteria; however, the amount of runoff that is typically required to be treated is about 85 percent of the total average annual runoff from the site. The qualified professionals preparing the design-level stormwater control plans shall consider additional measures designed to mitigate potential water quality degradation of runoff from all portions of the completed developments. In general, passive, low-maintenance BMPs (e.g., grassy swales, porous pavements) are preferred by the agency. The City shall ensure that the site project designs include features and operational BMPs to reduce potential impacts to surface water quality associated with operation of the	Project sponsor and/ or contractor(s); and the Department of Planning, Building and Code Enforcement; and the Department of Public Works	The project proponent shall have a stormwater control plan prepared by a qualified professional. The plan shall comply with the City of San Jose's Post-Construction Urban Runoff Management Policy, as outlined in Mitigation Measure HYD-2b.	Prior to issuance of a Planned Development Permit

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
	projects to the maximum extent practicable. These features shall be included in the stormwater control plans and final development drawings.			
HYD-2 ***Continued***	• The design teams for the site shall review and incorporate as many concepts as practicable from Start at the Source, Design Guidance Manual for Stormwater Quality Protection[1] and the California Stormwater Quality Association's Stormwater Best Management Practice Handbook, New Development and Redevelopment. Any use of end-of-pipe treatment systems must be accompanied by a viable maintenance program. Specifically, drainage from the project sites should be treated prior to discharge to city storm drains. • The enclosed parking areas shall not be drained to the stormwater conveyance system. The garages should be dry-swept or, if wash-down water is used the effluent should be discharged to the sanitary sewer system under permit from the San José/Santa Clara Water Pollution Control Plant. The City of San José Department of Public Works shall review and approve the stormwater control plans and drainage plans prior to approval of the planning development permit. The Director of Public Works and City inspectors from Building, Public Works or Environmental Services Departments may require more stringent stormwater treatment measures than required by the SWPPPS, at their discretion. Implementation of this two-part mitigation would reduce this impact to a less-than-significant level.			

[1] Bay Area Stormwater Management Agencies Association, 1999. *Start at the Source, Design Guidance Manual for Stormwater Quality Protection*.

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
Impact HYD-3: Dewatering discharges may contain contaminants and if not properly managed could cause impacts to construction workers and the environment.	**MM HYD-3:** As required under Mitigation Measure HYD-2a, the project applicant shall have a SWPPP prepared. The SWPPP shall include provisions for the proper management of construction-period dewatering activities. At minimum, all dewatering shall be contained prior to discharge to allow the sediment to settle out, and filtered, if necessary, to ensure that only sediment-free water is discharged to the storm or sanitary sewer system, as appropriate. The General Permit makes allowance for circumstances where limited amounts of uncontaminated dewatering effluent, from foundation excavations for example, may be released after sediment has settled out and the effluent has been filtered, in compliance with the terms of the SWPPP. In areas of suspected groundwater contamination (i.e., near sites where chemical releases are known or suspected to have occurred), the groundwater shall be analyzed by a State-certified laboratory for the suspected pollutants prior to discharge. Based on the results of the analytical testing, the project applicant(s) shall acquire the appropriate permit(s) prior to discharge of the dewatering effluent. Discharge of the dewatering effluent would require a permit from the Water Board (for discharge to the storm sewer system) and/or the San José/Santa Clara Water Pollution Control Plant (for discharge to the sanitary sewer system).	Project sponsor and/ or contractor(s); and the Department of Planning, Building and Code Enforcement, the Department of Public Works, and Environmental Services Department	The City shall confirm that the project proponent has properly managed dewatering effluent based on provisions in the SWPPP, as specified in the mitigation measure. The project proponent shall procure the appropriate permits needed for the discharge of dewatering effluent and submit a copy of the permits to the Planning Environmental Division Manager.	During the pre-construction and construction periods
Impact HYD-4: Redevelopment of the site proposes below-ground parking structures which could be inundated by infiltrating groundwater and/or during extreme storm events.	**MM HYD-4a:** The portions of the structures of the proposed site that may come into contact with groundwater shall be waterproofed using accepted building practices and approved by the City of San José Building Official. The methods used in waterproofing may include (but are not limited to) the placement of membranes or coatings (e.g. modified asphalt, urethanes, or rubber polymers) on the exterior surfaces of the below grade foundation components. In addition, each sublevel area shall be equipped with a sump pump to remove infiltrating ground water and garage wash-down water to the sanitary sewer system, and the effluent should be discharged to the sanitary sewer system under permit from the San José/Santa Clara Water Pollution Control Plant.	Project sponsor and/ or contractor(s); and the Department of Planning, Building and Code Enforcement; Department of Public Works, and Environmental Services Department	The project proponent shall water proof portions of the structure and equip areas with a sump pump as described in Mitigation Measure HYD-4a.	Prior to issuance of a Building Permit

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
HYD-4 *Continued*	**MM HYD-4b:** All structures of the proposed site shall be built so that the potential for surface water flow into the underground parking, or other underground structures, is minimized. If the potential surface water inflow is not controlled, the sump pumps, installed primarily to remove ground water infiltration and wash-down water from garage maintenance, may be inadequate. Specifically, the entrances and exits to all below-grade structures shall be protected from all surface water inflow (including floodwater associated with the 100-year flood event) either by grade control and/or berms at the entrances and exits. The surface elevation for the entrance to the underground garage shall rise to at least one foot above the highest 'top-of-curb' point adjacent the parking entrance.	Project sponsor and/ or contractor(s); and the Department of Planning, Building and Code Enforcement	The project proponent for the Corporation Yard site shall design and construct structures to minimize surface water flow into below grade areas, as described in Mitigation Measure HYD-4b.	Prior to issuance of a Building Permit
Noise				
Impact NOI-1: Noise levels from construction activities may range up to 87 dBA L_{max} at the nearest sensitive land uses to the project site.	**MM NOI-1a:** All construction vehicles or equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers.	Project sponsor and/ or contractor(s); and the Department of Planning, Building and Code Enforcement	The construction contractors shall use all of the listed noise suppression devices and techniques throughout the construction period, to the satisfaction of the Planning Environmental Division Manager.	Prior to issuance of Grading or Building permits and continuing throughout the construction period.
	MM NOI-1b: The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site as much as is reasonably feasible.	Project sponsor and/ or contractor(s); and the Department of Planning, Building and Code Enforcement	The construction contractors shall use all of the listed noise suppression devices and techniques throughout the construction period, to the satisfaction of the Planning Environmental Division Manager.	Prior to issuance of site-specific grading or building permits and continuing throughout the construction period.
	MM NOI-1c: The construction contractor shall locate equipment staging in areas that would create the greatest distance feasible between construction-related noise sources and noise-sensitive receptors nearest	Project sponsor and/ or contractor(s); and the Department of	The construction contractors shall use all of the listed noise	Prior to issuance of site-specific grading

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
	the project site during all project construction.	Planning, Building and Code Enforcement	suppression devices and techniques throughout the construction period, to the satisfaction of the Planning Environmental Division Manager.	or building permits and continuing throughout the construction period.
NOI-1 *Continued*	**MM NOI-1d:** Except as otherwise permitted, construction activities shall be restricted to between 7:00 a.m. and 7:00 p.m. Monday through Friday. No construction shall be permitted on Sundays or federal holidays.	Project sponsor and/ or contractor(s); and the Department of Planning, Building and Code Enforcement	The construction contractors shall use all of the listed noise suppres-sion devices and techniques throughout the construction period, to the satisfaction of the Planning Environmental Division Manager.	Prior to issuance of site-specific grading or building permits and continuing throughout the construction period.
Impact NOI-2: Groundborne noise and vibration levels from construction activities may range up to 96 VdB Lmax at the nearest sensitive land uses to the project site.	**MM NOI-2b:** If utility construction would occur within the right of way of North 6th Street and within less than 50 feet of nearby sensitive structures on North 6th Street as a result of buildout of the Corporation Yard site, the site's project applicant shall prepare a vibration impact assessment to determine potential construction-related groundborne vibration impacts. If mitigation measures cannot be identified that would reduce groundborne vibration impacts to below the groundborne vibration damage criteria of 96 VdB for fragile structures then the measures outlined in the Cultural resources section Mitigation Measure CULT-4a and -4b shall be incorporated into construction plans for the project.	Project sponsor and/ or contractor(s); and the Department of Planning, Building and Code Enforcement	The project proponent shall retain a licensed professional to prepare a vibration impact assessment, as outlined in Mitigation Measure NOI-2b. Based on the findings of the vibration impact assessment, implementa-tion of Cultural Resources section Mitigation Measure CULT-4a and -4b may be required.	Prior to issuance of site-specific grading or building permits
Impact NOI-3: The existing ambient noise environment would exceed the City of San José's land use compatibility guidelines.	**MM NOI-3a:** All noise sensitive development on the Corporation Yard site that is located within 155 feet of the centerline of Taylor Street or within 58 feet of the centerline of 7th Street shall include an alternate form of ventilation, such as an air conditioning system, in order to ensure that windows can remain closed for a prolonged period of time.	Project sponsor and/ or contractor(s); and the Department of Planning, Building and Code	The project proponent shall implement Mitigation Measure NOI-3a.	Prior to issuance of a building permit

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
		Enforcement		
NOI-3 *Continued*	**MM NOI-3b:** All on-site outdoor activity areas shall be located so that they are completely sheltered by buildings from direct exposure to Taylor Street.	Project sponsor and/ or contractor(s); and the Department of Planning, Building and Code Enforcement	The project proponent for the Corporation Yard site shall implement Mitigation Measure NOI-3b.	Prior to issuance of a building permit
	MM NOI-3c: ~~All residential bedroom units with direct exposure to and within 320 feet of the railroad tracks shall include upgraded façade assemblies with an overall minimum sound transmission class rating of STC 36 including windows with a minimum rating of STC 38 in order to reduce nighttime train passby single event noise levels to below 50 dBA L_{max}.~~ The City's standard for interior noise levels in residences, hotels, motels, residential care facilities, and hospitals is 45 dBA DNL. The project shall include appropriate site and building design, building construction and noise attenuation techniques in new development to meet this standard. For sites with exterior noise levels of 60 dBA DNL or more, an acoustical analysis following protocols in the City-adopted California Building Code is required to demonstrate that development projects can meet this standard. The acoustical analysis shall base required noise attenuation techniques on expected Envision San Jose 2040 General Plan traffic volumes to ensure land use compatibility and General Plan consistency over the life of this plan. A design-level acoustical analysis will be completed at the building permit stage as a routine step, in conformance with the Building Code, to document the noise attenuation measures necessary to reduce interior noise to 45 dBA DNL or lower prior to the issuance of building permits.	Project sponsor and/ or contractor(s); and the Department of Planning, Building and Code Enforcement	The project proponent for the Corporation Yard site shall implement Mitigation Measure NOI-3c.	Prior to issuance of a ~~building~~ Planned Development permit

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
Utilities and Service Systems				
Impact UTIL-1: The proposed project could exceed the capacity of some sewer lines in the vicinity of the project site.	**MM UTIL-1:** As a condition of project approval, the applicant for redevelopment of the Corporation Yard site shall verify with survey data, to be submitted to the San José Department of Public Works, that the 8-inch VCPs on North 7th Street between Jackson Street and Taylor Street and on North 6th Street between Jackson Street and Taylor Street could accommodate any proposed lateral connections from the below grade garage. If the VCPs cannot accommodate the proposed laterals from the below grade garage, then the applicant shall contract with a qualified engineering firm to design a system that could include ejector pumps and backflow preventors.	Project sponsor and/ or contractor(s); and the Department of Planning, Building and Code Enforcement.	The project proponent shall implement Mitigation Measure UTIL-1 regarding verification of accommodation of sewer line connectors.	Prior to issuance of a building permit